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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, SECOND SESSION

SENATE—*Friday, October 6, 2000*

(Legislative day of Friday, September 22, 2000)

The Senate met at 9:31 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, who has given us life, bless us today in the work we will do. We praise You for work that can be done as an expression of our worship of You. We bring the meaning of our faith to our work rather than making our work the ultimate meaning of our lives. With that perspective, we seek to do everything to Your glory. We pray for mental alertness, emotional stability, and physical strength to achieve excellence in all that we do. Thank You for Your companionship in tasks great and small. It is awesome to contemplate that You who are in control of the universe have placed us in charge of what You want to accomplish through us.

Fill us with Your joy and make us cheerful people who make others happier because we are with them. Make us a blessing and not a burden, a lift and not a load, a delight and not a drag. It's great to be alive! Help us make a difference because of the difference You have made in us. In the name of our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JAMES M. INHOFE, a Senator from the State of Oklahoma, 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Iowa is recognized.

SCHEDULE

Mr. GRASSLEY. Mr. President, I say on behalf of the leader, the Senate will be in a period for morning business until 10 a.m. Following morning business the Senate is expected to begin consideration of the conference report to accompany the Transportation appropriations bill or the sex trafficking conference report. The House is expected to consider the Transportation appropriations legislation this morning. Therefore, it is hoped that a vote can occur prior to noon today. Senators will be notified as soon as votes are scheduled. The leader thanks our colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to extend beyond the hour of 10 a.m., with time to be equally divided in the usual form.

The Senator from Iowa.

ENERGY AND WATER APPROPRIATIONS

Mr. GRASSLEY. Mr. President, the Congress has wisely passed and will send to the President for signature H.R. 4733, the energy and water development appropriations bill for fiscal year 2001. I strongly urge the President to sign this vital legislation.

Proper management of our Nation's rivers is a concern for many Americans. Our rivers provide us drinking water, transportation, and recreation. They also provide habitat for aquatic life, wildlife, and birds. Good management techniques provide that all of these purposes are taken into account and managed appropriately and fairly. I firmly believe that H.R. 4733 provides for good river management. Specifically, section 103 prohibits the use of funds to revise the Missouri River Master Water Control Manual if the revision provides for increases in springtime water releases during spring heavy rainfall or snow melt. Many Iowans see this as just good common sense.

Increased spring water releases could easily cause the wild Missouri, and its many tributaries, to once again flood low-lying areas, including farmland and communities. Floods would cause a severe economic hardship on those affected. Farmers would be unable to plant crops, and home and business owners would experience property damage. Economic activity in the flood areas would decrease or cease during and immediately after the flooding, causing a loss of income for those impacted.

Many Americans forget what it was like to live along the Missouri prior to the construction of the dams. They forgot that the Missouri was truly wild. They forgot what it was like not to be able to safely plant your crops, grow them with some security that there would not be summer floods, and then be able to harvest them safely. They forgot what it was like to lose all or part of a crop. That meant the loss of your investment in time, labor, seed and other inputs. And that meant no income coming in after the harvest.

The folks in town were hurt, too. Houses and businesses were swept away. Basements were flooded with water, muck and other debris. Sometimes the water level went higher than that to the first floor, or even higher. Furniture and family keepsakes were destroyed. Businesses lost inventories. They could not serve their customers if the store was closed. Public drinking water system suffered damage, as did sewer systems. The economic devastation was high. The quality of life suffered. Increased spring water releases would also cause less water to be released during the summer months. The

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

lower river levels would halt river barge transportation. Barges are a key part of the agricultural transportation system. Loss of barge traffic would delivery the western part of America's great grain belt into the monopolistic hands of the rail roads. Iowa farmers have clearly told me that this is unacceptable.

Loss of the use of barges to transport agricultural commodities will drive up farm transportation prices. That in turn will drive up the overall price of our agricultural goods that must compete in the international marketplace. This is unfair to our hardworking farmers, as it puts them in jeopardy of losing markets.

While the farm crops travel downriver to reach markets, the loss of barge traffic would also affect bulk commodities and other items that travel up-river to Iowa. They include fertilizer for farm use, salt for highways in winter, steel for processing plants, and the like. The potential for moving cement for construction purposes would also be lost with lower summer water levels. I have talked to many Iowans who live along the Missouri River. They have told me of the devastation left from past floods. That devastation was more than economic. It produced heartache and broken dreams. Though Iowans are a strong people, the past floods have left their scars on individuals and in community life. Those Iowans have joined together on a nonpartisan basis to say, ''No more floods!'' That is the message for the President to consider as he deliberates on the energy and water appropriations bill. The President is in a powerful position to either do good or to inflict harm. It is almost as if he were actually God, able to exercise the power to flood or not to flood. That is how powerful he is on this issue. It is an awesome power that I hope that he uses wisely. It is my hope that he will decide to prevent flooding. It is my hope that he will listen to our farmers and not make their jobs more difficult than they already are. It is my hope that he will sign this bill.

Mr. President, let the people live in their homes, work in their businesses and farm their farms in safety.

Clearly, the U.S. Fish and Wildlife Service has violated Federal law in its ordering of the Corps of Engineers to begin a spring flood. It ignored the process set forth in the Endangered Species Act. These processes are there to protect everyone, and they were not followed. It has also based much of its opinion on speculation, not facts. The President must depend upon facts and protect due process. H.R. 4733 is good legislation which should be signed into law. It does not deserve a veto. Mr. President, please sign this important legislation.

President Clinton, one time, in private conversation with me, you told me how you understood the problems of the farmers more than most Presidents ever did because you had studied them so much.

Mr. President, you have been in the White House 8 years. I do not know how long it has been since you have visited a supermarket. But remember, food grows on farms, it does not grow in supermarkets. You have an opportunity here to help the farmers in the States of Iowa, Nebraska, Kansas, and Missouri to be able to put their crops in in the spring, to be able to take those crops out in the fall, to be able to ship the harvest down the river when it is most needed, so that the farmers are not the captives of a monopolistic railroad if the barge traffic isn't there for competition.

So, Mr. President, show us that you do, in fact, understand the problems of the farmers and sign this legislation.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GORTON). Without objection, it is so ordered.

Mr. REID. Mr. President, I know Members are waiting to determine whether or not we are going to have a vote today. The majority leader has indicated we likely will have one. From the minority's perspective, we badly want to move to the Transportation appropriations bill which, as we speak, the House is discussing.

But we have a number of Members who are rightfully unwilling to do that until we get the legislation and are able to look at the conference report, which we don't now have. I hope we can start talking about the conference report, with the hope of getting the actual document as soon as possible so that Senators can look at it.

I know one Senator indicated he would like to be able to have a day to look at the conference report. I will check with this Senator and others to see if that can be expedited, if they have an opportunity to review the conference report.

In short, the minority is saying that we are ready to move forward and we are willing, in the late days of the session, to expedite things as much as we can, but there are certain basic things we need to read, such as a bill or a conference report, before we vote on it.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

TRIBUTE TO THE LATE CONGRESSMAN SIDNEY YATES

Mr. DURBIN. Mr. President, it is my sad duty to report to the Senate and to the Congress that I learned a few moments ago that one of the greatest servants of the American people in the Congress in the 20th century passed away last night.

Sidney Yates was a Congressman from the city of Chicago who was elected in 1948 and served until 1999, with only 2 years that he wasn't in service. His was an amazing story. I guess it was a great story of America. His mother and father were Russian immigrants who came to this country in the beginning of the last century. He grew up in the city of Chicago and went to law school. Before that, he distinguished himself, as hard as it may be to understand today, in athletics. He was a semi-pro basketball player and was a member of a Big Ten basketball team when he was a student at the University of Chicago. His semi-pro basketball team was called the Lifschultz Fast Freighters. I used to joke with him about this trucking company and the fact that he was the basketball star for them in the city of Chicago.

On an impulse, in 1948, he decided to run for Congress. It didn't look like a very good year. Tom Dewey was supposed to be elected President, and this young man who had never run for office before was going to try to be elected to the House of Representatives. People didn't give him much of a chance, and his style of campaigning was in sharp contrast with what we do today. I asked him how he ran for office in 1948. He said he had a buddy who played a guitar and they went from one ward meeting to the next singing ethnic folk songs for the groups there. If there was a German group, he sang in German. If it was a group of his fellow Jewish Americans, he sang something they would find appealing.

There was a young lady watching that campaign by the name of Mary Bain. She had volunteered to work on the Truman campaign. She saw this young man in 1948 wandering around Chicago running for Congress and, frankly, took pity on him and said, ''I am going to try to help this fellow.'' To everyone's surprise, he won in 1948 and came to the House of Representatives; he began a long term of service there. His term of service included many years on the House Appropriations Committee. He was a stalwart, a fighter, a person of real value and principle.

In 1962, Sid Yates was persuaded to leave the House of Representatives and run for the Senate. He ran against Everett M. Dirksen—no small task even in 1962. He lost that race, which was the only loss in his political life. In 1964, he returned to the House of Representatives and once again took up service on the House Appropriations Committee.

I was elected many years later, in 1982, and a couple years after that began to serve on that same Appropriations Committee. Probably the best

fortune I had as a Member of Congress was when I decided to take a chair next to Sid Yates in the Appropriations Committee and sit next to this great man for more than a decade. I learned so much and had such a great time in that experience because of who Sid Yates was and what he stood for.

When you look back at Sid's career, there were several things that really made a difference to him, meant a lot to him, and made a difference in this country. He had a passionate commitment to the arts. You know, that gets to be controversial from time to time. The National Endowment for the Arts is occasionally a whipping boy here on Capitol Hill. But Sid Yates never faltered. He believed in the arts. He was a man of the arts. I used to love to listen to him quote the classics from memory. His knowledge of art and music was absolutely legendary.

When Sid retired from the House of Representatives, the tributes came pouring in, but particularly from people around the United States who understood that Sid Yates stood up and defended the arts in America when nobody else would. My daughter is an art student at the Art Institute of Chicago. She knew of Sid Yates. She never met him personally, but she knew what he stood for. He was always there fighting for the National Endowment for the Arts and for arts in America.

As chairman of the Interior Subcommittee of Appropriations, he also had the responsibility to protect America's national parks and many of our national treasures. He protected them with a vengeance. I can recall some of the titanic struggles in the Appropriations Committee when people would want to exploit America's national treasures. They didn't have a chance when they fought Sid Yates.

There were so many other areas where he worked so hard. I recall the creation of the Holocaust Museum. Sid was devoted to the nation of Israel. So many people across America looked to him, and so many Members of Congress looked to him for guidance on important issues involving the Middle East. When he was asked to be part of the creation of the Holocaust Museum, you just knew it would be a success, as it has been here in Washington, DC. He was one of the founding members on the board of directors there and a person absolutely revered for his commitment in that regard.

Through it all, too, he was committed to the rights and freedoms of Americans. I know it wasn't always popular, but you could count on him to stand up, in good times and in bad, for the freedoms that were guaranteed under the Bill of Rights. Sid Yates was a great man, and he had a great partner in life in his wife Addie, who was always by his side during his public service.

I once asked him what his greatest achievement was in the Congress, and I was surprised that he said: Well, you would not think of it when you think of me as a Democrat, but back in the 1950s, the atomic submarine program was being debated in America, and a fellow by the name of Hyman Rickover was being criticized on Capitol Hill. I came to his defense because I thought he was a good man and had a good program. I am proudest of that moment.

I never would have guessed that, but that was just part of Sid's career. For over 50 years, Sid Yates was fighting for America, fighting for Chicago. He left his mark on the Chicago shoreline and the museums and institutions of that great city. But most of all, he left his mark in our hearts—those of us who had the good fortune of serving with him, learning from him, and standing today in tribute to his great memory.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that the morning hour be extended for 10 minutes.

Mr. McCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

SID YATES

Mr. REID. Mr. President, I want to say, before my friend from Illinois leaves the floor, that I had the pleasure of serving with Sid Yates. I served with him in the House, of course, but didn't know him very well in that large body. I came to know him better after coming to the Senate and being a member of the Interior Subcommittee on Appropriations while he was chairman of that committee on the House side.

We worked very closely together. Everything the Senator from Illinois has said is absolutely true about Sid Yates. He was a distinguished man, and a distinguished looking man. When he left the House, he was almost 90 years old; handsome; stood tall; never faltered a word of his speech.

Being from the western part of the United States, I will never forget Sid Yates. He stood for the West. He loved the wilderness, and he helped us protect the pristine wilderness of Nevada and other places in the West. Native Americans never had a better friend in the Congress than Sid Yates.

I didn't know Sid Yates as well as my friend from Illinois, but I have great respect and admiration for Sid Yates, and I will never forget him.

Mr. DURBIN. Mr. President, if the Senator will yield, I thank the Senator from Nevada for his comments. I think each one of us who served with Sid Yates on either side of the aisle will never forget him. When his retirement came about, Congressman RALPH REGULA, a Republican from Ohio, never missed a retirement event for Sid Yates. I think it showed that he reached across the aisle and established friendships and alliances that were not just good for Congress but were good for America. He was a wonderful man. I am blessed to have known him, to have served with him, and perhaps to have learned a few lessons at his side.

I think his legacy will be his efforts for education, for defense of the arts, for defense of the environment, and for the rights of Americans.

Our condolences go to Addie and his family. We wish them strength in this time of loss and tell them we stand by their side.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Morning business is closed.

Mr. STEVENS. Mr. President, what is the business before the Senate?

NATIONAL ENERGY SECURITY ACT OF 2000—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 2557, a bill to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the Year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly, and for other purposes.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—S. 3059

Mr. McCAIN. Mr. President, I ask unanimous consent that it now be in order for the Senate to immediately turn to the consideration of S. 3059, and that only relevant amendments to the bill be in order.

Mr. STEVENS. I object.

Mr. McCAIN. Mr. President, the reason I am objecting to taking up the Department of Transportation appropriations report is that it contains a substantive amendment to the Federal Motor Vehicle Safety Act. The legislation was never approved by either House or Senate commerce committees and failed in its attempts to correct indisputable faults with safety data collection and retention practices of the

National Highway Traffic Safety Administration.

Well over 100 Americans have died, and estimates are that as many as 150 in other countries. This is a very serious safety issue in which American lives are at stake.

I am simply asking to take up this legislation. I will be glad to have any amendments and time agreements associated with it—anything that we can do to move this legislation along.

The House Commerce Committee yesterday passed similar legislation. We are told it will be passed on the floor of the House by next Tuesday.

Why we can't take up this bill, which is designed according to consumer organizations, according to the Secretary of Transportation, according to all outside observers and safety experts, to stop or at least take action to reduce the number of American lives that will be lost on the highways of the United States of America is really hard to understand.

Let me do the best I can to explain it.

What is happening here is the ''fix is in.'' Here is the fix. The House will pass a bill. The Commerce Committee passed a bill, and the House will pass that bill this week.

We have a series of holds on this legislation which passed the Commerce Committee by a vote of 20–0 in a bipartisan fashion after getting testimony from experts from all over America, from the Secretary of Transportation, from the Acting Director of the National Highway Traffic Safety Administration, and others. That bill is now on the calendar. There are holds on the bill.

Here is the fix. The House will pass the bill. The Senate will refuse to take up the bill because of holds, and we will then pass—no matter how hard I try to prevent it—the Department of Transportation appropriations safety report that contains simply language concerning what can be done about this issue.

I have taken the floor on many, many occasions to talk about the influence of special interests in Washington. The automotive industry is now blocking this legislation. The word is on the street. The ''fix'' is in that the bill will not pass the Senate, or pass the House so House Members can say we did what we needed to do.

You know what we are talking about here. We are talking about the lives of American citizens who are in danger as we speak. The special interests will now prevail over safety interests, where lives of Americans are literally at stake. Remarkable. Remarkable commentary. Remarkable.

I have a letter and I ask unanimous consent to have it printed in the RECORD.

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

OCTOBER *5, 2000.*

Hon. JOHN MCCAIN,
U.S. Senate, Washington, DC.
Hon. ERNEST HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR MCCAIN AND SENATOR HOLLINGS: We are writing in support of your decision to halt the FY 2001 Department of Transportation appropriations bill pending Senate action on the Ford/Firestone amendments to the Motor Vehicle Safety Act. While we recognize that there are compelling reasons to support the appropriations bill—such as the new rule mandating that drunken driving blood alcohol levels be lowered to .08% nationwide—we feel it is imperative that Congress react with legislation to the Ford/Firestone tragedy before the close of this session.

Signed,

Bob and Laura Bishop, Bartlesville, OK; Geoffrey Coffin, Shelton, CT; Janette Fennell, San Francisco, CA; Vickie and Joe Hendricks, Corpus Christi, TX; Spence Hegener, Baylor University, Waco, TX; Pam Hegener, Lake Charles, LA; Juanita Sawyer, Tahlequah, OK; Robert C. Sanders, Upper Marlboro, MD; Spencer and Elizabeth Taintor, Miami, Florida; Sondra Runfeldt, West Palm Beach, FL; B.J. Kincade, Catoosa, OK; Shannon Johnson—Query, Jacksonville, FL.

Mr. MCCAIN. It reads:

DEAR SENATOR MCCAIN AND SENATOR HOLLINGS: We are writing in support of your decision to halt the FY 2001 Department of Transportation Appropriations bill pending Senate action on the Ford/Firestone amendments to the Motor Vehicle Safety Act. While we recognize that there are compelling reasons to support the appropriations bill—such as the new rule mandating that drunken driving blood alcohol levels be lowered to .08% nationwide—we feel it is imperative that Congress react with legislation to the Ford/Firestone tragedy before the close of this session.

Mr. President, this is signed by the relatives of people who have been killed in accidents because of the Bridgestone/Firestone problem. Can't we listen to the family members of those who have been killed on the highways of America with a fixable problem, at least action that has been recommended unanimously that must be taken to prevent further tragedies on America's highways?

This is egregious. I don't think many American citizens would approve of the Senate blocking legislation which is designed to save lives.

There may be a couple of controversial aspects of this bill, although it passed out of the Commerce Committee unanimously. There may be a couple of controversial aspects of this bill. Fine, let's have amendments and time agreements. We can dispose of those controversial aspects of it in a matter of a few hours. I eagerly welcome such a thing. The Senator from Alaska has just objected to us taking up this legislation which we could dispose of in a few hours. The lives of American citizens are at stake here.

Mr. STEVENS. Will the Senator yield?

Mr. MCCAIN. I will not.

Mr. STEVENS. For one moment for clarification on that.

Mr. MCCAIN. The Senator from Alaska has just objected to us moving forward with legislation which, in the view of any outside expert, has to do with American lives that are endangered on the highways of America due to a flaw in the Bridgestone/Firestone situation and/or Ford automobiles.

This is serious business. This is serious business. There has been a series of holds put on this bill. We now object to taking up this legislation in favor of an appropriations bill which has watered down language which is intended—at least in the view of some—to address part of the problem. It does not. Ask any safety expert. It does not.

As to the language that has been inserted in the conference bill, I guess we can all thank the advocates of safety for the provision that was in the bill that prevented the National Highway Traffic Safety Administration from addressing rollover accidents for a year until a National Academy of Sciences study was completed—again, the special interests.

I intend to do whatever I can to see this legislation is brought up before the Senate. I hope those Senators who have a hold on this bill will step forward and identify themselves. This isn't an ordinary piece of legislation. This is a piece of legislation that has to do with the lives of American citizens and those overseas. I don't know of a more compelling problem.

Mr. President, I rise in opposition to the Department of Transportation appropriations report that contains a substantive amendment to the Federal Motor Vehicle Safety Act. This legislation was never approved by either the House or Senate Commerce committees and it fails in its attempt to correct indisputable flaws with the safety-related data collection and retention practices of the National Highway Traffic Safety Administration.

The language contained in the appropriations report falls short of the mark for many reasons, but for now, I will list only the key shortcomings. First, it fails to require manufacturers to collect and report essential safety-related information that would allow the Secretary to identify potential consumer-safety issues. Second, it fails to increase penalties for violations of the Federal Motor Vehicle Safety Act. And third, the language does not require NHTSA to upgrade the 30-year-old federal tire-safety standard.

Prompted by an August 9, 2000, announcement by Ford Motor Company and Bridgestone/Firestone to recall millions of potentially defective tires, the Senate Committee on Commerce, Science and Transportation held a September 12th hearing that was attended by the Secretary of Transportation, NHTSA's Acting Administrator, the parties involved in the recall, and several consumer groups. All who testified

agreed that systemic changes were needed to make the processes of sharing safety-related information more efficient. In response, on September 15th, joined by my colleagues, Senators GORTON and SPECTER, I introduced S. 3059, the ''Motor Vehicle and Motor Vehicle Equipment Defect Notification Improvement Act.'' This bill would dramatically amend the current law by ensuring NHTSA's possession of critical information regarding motor vehicles and motor vehicle equipment that would enable it to make sound safety-related decisions.

Following the introduction of S. 3059, the House Commerce Committee began consideration of H.R. 5164, the ''Transportation Recall Enhancement, Accountability, and Documentation Act,'' also referred to as ''T.R.E.A.D.'' While the House's bill does not appear to be entirely adequate to correct the current law, it does seek to accomplish similar objectives as S. 3059. Therefore, I was encouraged by the possibility of compromise prior to the conclusion of the 106th Congress. However, due to the limited amount of time remaining prior to the adjournment of this Congress, the differences of the House bill, and the unapproved actions taken by the Senate Appropriations Subcommittee on Transportation, I offer today a narrower version of S. 3059 that I hope that my colleagues would support.

Mr. President, I would like to outline what the new version of the bill would do:

Reporting requirements: The bill would direct the Secretary to collect additional safety-related information from manufacturers; specifically, it would mandate that the Secretary require manufacturers to collect and report new information about defects—including information about foreign recalls, but only to the extent that the information may assist in the identification of potential defects related to motor vehicle safety or failures to meet the federal motor vehicle safety standards. This information would include accidents or incidents, claims data, warranty adjustment data, and other safety-related information. The method, manner and extent of the collection of this data would be determined through rulemaking by the Secretary.

Civil penalties: This legislation would increase the Motor Vehicle Safety chapter's maximum civil penalty from $800,000 to $15,000,000, and allow for the assessment of larger civil penalties for intentional and willful acts.

Criminal penalties: The Secretary would be authorized to assess criminal penalties for knowingly violating provisions of the Motor Vehicle Safety Act, which results in death or grievous bodily harm. This provision of the bill has been the subject of much discussion. Let me briefly describe what would be required for a manufacturer to be subject to criminal penalties under this section. The manufacturer, their officers or directors, would have to order, authorize, or ratify the introduction of a motor vehicle or motor vehicle equipment into interstate commerce while knowing that the motor vehicle or equipment violated federal safety standards, that violation created a serious danger of an accident that would result in death or serious injury, and death or such injury occurs. Let me be clear, the standard required under this provision is ''actual knowledge.'' This provision is intended to provide the option of criminal penalties only in instances of conduct that are so egregious as to render civil penalties meaningless.

The inclusion of a criminal penalties provision has received support from the Secretary of Transportation, Jacques Nasser, who is the President and CEO of Ford Motor Company, and consumer groups such as Public Citizen. This type of penalty is not novel. Multiple agencies are authorized to assess criminal penalties, including, among others, the Department of Labor, the Consumer Product Safety Commission, the Food and Drug Administration, and the Environmental Protection Agency. This provision would authorize the Secretary, in conjunction with the U.S. Attorney General, to pursue criminal penalties against automobile manufacturers in instances where State governments may not have the resources to enforce their relevant law.

Updating safety standards: Finally, this bill would require NHTSA to upgrade the tire-safety standard for the first time in 30 years.

Regardless of whether the House or Senate version of the bill is enacted, the need for this legislation was triggered by the possibility that Ford and Bridgstone/Firestone may have had knowledge of a safety-related problem concerning the performance of certain tire models prior to the recall, but refrained from reporting even the possibility of a defect to NHTSA. Notwithstanding whether or not the manufacturers knew of the problem, the situation focused my attention, as well as the attention of my colleagues, to flaws that exist in the reporting processes between manufacturers of motor vehicles and motor vehicle equipment, and NHTSA. S. 3059 would amend the Federal Motor Vehicle Safety Act to make it more difficult for manufacturers to knowingly conceal safety-related information from the Secretary of Transportation and increase the penalties for such unlawful conduct.

Under current law, manufacturers are not required to report to NHTSA either ''claims data,'' which include personal injury or property damage claims that can be helpful early-warning indicators of potential threats to consumer safety, or overseas actions involving equipment and vehicles sold in the United States. Furthermore, should manufacturers fail to report safety-related information that is required by the Secretary, the maximum civil penalty allowable under the current law is a mere $980,000. To put this in perspective, last year Ford Motor Company spent $2.57 billion on advertising. Other than minor adjustments over the last two years, the maximum civil penalty has not been updated since its enactment, which means, at a minimum, if adjusted for inflation it should be five times that amount in the year 2000. Finally, the current law does not allow for the assessment of criminal penalties for particularly egregious conduct. The absence of criminal penalties coupled with a nominal maximum civil penalty creates an environment where meaningful enforcement is impossible commonplace. This bill would change that practice.

Mr. President, thus far, NHTSA has linked more than 100 deaths to the failures of Bridgestone/Firestone tires that are subject to the current recall. Each day it becomes more apparent that these deaths may have been avoided had NHTSA possessed vital safety-related information that the law does not currently require manufacturers to report. The legislation that I have introduced does not accomplish all of the needed reforms, but it is a positive step toward a more efficient exchange of safety-related information between the Secretary and manufacturers. Nevertheless, S. 3059 is being held up partly due to the influence of the automotive industry. The lives of American consumers are being placed at risk. We must act quickly to resolve the flaws in NHTSA's data-collection processes and prevent the recurrence of this crisis.

I express my deep disappointment that the ''fix'' is in from the special interests. This bill will be held and will not be passed by the Senate; it will be passed by the House. Guess what. We couldn't do anything. I hope the American people are well informed by the media and by those family members who have lost loved ones and by the public safety advocate who see what is happening here. It is not my proudest moment in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I thank the Senator from Arizona for his normal courtesy to me as manager of the bill that we are trying to bring up. I did not object on my own behalf and he knows that full well. But I do believe we all know what the situation is.

UNANIMOUS CONSENT REQUEST—H.R. 4475

Mr. STEVENS. Mr. President, I ask consent that the Senate now proceed to

the Transportation appropriations conference report, notwithstanding the receipt of the papers from the House.

I further ask consent that the conference report be considered under the following time agreement: 10 minutes for the chairman and ranking member of the Appropriations Committee; 10 minutes for the chairman and ranking member; of the appropriations subcommittee; and 15 minutes under the control of Senator MCCAIN.

I further ask consent that following the use or yielding back of time, the Senate proceed to vote on the adoption of the conference report, without any intervening action or debate.

Mr. MCCAIN. I object.

Mr. STEVENS. I thank the Senator for his normal courtesy.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WELLSTONE. Mr. President, I will take 10 minutes in morning business while we are trying to work things out here on the floor.

Mr. STEVENS. Mr. President, will the Senator yield for just one moment?

Mr. WELLSTONE. I am pleased to yield.

Mr. STEVENS. For the purpose of managing the floor, would there be an objection if we extended morning business until 11 a.m.? The papers are not here on the Transportation appropriations bill.

EXTENSION OF MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that morning business be extended to the hour of 11 a.m.

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

The Senator from Minnesota is recognized.

Mr. REID. Will the Senator yield, just so I can enter into a colloquy with my friend?

Mr. WELLSTONE. I am pleased to yield.

Mr. REID. I say to Senator STEVENS, the problem we are having on this side, as I know you are having on your side of the aisle, is whether there is going to be any votes this morning. Would you be able to determine that quickly from your leader, as to whether or not there is going to be a vote? We have a number of Senators, with the holiday coming up, with places to go. We need to know whether there is going to be a vote this morning.

Mr. STEVENS. I say with due respect to my friend—and despite words at times, he is my friend—I believe the Senator from Arizona would have to answer that. It is our intention, once the papers are here, to move to proceed to that conference report. That is not a debatable item. There would be a vote immediately. After that, the conference report would be before the Senate, I would ask for the yeas and nays, and it would be a matter of time, how much time the Senator from Arizona wishes to debate the bill.

I know of no other speakers.

Mr. REID. I have spoken to my friend from Arizona and there is no question he is going to want to speak for more than a half-hour or an hour.

Mr. STEVENS. I would expect that. I honor his right to do so. It would be my predilection that you should address that to the leader. The question is how late in the day would the Senator from Arizona finish his brief comments?

Mr. REID. If, in fact, he would finish today.

Mr. STEVENS. That is for the Senator from Arizona to determine.

Mr. REID. I guess my question to the Senator from Alaska is, if we do not vote on that, does the majority leader want us to vote on something else today? I hope in the next few minutes there could be a determination made as to whether or not, around 11 o'clock when we finish morning business, there will be a vote on something other than the Transportation appropriations bill.

Mr. STEVENS. I might say to my good friend from Nevada, and to the Senate as a whole, it has been my request to the leader that we proceed with appropriations bills and only appropriations bills so we can get them to the President. We have been doing that. We do have other appropriations bills on the move now. The Agriculture conference was finished last evening. I do not think we can get to that today. But I do believe we should try to finish the Transportation bill today if we can and take up Agriculture appropriations next week.

We have three other conferences that are going forward and we do, I understand, have an agreement now—nearly an agreement on how to handle the VA–HUD bill. So we should be voting on several bills early next week. But I do not know of any other bill that we can get before the Senate today in the form of a conference report. I do think we could handle the VA–HUD bill if we could round up that agreement. It is still waiting for one clearance. I doubt we will finish that one today. We should take that up early next week, however.

Mr. REID. It sounds to me it is fairly safe to assume there will not be any votes on appropriations bills today. As I said, I have spoken to my friend from Arizona.

Mr. MCCAIN. If my friend will yield, I am seeking agreement to take up this legislation on which American lives are at stake—not money but safety and lives of Americans. I am seeking an agreement to take that up. If we could get agreement to get that bill up, with relevant amendments, then I will be more than happy to not impede the work of the Senate.

I do not know of a higher priority than to take up legislation about a compelling issue that has to do with the lives of the American people. So I hope we could get an agreement to take up that legislation, either now or in the next several days. Then I would certainly remove my objections to proceeding with an appropriations bill. Apparently, that is not the case because there are ''rolling holds'' on this legislation. I think that is really quite remarkable.

Mr. STEVENS. Mr. President, as the Senator from Arizona knows, I am a member of the conference committee, and I support the legislation he mentions. But I also know portions of it are in this bill and were agreed to by the Transportation conference committee, and the matter he suggests is a leadership issue. I am in no position to negotiate on when the bill, that I also support, would come up. But I do believe our problem is trying to get this bill on its way. We cannot flood the White House with bills, appropriations bills, and expect to get answers in time.

We are trying to get them down day by day so we can get some timing and get some response. If the President wishes to veto them, we will have to come back and deal with those, too.

But we are trying to move this bill. This bill is ready to go. The Transportation bill is ready to go. It contains a portion of the bill the Senator from Arizona has mentioned—not all of it but a portion of it. It is not negative, but it is not totally positive.

I do believe the issue he reaches, whether or not the Senate will allow the consideration of the bill—that is under consideration now in the House—at any particular time, is a matter for the leader to determine, not for me. I would like to move forward with this Transportation bill. I urge my friend to allow us to do that because it is a significant bill, one of the most significant Transportation bills on which I have been privileged to work. It sets a new process for trying to reduce the increasing numbers of drunken drivers on our highways.

If there is a safety problem out there that is greater than the one the Senator from Arizona mentioned, it is alcohol. I do not want to see this bill delayed. I would like to see it get to the President. I am informed the President will sign it. I hope he will. We could get it to him today if the Senator from Arizona will allow us to do that. But for now, I suggest the absence of a quorum.

Mr. WELLSTONE. No, no.

Mr. STEVENS. Pardon me. I do thank the Senator for yielding. I apologize and yield back to the Senator from Minnesota.

Mr. REID. Mr. President, it is my understanding the Senator from Minnesota has the floor?

The PRESIDING OFFICER. The Senator from Minnesota has the floor for 10 minutes.

Mr. REID. The Senator from Minnesota has the floor. I know his urgency, being able to speak for up to 10 minutes, but there are a number of Senators who are concerned about whether or not we are going to have a vote. It appears, based on what the Senator from Alaska said and interchanges with the Senator from Arizona, we are not going to have a vote on appropriations bills today. That seems very clear. So unless there is a vote on some other issue, or on a motion to proceed to it, I don't think we will have a vote.

Mr. MCCAIN. If the Senator will yield, I am still hoping the leadership will agree to take up this bill. The chairman of the Appropriations Committee says he is not in the leadership. I have seen the Senator from Alaska have significant effect on the leadership from time to time. What I am hoping is we can get this issue resolved and move forward with the Transportation appropriations bill.

Mr. STEVENS. Will the Senator yield further? Without question, there will be a vote on the motion to proceed to the Transportation appropriations bill today—without any question.

The PRESIDING OFFICER. The Senate is in a period for morning business to end at 11 a.m. The Senator from Minnesota has the floor for not to exceed 10 minutes.

Mr. WELLSTONE. Mr. President, one has to keep a twinkle in one's eye, I guess. I am glad we are going to vote on something. I do not mind being here Monday early or Friday late as long as we are working. Sometimes it is a little maddening when there are other things you want to do back in your State that you think are important and you do not know if we are going to have a vote.

I am glad we are going to vote on something and move forward.

VIOLENCE AGAINST WOMEN ACT AND TRAFFICKING VICTIMS PROTECTION ACT

Mr. WELLSTONE. Mr. President, in the spirit of moving forward, I thank colleagues for the bipartisan work on the Trafficking Victims Protection Act. I especially thank Senator BROWNBACK with whom I have had a chance to work very closely on this bill. There are other key people as well.

This conference report, without going into all the details, which will come to the Senate I hope—''pray'' may not be too strong a word—probably Tuesday—it looks as if we are just now working out a time agreement. I thank all Senators for their cooperation.

What is important about this legislation is that we have one part of it that deals with trafficking, which I want to talk about in a moment, and the other is the reauthorization of the Violence Against Women Act which received a huge vote in the House of Representatives.

The Violence Against Women Act, VAWA, has made a huge difference. I could talk for hours about the shelters, about the hotline, about the ways in which police take violence against women more seriously, about the ways in which the country takes this more seriously. Still, about every 13 seconds a woman is battered in her home, and still there are somewhere around 3 million to 10 million children who witness this.

We have to do even better. I look forward to a couple of efforts next year, one dealing with a program which will electronically link all of the shelters, so with one phone call, one, you will know where to go and can be saved, and, two, it will focus on the children who witness this violence. I feel good about the fact we are going to move forward with this. It certainly appears that way. I thank all Senators who have been willing to cooperate.

I also feel good about the trafficking bill on which I have had a chance, as I said, to work with Senator BROWNBACK.

So colleagues know, these two pieces of legislation have a lot of integrity in how they interrelate with one another. One deals with violence against women, children, and families. There are a number of women organizations around this country that have worked on this. They made this possible. And the strong voices of Senators—from Senator BIDEN to Senator LEAHY to Senator BOXER and others—have made a huge difference.

I started on the trafficking legislation 3 years ago. I do not even know if it is appropriate to brag, but it is not about me. My wife Sheila said this is something we really should do. There has been great help from a lot of Senators.

Again, I thank Senator BROWNBACK and also Representatives CHRIS SMITH and SAM GEJDENSON for their help and work, and CONNIE MORELLA is always there on all these issues. I will talk more about staff and the great work by people after this passes. It has not passed yet, but I think we are there. I say to Senator REID, I believe we are there in terms of finally getting a time agreement and we can move this forward.

We are talking about the trafficking of some 2 million women, and mainly girls, for the purposes of forced prostitution and forced labor, some 50,000 to our country. This rivals drug trafficking in terms of how scummy it is and how exploitative it is.

What happens is these women, girls, in countries that are going through economic chaos and disarray are recruited. They are told they will have an opportunity to be a waitress, an opportunity to come to another country, such as our country, and make an income and be able to build a good life.

This happened at a ''massage parlor'' 2 miles from here in Bethesda where these girls were forced into prostitution. What happens is, these young women, young girls, do not know their rights; they do not know what they are getting into. They come to these countries, and then it becomes a nightmare.

This legislation focuses on prevention. We have an outreach through AID with some of the nongovernment organizations and others who really do the information work so that young girls, young women, know what might be happening to them, know about trafficking, know what the dangers are, and hopefully will have some knowledge about this before they are exploited. That is the first piece.

The second piece is the protection piece. The bitter irony is that all too often one of these young girls, young women, steps forward and says: This is what is happening to me. If they should escape from it, they then are deported. So the victim is the one who ends up being punished. There is a temporary visa extension for 3 years, and then decisions are made after that.

There are services for these women and girls. I say ''girls'' because we are talking about children, too, 12, 13 years of age. In Minnesota, we have a very, I think, holy place called the Center for the Treatment of Torture Victims. When women and children go through this hell, there is a whole lot that needs to be done to help them rebuild their lives. We have a provision for those services.

The final thing is prosecution. If you are going to be involved in the trafficking of a girl under the age of 16 for purposes of forced prostitution, you can face a life sentence. We should take this seriously. We will be the first country to pass such strong legislation, the first Government in the world. This will be a model for a lot of other governments around the world.

This is one of the best human rights pieces of legislation in the Congress in some time. I am not objective because I have had a chance to be a part of it. I am proud of the fact that we are going to do this. I am proud of the fact that it is going to be linked with the reauthorization of the Violence Against Women Act. And I am proud of the fact the Senate next week, I hope early on, right after Yom Kippur, the Jewish holiday, will take decisive action and will pass this most important human rights legislation. I say to all

colleagues, please cooperate. Please, let's do this. This will make a difference. It will make a difference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, before the Senator from Minnesota leaves the floor, I want to make a couple comments. There have been, as the Senator indicated, a number of people who have worked very hard on domestic violence. Senator JOE BIDEN authored the original legislation and has been a model for what has transpired since then.

I say in the presence of the Senator from Minnesota that since he came to the Senate, this has been an issue he has worked on passionately. I appreciate the work he has done.

The Senator from Minnesota mentioned his wife Sheila. I remember the work the two of them have done together.

I remember the display they put in the Russell Building, which certainly dramatized the need for continuing the work in this area. There are many unique partnerships in America today, but one of those that I admire greatly is that of PAUL and Sheila WELLSTONE. They have worked on these issues together. I think it goes without saying that the good work the Senator has done would not be as good but for the involvement of his wife.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Senator REID from Nevada is very gracious towards lots of Senators. That is just the way he is. I thank the Senator very much.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

SAFETY AND THE TRANSPORTATION APPROPRIATIONS CONFERENCE REPORT

Mr. HOLLINGS. Mr. President, I want to emphasize the bipartisanship of the request made by my distinguished chairman, the Senator from Arizona, to get some kind of consent for S. 3059, the bill dealing with, of course, the defective equipment. We had extensive hearings.

Let me emphasize several things that we learned during the hearings.

One, generally speaking, the National Highway Traffic Safety Administration has been—I do not want to say defunct; I will use an elaborative; dormant. The testimony showed there had not been a single recall ordered by the National Highway Traffic Safety Administration in five years. They had not ordered a recall.

Now, of course, I have kept up on this because I have had to stand in the well defending my trial lawyer friends who really bring about far more safety than one would normally suspect. In the 5-year period, there have been 99 million recalls. And everybody can write a thank-you note to Mark Robinson in the Pinto case. He never collected a cent in his punitive damages. But once industry realized there could be just that—lawsuits —then they began to voluntarily have recalls. And that is what occurred here.

This defective tire situation, causing multiple deaths—over 100 that we know about in the United States—was not a result of recalls ordered by NHTSA. More or less, the lawsuits, even though gagged, had really brought it to the attention of NHTSA to get off the dime, wake up, and start acting.

So we brought together now a measured safety precaution where this will not occur again. And again, it has been simmered down somewhat from the unanimous vote. We have been working, on both sides, with consumer product safety officials, with the tire companies. I talked to the tire companies themselves. Their main objection, in a way, to that bill was dealing with foreign defects, in reporting foreign defects and otherwise. Of course, you can call it the A tire here in the United States and manufacture the B tire in another country like it is different, but it is the same tire. So we would want to know about the recalls in Saudi Arabia, which started first, in order to bring the attention here of the Firestone defect.

So we worked it out. Now here we have a unanimous report out. The distinguished chairman of the Appropriations Committee, as he just said a moment ago, had no objection to that bill coming up because he voted for it to be reported favorably to the floor of the Senate. Otherwise, the distinguished majority leader, as a member of our committee, voted for it. So there has to be an untying of this snarl or knot so that we can get things done.

The only reason we cannot get it done is that we cannot offer an amendment to the conference report. If the conference report were an item just called up, we could call up this amendment, have a time limit for 10 minutes to a side, and easily adopt or reject the amendment, which was the bill, S. 3059. But, of course, it is a conference report, and under the rules we cannot just bring it up as an amendment. I say that so everybody will understand.

But as the distinguished chairman of our committee, Senator MCCAIN, pointed out, we could easily agree to give it some kind of consideration—an hour to a side. It could be called up so we can stop this indiscriminate killing on the highways due to faulty equipment.

I think it ought to be emphasized that we found this out really as in getting past the gag orders. I do not like these gag orders, but sometimes they do promote settlements of judicial disputes. So we do not have anything in the bill in relation to the gag orders. But when you get lawsuits—that means that you have gone to a lawyer; you have a serious injury or you maybe have a death case, or whatever it is—so when you get multiple lawsuits, then that notice is given, of course, to NHTSA, and we can act from there.

But it is a studied, deliberate, measured response. Generally speaking, they don't ever agree. I do not want to infer the industry agrees this is a good bill, but listening to them, they didn't have any serious objection that I can discern.

I support 100 percent Senator MCCAIN's movement on the floor. He is not holding things up. We can get a Transportation conference report to the President here on Friday. We can come in here on Tuesday, if there is a holiday on Monday. We can easily get it to the President.

And as has been indicated, it has already been approved. We know the White House folks watch and make sure their concerns are taken care of in the measure. So whether it gets there Friday, gets there Tuesday, next Wednesday, let's get on with having safety in America.

The Senator from Arizona standing in the well is not being an obstructionist whatsoever, but trying to promote safety where everybody is agreed. But, as he said, there is a ''fix'' on somewhere because why can't we just call up the bill and get an agreement and everything else of that kind?

Our distinguished leader, the Senator from Nevada, says perhaps there is not going to be any vote in the Senate. And the Senator from Alaska, the chairman of the Appropriations Committee says, oh yes, we are going to have a vote to move to proceed. But that is not going to get us anywhere because with the vote to proceed, we will still have plenty of time to talk. And we will talk into next week, and talk into Tuesday and Wednesday, and everything else, to show to the American people that there is some kind of responsibility with this political entity here, the Senate.

Heavens above, when we have everybody agreed—it is totally bipartisan—why can't we move deliberately and bring it up and have a vote on it?

The PRESIDING OFFICER. Time in morning business has expired.

Mr. HOLLINGS. I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. DODD. May I inquire? Would it be possible to extend morning business a few minutes beyond the 11 o'clock hour?

The PRESIDING OFFICER. It would take unanimous consent.

Mr. DODD. Senator STEVENS and I both have a short time we want to take after our distinguished colleague has a chance to speak.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the morning hour be extended until 11:15, with the time equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

THE PROGRESS OF THE SENATE

Mr. THOMAS. Mr. President, I want to speak about energy, which seems to be one of the things I think is very important that people are talking about. But first I wish to comment a little on the progress, or lack thereof, that we are making in the Senate. It is not unusual that we come up to the end of the session and find ourselves kind of blocked up here, and things have been postponed until now. Of course, it is the appropriations bills that always end up in this category. We have 13 of them to pass in order to keep the Government going. The fiscal year expired at the end of September, of course. We have extended our time and will do it into next week again.

One of the important roles of Congress is this allocation of funding. It is one that is very important and really needs to be given all the attention we can give it. I think we ought to move as quickly as we can to do that job. I hope we don't end up with huge omnibus bills at the end of the session. They are so large that people don't know what is in them. I would rather we deal with them individually as much as possible. Let me say that one of the things we ought to consider, which I have supported since I have been in the Congress—and from my experience in the Wyoming Legislature—is I think we ought to have a 2-year budgeting arrangement, which would alleviate this sort of thing every year. Nevertheless, we are not there.

However, we need to move forward. When we are ready with the appropriations bills, we ought to do that. I favor the bill being talked about here. I think it is a good bill. I don't know why it wasn't brought up earlier in the week when we were sitting here and didn't have anything before us. Now we are down to the last hours of this week and we bring up something that stops the opportunity for us to pass legislation regarding appropriations. I think that is unfortunate. In any event, we ought to be doing that.

Obviously, one of the difficulties with appropriations has been this idea of attaching to them the kinds of things that are not within the appropriations process because it is the end of the session, and because they have not been handled, or some refused to handle them earlier. That was wrong, in my opinion. I hope we consider a rule that would make that more difficult.

ENERGY POLICY

Regarding energy, we ought to talk about that. We ought to talk, more importantly, about where we want to be, and what we think the role of the domestic energy program ought to be to achieve what we consider to be our goal. I have become more and more aware of the importance of that sort of thing in all the legislation that we address. Really, it became clear to me when we were talking about re-regulation of electricity. We got wrapped up in all the different kinds of details that necessarily go into it, but really I don't think we had a clear vision of where we wanted to be when we were through. We didn't have a clear vision of our goal.

To a large extent, I think that is the case with energy. We have high prices, for gasoline, for natural gas, and we are going to have higher electricity and heating oil prices, and so on. Of course, that is the problem we see, but what do we see as the solution? I think certainly these high prices ought not to be a big surprise. This administration hasn't had an energy policy. We were very happy when oil was $10 a barrel. When it gets up to $35 a barrel, we are very unhappy, and I understand that. I don't recommend that, either.

We ought to have intermediate pricing. You don't do that without an energy policy. We have lacked a domestic energy policy that keeps us from being entirely dependent and subservient to OPEC and the foreign oil producers. We have allowed ourselves to do that.

It is not new that we don't have one. The Clinton administration has relied on short-term fixes. The most current one was to release crude oil from the Strategic Petroleum Reserve, which was 30 million barrels, and I don't suppose that will change the world. That is a short-term kind of reaction, not a long-term solution to where we are going. That has been the latest short-term fix.

I agree with increasing funding for Low-Income Housing Energy Assistance, and other short-term fixes. Those are good, and they have to be done because of where we are. But the fact is, if we are going to get out of that over time, then we have to do something different. We have to take a look at EPA's regulations that have had the effect of shutting down coal-fired powerplants in the Midwest. We have more coal resources probably than most anything. We can do more about the difficulties that have happened in the past. We have done a great deal because coal is now a clean source, but this administration has made it more and more difficult for that to happen. The fact that coal supplies 56 percent of the Nation's electric energy is very important, of course.

I have a personal feeling about it because our State is the highest producer of low sulfur coal. We have had 36 refineries shut down since 1992. No new ones have been built since 1996, largely because the EPA pressed for continuing restrictions that make it much more difficult. This administration—particularly the Vice President—calls for green alternatives. I don't know of anybody who opposes that idea. Green alternatives, right now, provide about 2 percent of our energy needs. It is going to be a very long time before solar or wind energy moves in to do that. So that can't be our short-term/long-term policy.

There are a lot of things that can be done and we are moving to try to do that. It has to do with domestic energy policy which would help increase domestic production so that we are not totally subject to the whims of OPEC. Since 1992, our oil production in this country has gone down 17 percent. Consumption has gone up 14 percent. Part of that is in States such as Wyoming in the West, where 50 percent of the State is owned by the Federal Government. Those areas of Federal land—not all—are for multiple use.

We found this administration making it much more difficult for exploration and production to take place for the multiple use of public lands. That is not a good idea. U.S. jobs were involved in the exploring and producing. We used to have 400,000 of those jobs. Now it is less than 300,000, which is a 27-percent decline. These imports are rapidly growing—up 56 percent now—and we need to move forward with that.

This is really an issue we can do something about. We need to do something about it. I could go over a lot of things this administration has brought about that have helped to create the energy crisis we are in now. I am urging that we look at some of the things that are available to us and that we can do to reach the goal we want in order to be more self-reliant for our energy. We can do something about consumption, too, and I have no problem about that. However, that is not a short-term problem. A short-term problem is going to be the price to farmers, ranchers, truckers, and to people who use oil particularly for heating in the wintertime.

Certainly we are not going to be able to solve this problem in the next few days. I hope we can move forward with our appropriations process, which is obviously before us now. I do think we ought to be giving a great deal of thought to establishing a domestic energy policy that will, in fact, help level out our dependency on foreign oil and be good for this economy and good for American citizens.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I await the return of the Senator from Alaska, who I believe would like to object to a unanimous consent agreement I may seek.

If the Senator from Connecticut is waiting, perhaps we can extend morning business for a few minutes.

The PRESIDING OFFICER. Morning business has been extended.

Mr. DODD. Mr. President, Senator STEVENS and I will have a joint statement on an unrelated matter.

Mr. REID. Mr. President, if my friend from Connecticut will yield, morning business has been extended until 11:15, with time evenly divided between Senator STEVENS and Senator DODD. I think everybody will get their wish, because Senator STEVENS will be here momentarily to make a statement and, following Senator STEVENS, Senator DODD will make a statement.

Mr. MCCAIN. I apologize to the Chair. I thought when I left the floor that morning business had expired at 11 a.m.

I will await 11:15.

Mr. DODD. Mr. President, I know my colleague from Alaska is going to come here shortly to share some thoughts and comments with me this morning. I will begin in order to move things along.

GIFT TO THE LIBRARY OF CONGRESS

Mr. DODD. Mr. President, I rise—and will be joined by my friend and colleague from Alaska—to speak about a remarkable gift that was made to our wonderful country yesterday.

Yesterday, it was announced that the Library of Congress—the greatest library in the world—would receive the single largest gift in its history—$60 million—to promote scholarly excellence. Like a university, the center will have endowed chairs in a number of fields.

The remarkable gift by a remarkable person will also establish a $1 million annual prize for lifetime achievement in scholarly endeavors.

The gift has been made by a wonderful man whom I have known for many years and for whom I have great admiration, John Kluge. He is also a very good friend of the Senator from Alaska.

John Kluge immigrated to our shores from Germany nearly eight decades ago.

He began his working life selling shoes, clothes, and stationery, and moved up from there to become one of our nation's most successful businessmen. Like many others whose lives followed a similar path, Mr. Kluge has decided to give something back to the country that has given him so much over his years of living in this Nation. His remarkable gift of $60 million will benefit all Americans by raising standards of scholarly excellence, and blazing new paths of knowledge in areas of science, the humanities, and the social sciences.

It will also, in my view, be immensely beneficial to our institutions of government. Those of us who serve in those institutions will have the benefit of the fresh, bold thinking that men and women of scholarly achievement can bring to the most pressing challenges that we face as a nation. Hopefully, this gift will contribute to making our nation even more prosperous and just in the years to come.

Perhaps most importantly, however, this gift stands as testimony to the unique and ongoing promise of America. Every day, we are reminded by events large and small that this is an extraordinary country. Our is a country that—despite its problems—offers individuals a level of freedom, equality, and dignity unsurpassed anywhere else on the planet, or indeed, in the history of the world. That is why people risk their lives to come to our shores.

That is why we are the inspiration for people who in fact yesterday rose up against tyranny—the people of Yugoslavia—on the shores of the Balkans.

The extraordinarily generous gift given yesterday by Mr. Kluge to the Library of Congress reminds all Americans that ours is a land of limitless possibility—a land where even the most humble can go on to achieve great success. And it is a gift that reminds each one of us that, in our own way, we have an opportunity and an obligation to give back to the country that has given us so much. Because more than anything else, America is the sum of the acts of selfless patriotism of its people. Any time we are reminded of that fact, my colleagues, we receive a gift whose value far exceeds its monetary sum.

John Kluge gave such a gift yesterday, as he has on countless other occasions.

In addition to this remarkable gift which John Kluge gave to the Library of Congress, he has helped raise $48 million in private funds for the Library on previous occasions to establish an electronic enterprise, the National Digital Library, with which my colleague from Alaska has been deeply involved. Congress appropriated an additional $15 million for that program.

Over the years, he has given $13 million of his own money to the Library, including $5 million to kick start the digital library.

John Kluge was the major contributor who orchestrated the wonderful 200th celebration of the Library of Congress.

He has given millions of dollars to other wonderful causes, universities, and other worthwhile enterprises.

I have known John Kluge for years and years. He was a wonderful friend of my parents. I have spent an awful lot of time with him over a number of years, particularly in the last number of months. He truly is a great American, truly a great patriot, and his wonderful contribution is going to make the Library of Congress an even greater institution in the years to come than it has been.

I wanted to take a minute to express the gratitude of all of us, my constituents, and all Americans to John Kluge for his remarkable contribution to our Nation.

Mr. STEVENS. Mr. President, yesterday, as chairman of the Joint Committee on the Library of Congress, it was my privilege to join Vice Chairman BILL THOMAS and Dr. James Billington out by our Ohio Clock to announce the largest gift in the history of our Library in 200 years. There has never been a greater gift to the Library of Congress.

As the Senator from Connecticut has said, John W. Kluge is a marvelous individual who is renowned in the international corporate community as one of the Library's staunchest supporters and most devoted people to the Madison Council. As a matter of fact, he was the founder of the Madison Council. He has now given the Library a gift of another $60 million.

Mr. Kluge's leadership in the Madison Council has enabled the Library to raise a total of $222 million in private donations for the Library over the last 10 years. His contributions alone amount to $73 million.

Yesterday's gift of $60 million will establish The John W. Kluge Center and Prize in the Human Sciences which will endow 5 scholarly chairs, and fellows, and will recognize areas of study not currently covered by the Noble prize structure. The Center will endow chairs in areas such as American law and government, American cultures and societies, technology and society, and modern culture. The Librarian will make the appointments in consultation with the Library's Scholars Council, and the first chairs will be awarded in 2001.

The Kluge Prize in the Human Sciences will include areas of study not covered by the Nobel Prize, including areas such as history, anthropology, sociology, literary and artistic criticism. Strangely enough, I had been discussing with one of my esteemed friends a similar type of approach to cover areas not covered by our Nobel Prize process. The prize will be a cash award of $1 million.

In addition, the award ceremony will recognize a lifetime of achievement in the Intellectual Arts, just as the Kennedy Center Honors recognize lifetime achievement in the performing arts. As Dr. Billington noted, ''the Kluge Center will help bridge the divide between

the academic and political worlds, between knowledge and power.'' He summed up the need for the Center best when he said, ''We need broader and deeper exchanges; to make time for greater contemplation, what Milton called 'wisdom's best nurse'.''

I speak for all of the Joint Committee members in saying that we are deeply grateful for the support the Library has received from Mr. Kluge, and the private sector under Dr. Billington's leadership. Over this past year, and in celebration of the Library's Bicentennial, the private sector has supported hundreds of activities. With Mr. Kluge's extraordinary gift of $60 million, the total amount of gifts and donations to the Library during its bicentennial year from the private sector, particularly the Madison Council, totals $106 million.

On behalf of the Joint Committee on the Library, I extend Congress' deepest thanks to John Kluge, and all of the members of the Madison Council. Their generosity has been outstanding. It has helped to make possible the digital initiatives at the Library, and has added priceless collections over the past 10 years. The nation owes Mr. Kluge a debt of gratitude for his generous support. I ask that a copy of the remarks that Mr. Kluge made regarding his gift be included in the RECORD as well as an article that appeared in the New York Times. It is my hope that Members will read his remarks. They are significant. I ask unanimous consent that a copy of his remarks be printed in the RECORD.

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

JOHN KLUGE'S REMARKS AT THE TEA HOSTED BY SENATOR TED STEVENS

Thank you, Dr. Billington.

I have known the Librarian of Congress, Jim Billington, for ten years and during that time, my admiration for him and faith in him as the head of our national library have multiplied many times over. Dr. Billington came to the Library with a great vision of what the Library could be and should be in our new global society. He knew that the vast knowledge contained in the Library, if made available to all, could enrich and enlighten the lives of people everywhere. He knew that the Library of Congress is something that every American can be deeply proud of—a symbol of our open democratic society; and a visible promise from our lawmakers that whatever information is available to them is also freely available to everyone. And he knew that visitors to the Library would come away inspired by it and proud that the most beautiful building in Washington, perhaps in the country, is a library. It has been a privilege for all of us on the Madison Council to join with the Congress in helping the librarian fulfill his vision.

We have seen the Library transformed—from a great, but under-used and little known federal institution, to an open and universally accessible resource for students, scholars and learners everywhere. This exciting transformation, and my confidence in the Librarian and his talented staff, have led to my decision to endow a center for scholarship and a prize in the human sciences which were just announced. My deepest wish—as a person who came to this country as a child with almost nothing and has enjoyed the freedom to try new things, to take risks and at least sometimes to succeed—is to make a contribution that helps others have the same kind of opportunity. I hope that the scholars who come to this center to grapple with some of the most important issues of our time and future times, will have the same wish—to use their talents and brains to better the world.

My deepest wish—as a person who came to this country as an 8 year old—and I must tell you the only possession I had was a Dresden horse which I still have in my bedroom at Morvan in Charlottesville, VA and when I get just too self-important, I look at that horse and know exactly where I came from and it has kept me grounded, I hope, all my life and that has been 86 years and I have enjoyed the freedom to try new things, to take risks, and at least sometimes succeed—is to make a contribution that helps others.

Thank you Madison Council members for making the Library a priority in your lives. Your dedication over the past ten years has paid off richly for a great American institution and for the nation.

Mr. STEVENS. He made those remarks at the time he announced this award yesterday in our presence in the Mansfield Room in the Senate.

I also ask unanimous consent an article from the New York Times pertaining to this gift be printed in the RECORD.

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

[From the New York Times, Oct. 5, 2000]

$60 MILLION GIFT IS MADE TO LIBRARY OF CONGRESS

(By Francis X. Clines)

WASHINGTON, OCT. 4.—The Library of Congress has just received the largest single donation in its history, $60 million, and Dr. James H. Billington, the librarian, is eagerly preparing to spend it repairing relations between ''the thinkers and the doers,'' between a resident panel of visiting senior scholars he plans for the library and the politicians across the street in the Capitol.

''These two worlds just kind of fell apart in the 60's and haven't really come back together again,'' Dr. Billington said as he explained his new program for the ultimate mix in political town and academic gown.

He plans rotating far-flung scholars to Washington to pursue fresh research and play a ''catalytic'' intellectual role for Congress, the primary user of the national library.

Beginning next year, the program will endow eight senior chairs plus a dozen fellowships for younger scholars. And most prominently, it will create a $1 million prize for intellectual excellence in the human sciences, a field that Dr. Billington feels is neglected by the Nobel prizes.

''We're trying to celebrate and facilitate not just the life of the mind, but also the role of the life of the mind in the life of the republic,'' he said of the new scholar center, which will be named after its benefactor, John W. Kluge.

A billionaire entrepreneur and philanthropist, Mr. Kluge heads the library's Madison Council, which has been enlisting advisers and donors from the private sector for the past decade. After helping the library raise about $160 million in the last 10 years from others, Mr. Kluge, now 85 and chairman of the Metromedia International telecommunications and entertainment company, has donated $60 million to it himself.

Based around the great hall in the library's newly refurbished Jefferson building, the center—which will be formally announced on Thursday—is to set aside suites of offices and meeting rooms for the scholars and lawmakers. The hope is they will intermingle for whatever discussions they please about ideas large or small, pressing or serendipitous.

''You can't legislate or buy depth but we're making some probes,'' said Dr. Billington, a 71-year-old historian and Russian specialist who diplomatically stressed that he has nothing against the capital city's hedgerows of think tanks and flocks of talking heads all now operating in the name of thoughtfulness.

Still, he said, ''a deeper immersion'' and interplay between scholarly ideas and political curiosity is needed. ''There is already a great deal of applied intellect in this city, even if a lot of it is in lobbying and advocacy.''

He vowed to reach out for scholars not usually associated with a Washington intellectual life top-heavy with economists and political scientists.

The initial senior scholars are to be chosen within the next year, with the first Kluge prize for intellectual excellence likely in 2002. Those under consideration will be vetted from assorted disciplines by Dr. Billington and an advisory council of scholars led by his deputy at the library, Dr. Prosser Gifford.

Dr. Billington declined to speculate on choices. But he said the standard would ideally be of the sort set by two scholars he had previously coaxed into serving the library briefly—Vyacheslav Ivanov, the linguist and lecturer on semiotics, and the late philosopher Isaiah Berlin.

The eight specialties to be covered by the senior chairs are broadly defined along the library's separate collections to include the culture and society of the Northern (advanced) and Southern (less developed) Hemispheres; technology's interaction with society, American law and governance; education; international relations; American history and ethics; and modern culture, including the library's formidable collections of music and films.

''What we're trying to do is to make sure you get Greece into Rome,'' said Dr. Billington, the 13th librarian of Congress in the two century-history of the institution.

''What's fascinating is that the link between learning and lawmaking was here from the beginning,'' he said, describing how the first joint committee was created by the founding Congress to run the library.

Scholars have at least as much to gain in the untapped resources of the library as in

the interaction with lawmakers, Dr. Billington said. He noted, for example, the thousands of unread copyrighted novels in the library's archive of more than 120 million items.

''I tell my friends in academia that instead of deconstructing novels that everybody used to enjoy before you started writing about them, how about coming down and discovering the unpublished novels that nobody has read,'' he wryly added.

''There is no magic bullet for interacting doers and thinkers,'' he conceded, but he expressed faith in the idea of simply bringing ''some of the scholars scattered all over the country directly into the library'' that members of Congress use—''people who already have a life of scholarly accomplishment but who might be capable of distilling some wisdom in roaming across the rich variety of things at the library.''

Reviewing the institution's virtues, he cited its several hundred book cataloguers as rich foragers. ''They're my hidden heroes,'' he said.

''It's going to be additive, it's going to be catalytic,'' Dr. Billington insisted. ''It's not a little empire, or a university or a new think tank.''

''It's going to have an ever changing group of people,'' he added, with most of them staying for a year or so. ''It will work in that way America does things best—not with a giant prefixed plan that you sit around and debate in the abstract, but by working on the human elements and hoping that things will jell.''

Mr. STEVENS. One of the interesting things about John Kluge's remarks was when he referred to himself as a young boy who came to this country at the age of 8 as an immigrant and he had one possession. It was a small Dresden figurine; it was a horse. That is all he owned when he came to this country.

Today, as Senator DODD has said, through the process of freedom in this country and his basic knowledge as a human being, he is one of the richest men in the world. I think to be in the man's presence is an honor. He is one of the great people of this country.

Yesterday, after I attended this ceremony and was going back on the subway, one of the operators of the subway noticed I was smiling. That is strange around this place, as people know. I said: Yes, I've just been to a delightful ceremony. I told him that this man came to this country as an immigrant boy of 8 with one little possession, that he still has, had amassed this great fortune, and he had just given the Library of Congress $60 million.

The driver of the subway said: He came here with nothing? I said: That is right. And he has just given this great gift to the Library? And I said: That is right. And he said: That man is truly blessed.

That is my feeling about John Kluge. He is a truly blessed man.

Mr. DODD. I thank my colleague for his wonderful comments about John Kluge.

Mr. President, I ask unanimous consent to proceed for 5 minutes in morning business.

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

VICE PRESIDENTIAL DEBATE

Mr. DODD. Mr. President, I went to Danville, KY, last evening, and I thought both JOE LIEBERMAN and DICK CHENEY did an admirable job in presenting their respective points of view during the Vice Presidential debate.

It will be understandable if I express a certain amount of parochial pride in the performance of my colleague and friend from Connecticut, JOE LIEBERMAN, who I thought did a magnificent job in laying out in civil, polite, and in a courteous way, the differences between the two teams, the two parties, and the candidates for the Presidency of the United States of America.

I think all Americans benefited last night as a result of the very eloquent, precise, thoughtful, and clear presentations. So it seems fitting for me to take a minute to commend them both, particularly my colleague from Connecticut. When young people around the country are thinking about politics and wonder whether good examples are out there, it is my hope that they might be shown by their history teachers, the Vice Presidential debate of the year 2000. Indeed, it was a wonderful example of how people of significant differences of opinion and points of view can have a worthwhile, informative discussion and debate of critical issues that face the future of our Nation.

I commend both, particularly my good friend and colleague from Connecticut. There is a collective sense of pride over the junior Senator from Connecticut. I may not call him ''junior'' Senator much longer, but I want to tell my colleagues how very proud I was of his performance.

WORK REMAINS

Mr. DODD. I want to say briefly before the time runs out, I have great admiration for the work Senator STEVENS has done as chairman of the Appropriations Committee. It is a tough job. We all know how hard he works and how hard he tries to work out the differences in the spending bills. I have great respect for him and the work he has done as chairman of that committee.

That said, I also would be remiss if I did not mention that there are several important matters, generally speaking, that we have not addressed. We are about to wrap up, to finish over the next few days, with maybe one or two votes left, I am told.

I am saddened that, despite the efforts of Senator STEVENS, the leaders, and others, the Senate has thus far failed to act on several other important matters, including the 39 million seniors who will go without prescription drug benefits under Medicare. That is a great loss. We could have done it this year, and we didn't.

More than 11 million working families will not get the benefit of an increase in the minimum wage. That is a great loss for those people. Mr. President, 53 million children go to school every day in this country, and for the first time in 35 years we were not able to pass the Elementary and Secondary Education Act to try to improve the quality of schools, reduce class sizes, and come up with good afterschool programs.

So, 53 million children lose, 11 million working people don't get an increase in the minimum wage, and 39 million seniors fail to get prescription drug benefits. I think it is a sad day indeed. We could have passed these measures, and we didn't. I am deeply saddened by it, as I think the American people are as well.

While I commend Senator STEVENS and members of the Appropriations Committee, including my colleague from Nevada, HARRY REID, and the distinguished Senator from West Virginia, Mr. BYRD, who have worked tirelessly to get the appropriations work done, the fact of the matter is, a great deal of America's business has gone unattended.

Mr. President, I regret that the leadership of this Congress has failed thus far to act on these and other crucial priorities. If we can find two weeks to debate renaming National Airport, if we can spend many days debating whether to provide estate tax relief to the 44,000 most affluent Americans, then I would hope that in these waning days of this Congress we could find the time to consider the needs of America's children, seniors, and working families.

I yield the floor.

UNANIMOUS CONSENT AGREEMENT—S. 3059

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I come back to try to resolve this issue. Before I ask for another unanimous consent agreement with some different language, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of Transportation.

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

THE SECRETARY OF TRANSPORTATION,
Washington, DC, October 6, 2000.

Hon. JOHN MCCAIN,
Chairman, Committee on Commerce, Science, and Transportation,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I would like to take this opportunity to reiterate my views regarding the penalty structure for Department of Transportation regulatory agencies such as the National Highway Traffic Safety Administration (NHTSA). I expressed these views in testimony on the Firestone tire recall before the full committee on September 12, 2000.

The Administration supports a three-tiered approach to the enforcement of health and

safety statutes: (1) administrative penalties; (2) judicially enforced civil penalties; and (3) in the case of egregious circumstances, criminal penalties for those who knowingly and willfully violate the law. We welcome the opportunity to work with the Congress to properly structure this approach.

Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects. I will work with you in any way I can to help shape legislation that the Congress can approve and the President can sign into law.

Sincerely,

RODNEY E. SLATER.

Mr. MCCAIN. I will read a portion of the letter:

I would like to take this opportunity to reiterate my views regarding the penalty structure for Department of Transportation regulatory agencies such as the National Highway Traffic Safety Administration (NHTSA). I expressed these views in testimony on the Firestone tire recall before the full committee on September 12, 2000.

and the last paragraph:

Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects. I will work with you in any way I can to help shape legislation that the Congress can approve and the President can sign into law.

I repeat for my colleagues what the Secretary of Transportation says:

Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

This legislation passed through the committee with the help of the chairman of the Appropriations Committee, a member of that committee, a valued member of that committee. This legislation passed through the Commerce Committee with the support of the majority leader of the Senate, a valued member of that committee.

Although I don't agree with the Transportation appropriations bill, I am not interested in blocking it. I am interested in trying to get action on this legislation before Congress adjourns.

I ask the Senator from Alaska if it would be acceptable if I modified the unanimous consent agreement to say that the majority leader, after consultation with the Democrat leader, would set a specific time and date for this legislation to be considered, and only relevant amendments to the bill be in order of S. 3059.

It seems to me we could then achieve the goal of having a time and date where we could address this issue, we could move forward with the important appropriations bill, which understandably the Senator from Alaska has as his highest priority, which is also understandable given the fact that he is the chairman of the Appropriations Committee.

I ask the Senator from Alaska if he would consider—and I will ask now—I ask unanimous consent that the majority leader, after consultation with the Democrat leader, could set a specific time and date for the consideration to S. 3059 and that only relevant amendments to the bill be in order.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Reserving the right to object, it is my understanding that there is a process underway right now to see if it is possible to get such an agreement that the Senator from Arizona mentioned.

I have inquired, since the last exchange we had on the floor—and I am a person who has voted for this bill in committee, but the problem is there are objections on both sides of the aisle, I am informed, to a unanimous consent agreement which would be necessary to carry out the Senator's current unanimous consent agreement.

The difficulty is, there are some Members who are not members of the committee, our Commerce Committee, who have not had time to study that. They have informed the staff on both sides of the Senate, both Democratic and Republican, as I understand, that there are reservations. I cannot call them holds because they have not seen the bill yet; that is, as I understand it, the bill will come over from the House. It will be the House bill we would consider. It is just a very difficult position for me to be in, but as a representative of the leadership in this matter right now, I am constrained to say I am forced to object to the bill I support. I do object to that request.

I urge the Senator from Arizona to be part of this process of trying to clear that bill. I will join him. I have been trying to work on that since our last exchange, to see if we can clear bringing up that bill. But there are reservations on both sides of the aisle to that bill, and I am constrained to be in the position, and I am in the position, to say: I object to the request of the Senator.

The PRESIDING OFFICER. Objection is heard.

Several Senators addressed the chair.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. REID. Will the Senator yield so I can make a statement?

Mr. MCCAIN. Before the Senator from Alaska leaves the floor, I would like to respond.

Mr. REID. I wanted to respond before he leaves also. I will just take a brief moment.

I say to my friend from Alaska, we are not objecting to this request.

Mr. STEVENS. Yes, you are. We had a statement you are objecting.

Mr. MCCAIN. Claiming the floor, it is clear on that side of the aisle there is no objection to this unanimous consent request.

I don't understand the comment of the Senator from Alaska about nobody has read the bill and no one understands the bill. We passed it 2 weeks ago out of the committee, No. 1. No. 2, this is not a low visibility issue. No. 3, we want to pass this bill through the Senate. The House will be passing the bill and we will go through the normal procedures.

I want to say again to the Senator from Alaska, on an issue of this importance—he said Members on both sides have reservations or objections; clearly, it is on this side of the aisle—come down with relevant amendments. We can reach time agreements and go through the normal process. But to block consideration at any time between now and when we leave is a clear message, I say in all due respect to the Senator from Alaska, that there is an intention to block consideration of the passage of this bill.

I can understand the objection of the Senator from Alaska to me holding up the consideration of the Transportation appropriations bill. I can fully understand that. I cannot understand why the leadership would not agree to taking up this bill with relevant amendments sometime between now and when we go out.

So, with all due respect to the Senator from Alaska, I don't get it. I do not understand why, when there is no objection on the other side of the aisle.

Mr. STEVENS. No, no; if the Senator will yield, Mr. President, I will state categorically I am informed there is an objection on the other side of the aisle.

Mr. REID. Mr. President, I respectfully say there is no objection on this side of the aisle.

Mr. MCCAIN. With all due respect to the Senator from Alaska, you have to respect the statement of the leader of the other side of the aisle.

Mr. REID. The Senator from Arizona made a unanimous consent request.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. MCCAIN. I ask unanimous consent to yield to the Senator from Nevada for a statement.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Nevada.

Mr. REID. The Senator from Arizona made a request, a unanimous consent request, to move forward with relevant amendments. We have no objection.

Mr. MCCAIN. I think it is abundantly clear, I say to the Senator from Alaska, there is no objection to moving forward on that side of the aisle. The problem is on this side of the aisle.

Why in the world can't we come to an agreement, when the Secretary of Transportation says:

Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

We are talking about a life-threatening situation here.

So all I can say is it is clear the problem seems to be on this side of the aisle. I am asking the Senator from

Alaska, who represents the leadership, to agree to this unanimous consent request, which I think is eminently reasonable. So I guess, Mr. President, I will ask again, if I could get the attention of the Senator from Alaska, since it is clear there is no objection to this unanimous consent request from the other side of the aisle—and I am not trying to impede the progress of the Transportation appropriations bill. We are only trying to get addressed the issue that there are life-threatening motor vehicle safety defects—if we at least could have some agreement. If there are objections to the legislation, then those objections, it seems to me, could be articulated in the form of relevant amendments.

So, again, I don't understand the explanation of the Senator from Alaska. The bill was passed 2 weeks ago. This is a very high visibility issue. We would take it up and pass it. The House is going to pass this legislation next Tuesday, according to all news reports. We could pass it, go to conference, and get this legislation to the President of the United States unless it is blocked on this side of the aisle—on this side of the aisle. This is a bill that passed 20–0 with the support of the majority leader, with the support of the chairman of the Appropriations Committee.

Mr. THOMAS. Will the Senator yield for a question?

Mr. McCAIN. I am glad to yield.

Mr. THOMAS. This passed 2 weeks ago, Senator. Why hasn't it come up before this and not at the very end?

Mr. McCAIN. I have been urging it, I respond to my colleague. Since the day after we passed it, I have been begging the leadership every day to bring up this bill for consideration. This has been blocked.

Mr. THOMAS. I thank the Senator.

Mr. McCAIN. I appreciate the question of the Senator from Wyoming because we have been trying to do everything we can to bring this bill up. That is why—because I have been stymied in these efforts—I had to come to the floor this morning to try to force some action on it since there was no response from our leadership, on this side, because of holds on the bill and objections to it.

I again ask unanimous consent that the majority leader, in consultation with the Democratic leader, establish a specific time and date for consideration of S. 3059, and that only relevant amendments to the bill be in order.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Reserving my right to object, I ask the Senator through the Chair a question. Is that a unanimous consent agreement that involves bringing the bill before the Senate without the ability of any Member of the Senate to object at that time to its consideration?

The PRESIDING OFFICER. That is correct.

Mr. STEVENS. As I understand it, the Senator is saying he would like to have the Senate agree that the two leaders can bring a bill before the Senate for consideration that has not yet been passed by the House, and no Member would be able to object to consideration at that time.

The PRESIDING OFFICER. That is correct.

Mr. McCAIN. Could I respond quickly to the Senator from Alaska? This is not a House bill; this is a Senate bill I am asking to have considered on the floor of the Senate as we regularly do with legislation in the Senate.

Mr. STEVENS. I apologize, Mr. President. From the prior conversation, I understood the House had brought its bill out of committee. I understood we were going to await that bill.

In any event, I want to say it again, as one who has voted for the bill, I am in the position of representing the leader.

Mr. President, I sought to become leader of the Senate once. I lost by two votes. I understand what it means not to be leader, but I also understand what it means to be leader. The leader has asked me to object on his behalf, and I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Arizona.

Mr. McCAIN. Could I just say again, and I want to clarify for the benefit of the Senator from Alaska, this is a Senate bill. It was passed through the Commerce Committee by a vote of 20–0. Yesterday, the House, by a vote of 42–0, passed through their committee similar legislation, although not the same legislation. They announced they would be passing their legislation next Tuesday.

What I am seeking is for us to be able to pass the Senate bill and go to conference, as is normal.

I should not do this, but I want to make another commitment to the Senator from Alaska because of the time constraints, and that is, if there are 50 relevant amendments filed and it looks as if the bill is going to be filibustered to death and we are not going to be able to pass it, then I will ask that the legislation be withdrawn at that time because I understand the time constraints under which the chairman of the Appropriations Committee is operating.

All I am asking is it be brought up with relevant amendments, as it will be passed by the House next Tuesday, and conferees will be appointed, as is normal, and we will go to conference and report out legislation hopefully that can be passed before we go out of session.

I say again to the Senator from Alaska, one, we passed it 2 weeks ago; two, the House has acted in their committee, and they will be passing the bill next Tuesday. Right now we have no assurance of any kind that we can in any way take up this bill at any time. So when the Senator from Alaska objects on behalf of the leadership to consideration at any time that would be in keeping with the majority leader's schedule, then it is clear the effect is to kill the legislation, and we are talking about, as the Secretary of Transportation says, ''Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.''

I ask the chairman of the Appropriations Committee if he will do the following: If we can just go into a quorum call for 10 minutes and see if the leadership will allow this unanimous consent request to move forward. I am not interested in embarrassing the leadership. In fact, I am interested in not embarrassing the leadership because if there is no objection on the other side of the aisle and there is an objection on this side of the aisle to taking up the legislation at any time, that is really not good. That is not a good thing to happen. I speak as a Member on this side of the aisle. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BIDEN. Mr. President, I ask unanimous consent to proceed in morning business to speak about Yugoslavia for up to 10 minutes. If that causes problems for anyone, I will withhold.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BIDEN. Mr. President, to assure everyone, if the conference report comes over, I will immediately cease and desist so we can proceed with the regular business of the Senate.

REVOLUTION IN SERBIA

Mr. BIDEN. Mr. President, we have had many debates on the floor of the Senate, genuinely heartfelt debates about the role of the United States of America in the world and the use of American force in the world.

We have had a split in this body between the parties, and within the parties, about whether or not it is appropriate for the United States to take a leadership role in Europe, including, on occasion, the use of force to promote our national interest and that of our allies.

There are several political cancers that exist in various parts of the world. And the one remaining cancer on the continent of Europe—the primary one—is Slobodan Milosevic.

I suggest that we all take a lesson from what is going on now in the Federal Republic of Yugoslavia—in Serbia. Many of us, Democrat and Republican, have argued—myself; Senator MCCAIN; Senator LIEBERMAN; Senator Dole, when he was here—that the United States had an obligation, in its own self-interest and in the interest of our allies, and in the interest of humanity, to intervene, to stop the genocide and the ethnic cleansing that was being perpetrated by Slobodan Milosevic's vile nationalism.

I have been arguing for some time now that, absent our involvement in that region of the world, there would be chaos in, if not the heart, then the belly of Europe, and that if we acted with dispatch—swiftly and with resolve, and a willingness not to back away—Slobodan Milosevic, as with most thugs, would be stopped and would be eliminated.

Some have said on this floor, and some will say in the various Presidential and Senatorial and House campaigns that are going on, that we did not have an exit strategy when we committed American forces in Kosovo or American forces in Bosnia. Some will say that we have not succeeded because all is not tranquil, and if we were to withdraw American forces, things would revert to the chaos that existed before, and that this serves as proof that what we had done had not worked. The press and others declared early on in the bombing campaign in Kosovo—3 days into the 70-some day campaign—that it was a failure.

I am told, time and again, by some of my colleagues on the floor and I have read some pundits who state that, in fact, the American people are not patient, that they want instant results.

I say this. The end of Slobodan Milosevic is evidence of a number of things. One, our involvement was not only positive and good and successful, it was absolutely necessary. Without the leadership of the United States of America, I respectfully suggest our European allies would not have been as aggressive, they would not have been as united, and they would not have been as resolved.

Second, I hope we take a lesson from this as well to demonstrate that the American people have a great deal more patience and wisdom than we give them credit for. I have not heard, nor have I heard anyone else tell me that, while they have been home in the last 4 years, they have been told, as they walked from the grocery store, or to the drugstore, or home, that it is urgent we withdraw American forces from the Balkans.

Quite frankly, the opposite has occurred. The American people intuitively knew this was a place where wars have started before, this was a place where if chaos reigned it could not be contained, this was a place where a man such as Slobodan Milosevic could do nothing but ultimately harm the interest of Europe and the United States. They were resolved, and they are resolved, to keep American forces in that area to maintain the peace and security of the region, along with our allies.

I might add, parenthetically, that we make up only, roughly, 7,000 of the nearly 41,000 troops that are in Kosovo, and that, in fact, we are doing the Lord's work there. It is kind of interesting that, in the six or seven trips I have made to the region—the last one being a trip to Kosovo—after I came back I remember having discussions here on the floor, and I would hear about how down the morale was of the American forces and how circumspect they were about whether we should be involved.

That is not what I found, whether it was at Camp McGovern in Bosnia several years ago or at Camp Bondsteel in Kosovo last year. What I found was that these young women and men knew exactly why they were there. They knew why they were there. They did not have to be told. And they felt good about it. They knew they were doing the Lord's work. They understood. They understood there was a purpose and meaning for being there. All they had to do was ride through the streets and they understood it. It is interesting that the retention rate and reenlistment rate is higher for those who have been in Kosovo or Bosnia than for any other segment of the military.

So I would argue that what is happening in Yugoslavia now is making a lie of some of the assertions that were taken for granted around this place by a majority of the people on the floor, as well as a majority of the press, as well as a majority of the people who are so-called pundits.

This is the point I want to make.

We should not now, at this moment, change policy. Slobodan Milosevic is a war criminal. We should not, as former Secretary Eagleburger—a man for whom I have great respect—said yesterday on television, accommodate his departure from Serbia by winking and nodding and essentially letting him off the hook on the War Crimes Tribunal. We should not do that.

The newly elected President of Serbia, Vojislav Kostunica, is a lot of things that are good. But his record shows that he is also a fierce nationalist.

We should lift sanctions, but only when Milosevic goes. But again, just a word of caution, we should not lift all sanctions until we are clear that the new leadership in Serbia, in Belgrade, will honor the Dayton accords and will not use force in Kosovo. This is no time to relent. None—none—of us should relent now.

We have been right so far. A steady course, firm hand, U.S. power, U.S. leadership, and U.S. resolve have brought us this far. Without it, none of what has happened would be, in fact, what the history books will write about 2, 5, 10, and 20 years from now. History will record that what we did was the right thing to do from a moral standpoint, and, even more importantly, in a Machiavellian sense, right for the national interests of the United States, and essential for any prospect of long-term peace and security in Europe.

I said a week ago that Milosevic could not be sustained, no matter what he did from this point on. The tides of history have moved. We saw it some years ago in Bulgaria. We saw it in Romania. We saw it occur again in Croatia. We saw it again in Bosnia. And we now see it in Serbia. For the first time in modern European history, there is a prospect—a serious prospect—that the Balkans will be integrated into Europe as a whole.

I can think of no more significant foreign policy initiative that this Government has taken since the Berlin Wall came down that has been so clearly vindicated—so clearly vindicated. So now is not the time to take an easy road out. Lift sanctions partially, make it clear to the Serbian people that we love them—our fight was never with them; they are a noble people—but I think we should have a steady hand. We are prevailing. The West is prevailing. Yugoslavia, in particular—most people refer to it as Serbia—is about to come into the light of day. We must not now send the wrong signal and let people in Serbia conclude that there is not a price to pay for those who violate, in a massive way, the human rights of their fellow citizens and that we expect the new government to behave in a way consistent with international norms.

I thank the Chair and I yield the floor.

UNANIMOUS CONSENT REQUEST—S. 3059

Mr. MCCAIN. I ask unanimous consent that the majority leader, in consultation with the Democratic leader, set a time and date for consideration of S. 3059, and that only relevant amendments to the bill be in order.

The PRESIDING OFFICER (Mr. THOMAS). Is there objection?

Mr. LOTT. Mr. President, reserving the right to object, I have been involved in other meetings this morning, and I have not heard the discussion. I have not had an opportunity to see the level of disagreement on this. Let me just say to Senator MCCAIN —and we just talked about it—I don't have a personal problem with this. But give me a little time to make sure that all of our people know to what we are about to agree. Hopefully, within the next few minutes he can offer that

again. I will object at this point, but if he will withhold, because I understand there may be more objections, I will check that out.

Mr. MCCAIN. Mr. President, I withdraw my unanimous consent request. I also assure the majority leader that if it appears as if there is going to be an avalanche of relevant amendments to which we cannot get time agreements, then I am not interested in tying up the entire Senate on that legislation. But I do believe that it is important that we take it up, obviously. I am grateful the other side doesn't object to the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. FRIST. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

Mr. FRIST. Mr. President, when the conference report arrives, I will terminate my comments.

THE SAFETY AND HEALTH OF AMERICA'S CHILDREN

Mr. FRIST. Amidst all of the proposals and discussions and objections and debate that has gone on here on the floor, I rise to talk about a bill that has been very positive, which demonstrates the best of what this body is all about—a pulling together and working together across the aisle in a bipartisan way, all with the goal of making others' lives more fulfilling, both in the current generation and in future generations. This week, the U.S. Congress has sent to the President of the United States for his signing a comprehensive bill that very much forms the backbone of efforts to improve the safety and health of America's children.

This bill that has been sent to the President focuses on our children's health, the Children's Health Act of 2000. It was more than a year ago that Senator Jim JEFFORDS and I reached out across the Capitol to Chairman BLILEY and Representative BILIRAKIS to work together in a coordinated way on a whole variety of issues and bills that are critical to children's health and safety. These included such issues as maternal and infant health, day-care safety, pediatric research, pediatric health promotion, and efforts to fight drug abuse and provide mental health services for young people today. I am delighted that both the House and the Senate have passed this bill, that it has been sent to the President, and that we were successful in achieving our goal.

The bill addresses a range of issues. Just to give some flavor of this bill and what it can achieve, what it will achieve, what it does achieve in its language, let me comment on a few.

Day-care safety. Currently, there are more than 13 million children 6 years of age and less who are enrolled in day-care centers. Almost a quarter of a million are in Tennessee. One provision in this bill, the Day-Care Safety Act, recognizes the need to make these settings safer, improving the health and public welfare of children in day care. Parents should simply not be afraid to leave their children in the morning when they drop them off in these day-care settings, fearing that a licensed day-care facility is not safe over the course of that day. This bill helps ensure that our childcare centers will be safer.

Secondly, children's health. Provisions included in this bill, the Children's Public Health Act of 2000, some of which were introduced July 13 of this past year—that I introduced with Senators JEFFORDS and KENNEDY—address a number of children's health issues, including maternal and pediatric health promotion and research.

Thirdly, traumatic brain injury. Traumatic injuries are the leading cause of death for every age group between 1 and 19 years of age. This bill strengthens the traumatic brain injury programs at the CDC, the National Institutes of Health, and the Health Resources and Services Administration.

Fourth, birth defects: Birth defects are the leading cause of infant mortality and are responsible for about 30 percent of all pediatric admissions.

This bill focuses on maternal and infant health. The legislation establishes a national center for birth defects and developmental disabilities at the CDC, the purpose of which is to collect and analyze and distribute data on birth defects.

Fifth, asthma. The bill combats some of the most common challenges, problems, and public health issues in children today. In terms of asthma, it provides comprehensive asthma services and coordinates a wide range of asthma prevention programs in the Federal Government to address this most common chronic childhood disease.

Mr. President, I am delighted that this bill has passed both of these bodies with this body working together in a bipartisan way.

I understand that we are about ready to begin on the conference report. Therefore, I will terminate my comments at this point, and later in the day, during morning business, will extend my comments on this very important bill.

I yield the floor.

The PRESIDING OFFICER (Mr. FRIST). The majority leader is recognized.

Mr. LOTT. Mr. President, I will continue to work on this with Senator MCCAIN. I understand other Senators are coming to the floor to discuss the issues with him.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001—CONFERENCE REPORT

Mr. LOTT. Mr. President, I submit a report of the committee of conference on the bill H.R. 4475 making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk reads as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 4475, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by all of the conferees on the part of both Houses.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The report was printed in the House proceedings of the RECORD of October 5, 2000.)

Mr. SHELBY. Mr. President, what is the pending business? Is there a quorum call?

The PRESIDING OFFICER. The conference report on Transportation is the pending business.

Mr. SHELBY. I urge adoption of the conference report and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. HARKIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I further ask unanimous consent that following the completion of the vote, Senator HARKIN be recognized for up to 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I am pleased that the Senate will have the opportunity to consider the conference agreement for the fiscal year 2001 Transportation appropriations bill.

I believe that this bill strikes a funding balance between the modes of transportation, funds critical safety initiatives, reflects the priorities of the overwhelming majorities of both the House and the Senate, and provides adequate flexibility and direction for the Department as it transitions into the next administration.

Mr. President, allow me to take just a few minutes to summarize and highlight a few of the provisions of the conference report that is now before the Senate.

Of the three issues that the administration indicated were critical to it in the safety arena, I'm pleased to report that we're three for three. And, so is the administration. These issues have been negotiated in a fashion and with a spirit of accommodating the interests of the House, the Senate, and the administration. Through some creativity and with an awareness of the specific concerns of all the parties, we have been able to meet everyone more than halfway.

The compromise language on the hours of service regulations in this conference report allows the Department to move forward with the analysis of the docket, issue a supplemental NPRM, and do everything short of issuing the final rule. I think that is a reasonable compromise and one that should provide the incentive for the administration to fully listen and solicit views on all sides of this issue.

As many of you know, I have a concern that NHTSA has ignored calls from consumer groups and critics of the proposes static stability factor rating system in its rush to publish a rollover rating as part of the NCAP program. Notwithstanding that concern, I have been convinced by the distinguished House Chairman, Mr. WOLF, that he believes that NHTSA, in light of our attention to the issue, will now act responsibly in this area.

Accordingly, the conference agreement maintains the Senate requirement to conduct a 9-month study at the National Academy of Sciences. The Academy is directed to investigate the usefulness of the information that NHTSA proposes to provide, the scientific underpinnings of the NHTSA approach, and consideration of whether dynamic testing is preferable to the static stability factor calculation—while simultaneously allowing NHTSA to move forward with its proposal.

This issue deserves all our attention as it evolved because rollovers are among the most deadly of accident types and providing bad information to consumers could well mean more highway fatalities. People have a right to expect that the information that the Federal Government provides is accurate, unbiased, and based on sound testing methodologies. I am pleased that in the conference agreement NHTSA will have to meet that standard, if not in the short term, at least in the long term.

The funding levels keep faith with the recently enacted AIR–21 capital and airport authorizations, and come very close to the President's budget request for FAA operations.

The Highway and Transit accounts are funded at the TEA–21 authorized levels; the Coast Guard, adjusted for some of the capital projects funded in the supplemental, is above the President's requested level for fiscal year 2001; NHTSA is above the President's request once it is adjusted downward for the RABA shift that was a nonstarter with both the House and the Senate.

Amtrak is funded at the President's request and the remaining accounts: Pipeline Safety, the Inspector General, the National Transportation Safety Board are all at or above the President's request.

There is no tenable argument that can be made that there isn't enough money in this bill. The conference agreement includes approximately 14 percent more budget resources than the fiscal year 2000 enacted levels.

In addition, we have tried to reflect and accommodate the priorities of our subcommittee members, full committee members, and the membership of both the House and Senate. We have listened to what our members have requested us to do and accordingly, the negotiated compromise reflects the priority that members have put on highway and transit spending.

There are other issues that have been the subject of some attention—the most notable of which is the .08 blood alcohol content. The Senate bill included a provision which would hold back a portion of highway funds from states which fail to adopt a .08 blood alcohol content standard.

The conference agreement modifies that provision by providing a more graduated, phased-in approach of the highway holdback and more time for states to adopt the .08 standard. I also want to point out that no state incurs the loss of highway funds if they adopt the .08 blood alcohol content standard by 2007. Whatever funds withheld from them starting in 2004 would be returned without penalty under the hold-harmless clause as long as a .08 standard is adopted by 2007. I think this is a reasonable and fair transition to a standard that we know will save lives.

Mr. President, there are a few people I would particularly like to thank before we vote. My ranking members, Senator LAUTENBERG, has been a valued partner in this process during his final year as the ranking member of the Senate Transportation Appropriations Subcommittee. While we have had our disagreements and differences, I have been privileged to work with him and believe this nation's transportation policy have benefitted by the substantial contributions he has made during his tenure in the Senate and on the subcommittee.

Senators STEVENS and BYRD have provided guidance throughout the year, and made a successful bill possible by ensuring an adequate allocation for transportation programs.

My House counterpart, Congressman FRANK WOLF and his staff: John Blazey, Rich Efford, Stephanie Gupta, and Linda Muir, have been particularly accommodating and collegial.

Finally, Mr. President, I want to thank Steve Cortese and Jay Kimmitt of the full committee staff for their invaluable assistance and advice throughout the process.

Mr. President, I urge adoption of the conference report.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I rise in strong support of the Conference Agreement on the Transportation Appropriations Act for Fiscal Year 2001. I have served on the Appropriations Committee for all but 2 years of my 18-year career in the Senate.

For 14 of those years, I have served either as chairman or ranking member of the Transportation Subcommittee. I can say without reservation—and I compliment the chairman of the subcommittee, Senator SHELBY, and the chairman of the Appropriations Committee, Senator STEVENS, for the work they did—that this is the best transportation bill in those 14 years.

The bill makes historic investments in our transportation infrastructure and, simultaneously, takes dramatic steps forward in our efforts to improve safety.

Under this Conference Agreement, funding for highways will total almost $33.4 billion, a 16 percent increase over the Fiscal Year 2000 level. Funding for our nation's mass transit systems will grow by 8.4 percent.

Investment in our nation's airports will grow by an astronomical 69 percent, and funding for the FAA's facilities and equipment account, which makes critical investments in the modernization of our nation's air traffic control infrastructure will grow by 22 percent. The bill also includes substantial growth in the critical accounts that ensure safety in all modes of transportation.

Funding for the Coast Guard's operating budget will grow by 15 percent and funding for the FAA's operating budget will grow by almost 10 percent. The new Federal Motor Carrier Safety Administration will receive a funding boost of almost 70 percent—an investment that is long overdue in addressing the problem of truck safety.

Most importantly, Mr. President, this Conference Agreement includes a provision establishing a new national intoxication standard at .08 blood alcohol content. This provision has passed the Senate twice before. First, during Senate consideration of the last highway bill and, most recently, as part of this Transportation Appropriations bill.

Indeed, this bill passed the Senate by a vote of 99–0, the first time in my memory that we had not even one dissenting vote on the Transportation bill.

The .08 provision contained in this conference report represents a historic step forward in the federal government's effort to combat drunk driving.

Not since we passed the Minimum Drinking Age Act, a law I championed back in 1984, have we made such significant progress in saving lives on our highways.

The .08 provision in this conference agreement largely follows the outline of the Minimum Drinking Age Act.

It imposes sanctions on states' highway construction funds at an increasing level until they adopt the national .08 standard. States that have their funds sanctioned will have the opportunity to have that highway funding restored so long as they adopt the national standard within the first six years after enactment of this bill.

But states should not wait for the sanctions to even begin—I urge states to act as soon as possible and save lives now.

The reason for a national .08 standard is simple—the medical and scientific communities confirm that you are too drunk to drive at .08 blood alcohol content.

Critical driving skills, such as steering and braking decrease by as much as 60 percent at .08 BAC.

NHTSA estimates that this provision will save more than 500 lives per year. And the Senate should be very proud of its efforts today to spare 500 families from that horrifying phone call in the dark of night telling them that one of their loved ones has died at the hands of a drunk driver.

There are a great many people to thank for our success in this bipartisan effort. Most importantly, I would like to thank the Subcommittee Chairman, Senator SHELBY, who has stuck by me on this provision since the very beginning. As I've mentioned, this was truly a bipartisan effort. And it was not easy. We faced stiff opposition from powerful interests.

My Chairman showed great courage and stood up for the safety of America's families.

I also want to thank Chairman WOLF, the Chairman of the House Transportation Appropriations Subcommittee. Through his six years as Chairman of the Transportation Subcommittee, Representative WOLF has been a true champion for safety.

He is the leading congressional expert in the area of truck safety and he spent months convincing his colleagues of the merits of a national intoxication standard.

I also want to thank President Clinton and Vice President GORE who both personally lobbied the Conferees on this issue, along with members of their staff, including John Podesta and Jack Lew of OMB.

I would also like to thank Millie Webb, a victim of a .08 driver and the President of Mothers Against Drunk Driving.

She lost a daughter and a nephew—both about 4 years of age—to a drunk driver. She then gave birth to a child prematurely who became blind early in her life. This has been Millie's interest for some years because the driver who committed this horrible crime had a blood alcohol content of .08. She is here today to witness this law becoming effective because she didn't want any other families to suffer the pain and grief she went through.

I also want to thank Brandy Anderson, MADD's Congressional representative and the rest of the MADD leadership. In addition, I want to thank Jackie Gillan and Stephanie Mennen of Advocates for Highway Safety.

The help of these public interest groups was critical to getting this law passed. They deserve a great deal of credit.

In recent months, my office has resembled a ''war room'' on the .08 issue, doing everything we can in concert with MADD and Chairman WOLF to see to it that the .08 provision could become law this year.

I want to thank the members of Mr. WOLF's staff, especially John Blazey and Stephanie Gupta, as well as members of my own staff, Peter Rogoff, Sander Lurie, Dan Katz, Denise Matthews, Gabrielle Batkin, and Laurie Saroff who have worked tirelessly on behalf of this provision.

I also want to thank one individual who is no longer on my staff. During consideration of TEA–21, Elizabeth O'Donohue was a tireless advocate for the .08 provision. We were able to get the .08 provision adopted in the Senate on the TEA–21 bill, but we ran into an ambush in the House of Representatives, thanks to the negative work of the liquor lobby.

While Liz is no longer with my staff, I want to recognize the extraordinary groundwork that she laid in past years. There is no question that her efforts contributed greatly to our success here today.

In addition, I want to thank Tom Howarth, a former member of my staff who helped us get the 21 year old minimum drinking age passed, and has worked for years to make the .08 standard the law of the land.

I also want to thank Senator SHELBY's excellent staff, including Wally Burnett, Joyce Rose, Paul Doerrer, Tom Young and Kathy Casey.

Finally, as I make my parting comments as a leader on the Transportation Subcommittee, I want to make one last request of my colleagues. When the Senate considers a new highway bill in 2002 or later, I will no longer be a member of the Environment and Public Works Committee or the Senate and I certainly am not going to be in a position to work as hard as I did in the past on this issue. There is no question, when the Senate considers a new highway bill, there could be an attempt to repeal the national .08 standard. I am sure my colleagues are sensible people and I implore them not to bend to the pressure of those that would bring more bloodshed to our highways. I urge my colleagues not to flinch from their commitment to safety. Please do not condemn 500 American families a year to the tragedy of losing a loved one to drunk driving.

I urge my colleagues to maintain a national drunk driving policy based on safety, sanity and science. You must not bend to those who would seek to undo the progress we have made.

I yield the floor for this my last transportation bill as a Member of the Senate. I have enjoyed my service on this subcommittee. I think it has been important to the country, but particularly to my State, to see the improvements we have been able to make on highway safety and mass transit.

Finally, I think we are on our way to getting high-speed rail service and inner-city rail service in place. That is the only way to relieve the congestion in the skies and on the highways. There is no more room in the skies for additional airlines, no matter what we put on the ground.

I hope we will give high-speed rail the resources it needs to say to those people who are unable to make their business appointments or their contacts because of delayed flights, here is one way to make a difference in the way we travel in this country.

I yield the floor.

Mr. REID. Mr. President, I want the Senator from New Jersey to understand, before he leaves the floor, how appreciative I personally am, and the whole Senate is, for the work the Senator has done—not only in the Transportation appropriations—for many years. The Senator has set the pattern for transportation in the most rapidly growing State, Nevada. The Senator has been instrumental in the things we have been able to do with Senator SHELBY, to come up with programs for the State of Nevada that have been remarkably efficient and good.

In addition to that, before the Senator leaves, this may be the last opportunity we have to speak publicly on the Senator's behalf as to the things

the Senator has done in relation to tobacco. I remember my children had respiratory problems and they hated to fly in an airplane. There was smoking and nonsmoking. That was a fallacy; it was all smoking. It is because of the Senator and his perseverance that we have people flying smoke free on airplanes all over the country. It is a crime to smoke a cigarette, as it should be, on an airplane.

This is just one of many things, including gun control, that the Senator has done on the Environment and Public Works Committee. We have served together my entire 14 years in the Senate. The Senator has been a leader in the area dealing with the environment. I speak not only for me but the entire Senate in gratitude for the great work the Senator has done.

FHWA ITS ACCOUNT

Mr. BURNS. Mr. President, I thank my colleague from Alabama for his work on the fiscal year 2001 Department of Transportation appropriations bill. The conference report we are considering today is a balanced report. The bill meets fully the congressional commitment to highway, transit and aviation spending in TEA–21 and AIR–21.

The bill makes transportation in our nation safer and more efficient. Our healthy economy is dependent on this bill. I would like to request one small item of clarification. The report includes a remark in the FHwA's Intelligent Transportation Systems account directing $750,000 to allow the State of Montana to complete the STARS program. This a great new program that I expect will receive national attention in the near future once long haul truck operators are made aware of the efficiencies it will provide them.

However, I have been made aware by my staff that the intention of these funds were to allow the State of Montana to use these funds to complete deployment of the STARS programs and also establish a GIS/GPS framework on the State's public roadways which will benefit the safety of the traveling public in Montana.

Mr. SHELBY. I thank the Senator for his support of this report. I agree with my colleague from Montana that the intention of these funds within the framework established by the ITS account are available to the State of Montana for use in both completing the STARS program, as well as, working on the GIS/GPS project.

Mr. SMITH of New Hampshire. Mr. President, it is with great regret that I rise today to oppose the conference report to the Transportation appropriations bill.

I want to begin by praising my colleagues on the Committee on Appropriations who have worked so hard on this bill and conference report. I know they have faced many difficult issues, competing demands for limited resources, and the pressure of time as this Congress winds down. And there are many good provisions in this bill, including several that will benefit my home State of New Hampshire.

These include: $2 million of the extension of the Commuter Rail line from Boston to Lowell, Massachusetts into Nashua, New Hampshire; A provision that designates the I–93 project as a national model for implementation of environmental streamlining; $1.5 million for improvements to U.S. Route 2 in New Hampshire; $500,000 for the Concord 20/20 Vision project; $250,000 for the Bedford, New Hampshire Route 101 Corridor Study and Improvements; $200,000 for a Feasibility Study of a High Speed Rail Corridor from Boston, MA to Burlington, VT, through New Hampshire; $10 million nationally for the Historic Covered Bridge Program, under which N.H. communities can apply for funds to repair covered bridges; $12 million for construction of the Broad Street Parkway in Nashua, NH; Over $137 million to the New Hampshire Department of Transportation under the states' federal highway allocation authorized by the 1998 Transportation Equity Act for the 21st Century (TEA–21).

But this bill contains several objectionable departures from TEA–21, which are under the clear jurisdiction of the Environment and Public Works Committee, the authorizing committee which I chair.

First, I am concerned about the so-called .08 blood alcohol content (BAC) provision to mandate a nationwide standard for state drunk driving laws by threatening sanctions on highway funding. In TEA–21 we specifically rejected this approach in favor of incentives to encourage stronger drunk driving laws. Congress worked hard to reach this compromise during TEA–21 so that states could address highway safety and drunk driving in a variety of ways, without the federal government forcing them to focus on whether their laws contain .08 as the magic number. This heavy handed approach that was pushed through on an appropriations bill threatens to take away highway funds from 32 states. I will carry my strong opposition to funding sanctions into the next transportation reauthorization bill, and I hope we have seen the last of this kind of federal intervention.

On this issue of funding, in TEA–21 we guaranteed collections into the Highway Trust Fund would be redistributed to the states and to DOT discretionary programs. When these collections are above TEA–21 estimates, the additional funds, called RABA funds, are distributed according to TEA–21.

This bill makes several major and minor adjustments to the RABA funds—including failing to provide for some programs, and diverting these funds to special projects.

On top of this, the bill also takes an extra $1.4 billion in funds from the Highway Trust fund to go to special projects.

This money is not authorized to be spent in TEA–21. This money comes out of Highway Trust Fund balances. This is like the balance in your checkbook that is there to pay outstanding bills and checks that are waiting to clear.

In TEA–21 we crafted careful compromises over how Highway Trust Fund dollars are spent and distributed. This bill ignores our work and includes page after page of earmarks for unauthorized projects.

We have not been consulted on the viability of these projects, we have no assurance that these projects are important, whether they have met environmental clearances, or whether the funds provided are based on engineering estimates for these projects.

The Highway Trust Fund money is to be distributed to states where they have local control over which projects are funded and when. This bill attempts to circumvent this process with funding earmarks.

I object to this intrusion into the Highway Trust Fund. It is unwise to pick and choose highway projects to insert in the appropriations bill.

As I stated at the beginning, there are many good provisions in this Transportation conference report. I applaud the work that my colleagues have done and appreciate the support they have given to important New Hampshire projects. Therefore, it is with great reluctance that I oppose the conference report.

Mr. FEINGOLD. Mr. President, I regret that I must oppose the Conference Report on H.R. 4475, the Transportation Appropriations Act, because it contains a number of provisions that I support. Others have noted the amount of special interest spending that was included in this bill. While I understand and share the desire of others to respond to particular local concerns, the level of such spending in this bill has become so great that it undercuts the efforts we made in the last Congress to bring more equity to the way transportation dollars are distributed.

Mr. President, beyond that I am greatly disappointed that this measure also includes a provision that is effectively a mandate on States with respect to blood alcohol levels. This issue is classically a matter of State discretion, and the Federal government has no business engaging in what amounts to little more than extortion to impose a policy on States in an area that is so clearly a State matter.

Mr. President, I have come to the floor before to talk about the disturbing trend toward the federalization of matters that should be left to state and local governments to decide. We have seen this in a number of policy

areas, including our criminal justice system, but perhaps no area has been the subject of more inappropriate Federal intervention than transportation. From speed limits to seat belts, from helmets to blood alcohol levels, Congress effectively has usurped State authority to set public policy in this area.

Mr. President, I was privileged to serve in the Wisconsin State Senate for ten years, and I can tell you that state legislators like to have something to do. State legislators and governors are fully capable of understanding the arguments made in favor of adopting the .08 standard, and the Congress should not interfere with a policy matter that is so clearly a State prerogative.

Again, Mr. President, I regret I cannot support this measure. Adequate funding for the full spectrum of our transportation infrastructure is one of my highest budget priorities. But the inclusion of the blood alcohol standard puts that very needed funding at risk for states like Wisconsin that have a different policy. As with the special interest provisions that are included in this measure, it undermines the great strides that were made as part of TEA 21 to get Wisconsin a fairer portion of the revenue Wisconsin taxpayers contribute to the transportation fund.

Mr. McCAIN. Mr. President, the United States' transportation infrastructure is vital to its success as a nation. The ability to regulate and move goods and people safely and efficiently by land, air and sea has defined industrialized countries, nationally and internationally, for centuries. With our economy prospering, there have been significant increases in travel and movement of goods across our country. As a result, it is essential that critical transportation safety and policy programs get proper funding. This Transportation Appropriations conference report takes some appropriate steps in that direction.

However, while I agree with the need for increased funding, I do not agree with the need for increased pork. Unfortunately, once again, the appropriations committee has adopted the mantra that increased funding for necessary programs equals increased pork-barrel spending for parochial projects.

Mr. President, while I was speaking on the floor Monday, I read aloud from an article in that day's Wall Street Journal about the Congressional scramble to wrap up budget negotiations while at the same time, a frantic chase was underway by members seeking to ensure they could take home plenty of earmarked port barrel projects for their districts and states. Well, that article was like reading a crystal ball. And this enormously bloated transportation bill takes the cake. It illustrates one of the most gluttonous, pork-driven, self-serving spending agendas we've seen yet.

Therefore, once again I must rise to object to the immense amount of special projects that have been earmarked in a conference report. Through the appropriations conference, legislators have tacked on millions of dollars in special interest ''projects''. These projects are pure pork tacked on for the benefit of a particular area or community. While some of these projects may not be objectionable on their merits, the process by which they are added is unconscionable.

During closed-door conferences, decisions were made to tack on millions of dollars in special projects. Other members were not allowed to participate in, or vote on, the outcome. While democracy is the foundation of our government, the democratic process is shut out of these closed-door proceedings. Members were not even allowed to view the contents of this report until early this morning, even though it has been reported the conference was completed Tuesday morning. No member should be asked to consider a 146 page bill and 236 page report they were given no time to review. I do not think the managers of this legislation, nor, more importantly, the leadership of this chamber, should be at all proud of how this process has been handled. Indeed, this is not the kind of leadership we can expect the American voters to embrace.

This earmarking process takes away the discretion of the very Federal agencies created and empowered to disburse federal funding. At the current levels of earmarking, we should just save the American taxpayers billions of dollars and abolish all Federal agencies and let the appropriators dole out money directly without any oversight.

This transportation appropriations conference report adds more than $3 billion over the Administration's FY 2001 funding request.

According to published reports, and I must rely on them, since neither I nor my staff have been allowed to view the report until moments ago, more than $2 billion of these funds are earmarked for highway and bridge projects.

I note $600 million is earmarked for the project to replace the Woodrow Wilson Bridge over the Potomac River between Virginia and Maryland. The project already was given an earmark of $900 million through the Transportation Equity Act of the 21st Century, TEA–21—that is, $900 million in addition to the billions of dollars each state receives in their annual highway funding allocation. To add insult to injury, the additional money is being taken from the budget surplus.

Mr. President, mark my word, that project is the next ''Big Dig'' in the making. The estimated costs of the project have already soared from $1.9 billion to $2.5 billion—and you can bet those costs will keep going up and up and up.

Besides earmarking more than $2 billion in extra funds for highway and bridge projects, of which the Wilson Bridge receives 25 percent of, the conference managers earmarked nearly every other dollar available in the bill.

These earmarks reportedly include $102 million for the U.S. 82 bridge over the Mississippi River at Greenville, Mississippi, $100 million for I–49 in Arkansas and almost $20 million for I–69 in Tennessee. Mr. President, there are a lot of roads and bridges that need rehabilitation; I don't understand why Congress is substituting its judgment for the judgment of Federal agencies.

In addition, there have been a reported $700 million in transit earmarks for the Chicago Metro and Transit Authority in the home state of the Speaker of the House, for a rapid transit bus project at Dulles International Airport in the home state of the Chairman of the House Transportation Appropriations Subcommittee and for the Minneapolis Hiawatha project in the home district of the ranking member of the House Appropriations Subcommittee.

According to his own press releases, and again, I had to rely on them since I had no real opportunity to view the bill, the Chairman of the Senate Appropriations Subcommittee on Transportation has managed to earmark almost $300 million in transportation funds for his home state. Again that is $300 million in personal projects for his state!

Included in this amount is $100 million for the construction of ''Corridor X'', a 97 mile highway through northwest Alabama; $34 million for construction of the Birmingham Northern Beltline; $10 million to construct a Transportation Technology Center at Auburn University; $3 million to the State of Alabama to develop a training program for jobs in the automobile manufacturing field.

The conference report also provides $9 million to replace the Whitesburg Bridge in Alabama; $5 million for the Mobile Alabama Maritime Center; $2.5 million to initiate on-campus shuttle bus service at the University of South Alabama; $2 million for the University of Alabama-Birmingham to acquire fuel cell buses; and $2 million to the University of North Alabama to improve transit and pedestrian access.

Mr. President, this is taxpayer money used to fund the personal pork projects of the appropriators. And I have never seen the levels of pork that we are reaching.

This year, for the first time ever, the appropriators have earmarked $300 million for specific discretionary projects in the FAA airport improvement program. This past year, we fought long and hard with the appropriators and budgeteers to ensure that there was increased funding for airport infrastructure. This was necessary to attempt to keep up with the significant increase in air travel over the past 10 years and the expected increase over the next 10. I congratulate Congress for meeting

the agreed upon levels of authorizations.

However, now that we have increased funding, the appropriators feel as if they have the necessary knowledge and expertise to determine where $300 million of these monies should go. Mr. President, I realize that as members of Congress, we travel a great deal. However, I don't believe that experience supplies members with the necessary wisdom to replace FAA's judgment on which projects deserve merit and which projects do not.

The FAA is tasked with the safety of our aviation system. But Congress won't let it do the job. Now we are saying to—indeed, the bill directs—the FAA to spend this increased funding where Congress wants it to, not where it is needed. Mr. President, this is obscene and untenable.

Mr. President, I could go on and on about pork-barrel spending and its effect on the taxpayer, but I will conclude with this thought. We have acted responsibly to increase funding, we are not acting responsibly by denoting where this money should go. I ask unanimous consent that examples of this port barrel spending from the transportation appropriations conference report be entered in the RECORD.

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

OBJECTIONABLE PROVISIONS IN H.R. 4475, FY 2001 TRANSPORTATION APPROPRIATIONS CONFERENCE COMMITTEE REPORT

—Bill earmarks $5,000,000 for Alabama State Docks;

—Bill earmarks $7,500,000 for Auburn University Transportation Center;

—Bill earmarks $18,467,857 for Woodrow Wilson Memorial Bridge;

—Bill earmarks $1,735,039 Alaska Highway;

—Bill earmarks $8,000,000 for US177 in Stillwater, Oklahoma;

—Bill earmarks $4,300,000 for US177 in Cimarron River, Oklahoma;

—Bill earmarks $1,500,000 for US 70 near Broken Bone, Oklahoma;

—Bill earmarks $100,000 for US 70 in Marshall and Byran Counties, OK;

—Bill earmarks $24,600,000 for I–55 in Mississippi;

—Bill earmarks $4,000,000 for Albany to North Creek intermodel transportation corridor.

—Bill earmarks $1,000,000 for Battiest-Pickens Road, Oklahoma;

—Bill earmarks $8,000,000 for the Patton Island bridge in Lauderdale County, AL;

—Bill earmarks $46,000,000 for traffic mitigation on SR 710 in California;

Report earmarks: $1.4 million for the 2001 Special Winter Olympics; $1 million to ensure consumer information and choice in the airline industry; $2 million for planning for the Salt Lake City Winter Olympic Games; $3 million for automotive workforce training; $300,000 for DOT to study telework efforts in the New York metropolitan area; and $3 million of minority business outreach.

FEDERAL HIGHWAY ADMINISTRATION

Report earmarks: $4 million for commercial remote sensing products and spatial information technologies; $10 million for the national historic covered bridge preservation program; $5 million for construction and improvement of the Alabama State Docks; $10 million for the Auburn University for the Center for Transportation Technology; $7.5 million for Child Passenger Protection Education Grants; $25 million for the transportation and community and system preservation program; $1.6 million for international trade data systems; and $1 million to conduct a study of corporate average fuel economy standards.

Report directs the Secretary of the Army to remove lead-based paint from the St. Georges Bridge in Delaware, to repaint the bridge and to conduct an assessment for rehabilitation of the bridge using funds from the Energy and Water Development Appropriations Acts.

Report redistributes TEA–21 RABA funding after deducting $156,486,491 for ''high priority projects'' including $25 million for Indian reservation roads program, $18.4 million for the Woodrow Wilson Bridge, $10 million for the CDL program, and $1.7 million for the Alaska Highway.

Report stipulates how funds apportioned for Oklahoma, Mississippi, New York, Nebraska, Alabama, and California are to be allocated within those states.

Report directs DOT Secretary to designate the New Hampshire I–93 corridor as an environmental streamlining pilot project.

Report encourages FHWA to expend up to $500,000 to explore traffic striping technology improvements which enhance reflectivity in heavy rain; $2 million to determine the effectiveness of Freezefree anti-icing systems; for cooperative research at the Western Washington University Vehicle Research Institute for safety and related initiatives; up to $500,000 for rural bridge safety research in cooperation with the Vermont Agency of Transportation and up to $1.8 million to the Transportation Research Institute at the George Washington University for multimodal crash analysis.

Report earmarks $15 million for pavements research, including $750,000 for cement concrete pavement research at Iowa State University; $2 million for alkali silica reactivity research, up to $2 million for research into the GSB–88 emulsified sealer/binder treatment; up to $2 million for a cooperative polymer additive demonstration involving South Carolina State University and Clemson University, and up to $1 million for geosynthetic material pavement research at the Western Transportation Institute.

Report provides $15 million for structures research, encouraging FHWA to provide up to $2 million for research at the Center for Advanced Bridge Engineering at Wayne State University; up to $2 million for earthquake hazards mitigation research at the University of Missouri-Rolla; up to $2 million for related engineering research at West Virginia University; up to $2 million for research for wood structures at the University of Maine; up to $2 million for rustproofing and paint technology transfer project using the I–110 bridge from I10 to U.S.—90, and up to $1.5 million for research at Washington State University.

Report provides $6.2 million for environmental research, and encourages FHWA to provide up to $1 million for the Sustainable Transportation Systems Lab and the National Center for Transportation Technology for mitigation research for heavily-trafficked national parks; up to $1.5 million for a dust and persistent particulate abatement demonstration study in Kotzebue, Alaska, and up to $1 million for the National Environmental Respiratory Center.

For Highway operations and assent management, the report encourages FHWA to provide up to $800,000 for innovative infrastructure financing best practices at the University of Southern California; up to $1 million for the road life research program in New Mexico; up to $2 million for the New York and Auburn University for continued work on a transportation management plan.

FERRY BOATS AND FERRY TERMINAL FACILITIES

The report earmarks the entire amount available for ferry boats and ferry terminals for projects in 15 states.

MAGLEV

The report directs that $21.5 million be used for the deployment of high-speed maglev projects as follows:

$5 million for the Pittsburgh International Airport link;

$1 million for the Maryland Department of Transportation for the Baltimore Washington International Airport link;

$1 million for the California-Nevada Super Speed Train Commission;

$1 million for the Georgia/Atlanta Regional Commission,

$1 million for the Southern California Association of Governments for a link between Los Angeles International Airport to March Air Force Base;

$1 million for the Florida Department of Transportation; and

$1 million for the Greater New Orleans Expressway Commission.

The report further earmarks the following Low-speed maglev program:

$2,000,000 for the Segmented Rail Phased Induction Electric Magnetic Motor (SERAPHIM) project;

$2 million for the Colorado Intermountain Fixed Guideway Authority Airport link project; and

$2 million for the Pittsburgh Pennsylvania airborne shuttle system.

Report includes $50 million for the transportation and community and system preservation program and earmarks the funds as follows:

Project	*Conference*
Anniston Evacuation corridor, Calhoun County, Alabama	$3,000,000
Avalon Boulevard/405 Freeway interchange, Carson, California	875,000
Boca Raton traffic calming, Florida	500,000
City of North Ridgeville, Lorain County, Ohio grade crossing improvements	600,000
Coalfields expressway, Virginia	4,000,000
Coalfields expressway, West Virginia	10,000,000
Downtown Fitchburg Route 12, extension, Massachusetts	2,000,000
Hatcher Pass (phase I), Alaska	2,000,000
I–25 corridor from Alameda to Logan, Colorado	4,000,000
I–29 Port of Entry, Union County, South Dakota	2,000,000
I–35 corridor expansion, Waco, Texas	1,325,000
I–5 South Medford interchange and Delta Park, Oregon	1,000,000
I–65 upgrade, Clark County, Indiana	1,350,000
I–66, Somerset to London, Kentucky	5,000,000

	Conference
I–69 corridor, Louisiana	2,300,000
I–69 corridor, Texas	3,000,000
I–74 bridge, Moline, Illinois	5,600,000
Madison County, KY 21 and I–75, Kentucky	1,000,000
New Boston Road improvements, Mercer County, Illinois	3,000,000
Radio Road overpass, City of Sulphur Springs, Texas	1,350,000
Route 104, Virginia	1,000,000
South Shore industrial safety overpass, Indiana	4,750,000
Stevenson expressway, Illinois	3,800,000
US 19, Florida	10,000,000
US 25 improvements, Kentucky	2,000,000
US 321 and US 74, Gasden and Mecklenburg County, North Carolina	500,000
US 395 North Spokane corridor, Washington	1,000,000
US 43, Alabama	4,000,000
US 51 widening, Decatur, Illinois	1,350,000
US 95 (Milepost 522 to Canadian border), Idaho	1,900,000
US Route 2, New Hampshire	1,500,000
US–61 (Avenue of the Saints), Missouri	4,000,000
WI 29 (Chippewa Falls bypass, Wisconsin)	3,000,000
The report earmarks FHWA's public lands discretionary program as follows:	
20/20 vision project in Concord, New Hampshire	500,000
Arkansas River, Wichita, Kansas, pedestrian transportation facility	1,000,000
Bangor, Maine, intermodal hub facility planning, railroad crossing signalization, bike and pedestrian trails	600,000
Bedford, New Hampshire, corridor planning	250,000
Billings, Montana, open/green space improvement project	775,000
Bowling Green, Kentucky, Riverfront Development transportation enhancements	1,000,000
Buckeye Greenbelt parkway beautification, Toledo, Ohio	250,000
Burlington, Vermont, North Street and Church Street improvements	1,100,000
Chantry Flats Road, Sierra Madre, California	600,000
Charleston, West Virginia, Kanawha Boulevard Walkway project	2,000,000
City of Angola and Steuben City, Indiana, bike path	325,000
City of Bedminster, New Jersey, bike path	500,000
City of Coronado, California, mobility improvements	600,000
City of Ferndale, Michigan, traffic signals	50,000
Claiborne County, Mississippi, access road from US 61 to new port facility	400,000
Clay/Leslie County, Kentucky	2,000,000
Clovis, New Mexico, street revitalization	750,000
Community and environmental transportation acceptability process, California	1,000,000
Delong Mountain, Alaska, airport access and related planning	300,000
Downtown Omaha, Nebraska, access and redevelopment project	300,000
East Redoubt Avenue improvements, Soldotna, Alaska	725,000
El Segundo, California, intermodal facility improvements	1,000,000
Elwood bicycle/pedestrian bridge, County of Santa Barbara, California	250,000
Fairbanks, Alaska, downtown transit and cultural integration planning	450,000
Fairfax cross county trail/Potomac national heritage Scenic Trail, Virginia	500,000
Flint, Michigan, transportation planning and origin & destination shipping study	150,000
Fort Worth, Texas, trolley study	750,000
Heritage Corridor Project study, Illinois	200,000
High capacity transportation system study, Albuquerque, New Mexico	500,000
Houston, Texas, Main Street Connectivity Project	750,000
Hudson River Waterfront Walkway, New Jersey	2,000,000
Huffman Prairie Flying Field Pedestrian and Multimodal Gateway Entrance, Dayton, Ohio	700,000
Humboldt Greenway project, Hennepin County, Minnesota	1,000,000
Jackson traffic congestion mitigation planning, Mississippi	600,000
Johnstown, Pennsylvania, pedestrian and streetscape improvements	400,000
Kansas City, Missouri, Illus Davis Mall enhancements	350,000
Las Cruces, New Mexico railroad and transportation museum	200,000
Lincoln Parish transportation plan, Louisiana	1,500,000
Lodge freeway pedestrian overpass, Detroit, Michigan	900,000
Manchester, Vermont, pedestrian initiative	375,000
Marked Tree, Arkansas, to I–55 along U.S. Highway 63 improvements and controlled access lanes	600,000
Minnesota Trunk Highway 610/10 interchange construction of I–94	1,650,000
Mitchell Marina development, Greenport, New York	250,000
Mobile, Alabama, GM&O intermodal center/Amtrak station	650,000
Montana DOT/Western Montana College statewide geological sign project	200,000
Montana statewide rail grade separation study and environmental review	400,000
New Bedford, Massachusetts, North Terminal	200,000
New Orleans, Louisiana, intermodal transportation research	950,000
NW 7th Avenue corridor improvement project, Miami, Florida	100,000
Ohio and Erie Canal corridor trail development, Ohio	1,000,000

Conference agreement includes a total of $218,000,000 for Intelligent Transportation System (ITS) of which $118,000,000 is available for ITS deployment activities and $1000,000,000 for R&D earmarked as follows:

Alameda-Contra Costa, CA—$500,000;
Aquidneck Island, RI—$500,000;
Arapahoe County, CO—$1,000,000;
Austin, TX—$250,000;
Automated crash notification system, UAB—$1,000,000;
Baton Rouge, LA—$1,000,000;
Bay County, FL—$1,500,000;
Beaumont, TX—$150,000;
Bellington, WA—$350,000;
Bloomingdale Township, IL—$400,000;
Calhoun County, MI—$750,000;
Carbondale, PA—$2,000,000;
Cargo Mate, NJ—$750,000;
Charlotte, NC—$625,000;
College Station, TX—$1,800,000;
Commonwealth of Virginia—$5,500,000;
Corpus Christi, TX—vehicle dispatching—$1,000,000;
Delaware River Port Authority—$1,250,000;
DuPage County, IL—$500,000;
Fargo, ND—$1,000,000;
Fort Collins, CO—$1,250,000;
Hattiesburg, MS—$500,000;
Huntington Beach, CA—$1,250,000;
Huntsville, AL—$3,000,000;
I–70 West project, CO—$750,000;
Inglewood, CA—$600,000;
Jackson, MS—$1,000,000;
Jefferson County, CO—$4,250,000;
Johnsonburg, PA—$1,500,000;
Kansas City, MO—$1,250,000;
Lake County, IL—$450,000;
Lewis & Clark trail, MT—$625,000;
Montgomery County, PA—$2,000,000;
Moscow, ID—$875,000;
Muscle Shoals, AL—$1,000,000;
Nashville, TN—$500,000;
New Jersey regional integration/TRANSCOM—$3,000,000;
North Las Vegas, NV—$1,800,000;
North Central Pennsylvania—$1,500,000;
Norwalk and Santa Fe Springs, CA—$500,000;
Oakland and Wayne Counties, MI—$500,000;
Pennsylvania Turnpike Commission—$1,500,000;
Philadelphia, PA—$500,000;
Puget Sound Regional Fare Coordination—$2,500,000;
Rensselaer County, NY—$500,000;
Rochester, NY—$1,500,000;
Sacramento to Reno, I–80 corridor—$100,000;
Sacramento, CA—$500,000;
Salt Lake City—Olympic Games—$1,000,000;
San Antonio, TX—$100,000;
Santa Teresa, NM—$500,000;
Schuylkill County, Pennsylvania—$400,000;
Seabrook, Texas—$1,200,000;
Shreveport, LA—$2,000,000;
South Carolina statewide—$1,000,000;
South Dakota commercial vehicle ITS—$1,250,000;

Southeast Michigan—$500,000;
Southhaven, MS—$150,000;
Spokane County, WA—$1,000,000;
Springfield—Branson, MO—$750,000;
St. Louis, MO—$500,000;
State of Arizona—$1,000,000;
State of Connecticut—$3,000,000;
State of Delaware—$1,000,000;
State of Illinois—$1,000,000;
State of Indiana (SAFE–T)—$1,000,000;
State of Iowa (traffic enforcement and transit)—$2,750,000;
State of Kentucky—$1,500,000;
State of Maryland—$3,000,000;
State of Minnesota—$6,500,000;
State of Missouri—Rural—$750,000;
State of Montana—$750,000;
State of Nebraska—$2,600,000;
State of New Mexico—$750,000;
State of North Carolina—$1,500,000;
State of North Dakota—$500,000;
State of Ohio—$2,000,000;
State of Oklahoma—$1,000,000
State of Oregon—$750,000;
State of South Carolina statewide—$4,000,000;
State of Tennessee—$1,850,000;
State of Utah—$1,500,000;
State of Vermont—$500,000;
State of Wisconsin—$1,000,000;
Texas Border Phase I Houston, TX—$500,000;
Tuscaloosa, AL—$2,000,000;
Tucson, AZ—$2,500,000
Vermont rural ITS—$1,500,000;
Washington, DC area—$1,250,000;
Washoe County, NV—$200,000;
Wayne County, MI—$5,000,000; and
Williamson County/Round Rock, TX—$250,000.

FEDERAL TRANSIT ADMINISTRATION

—Bill earmarks $60,000,000 for planning, delivery, and temporary use of transit vehicles and construction of temporary transportation facilities for the Olympics in Salt Lake City, Utah to the Utah Department of Transportation and removes the requirement for any state or local matching funds.

—Bill earmarks $4,983,828 for the Pittsburgh airport busway project;

—Bill earmarks $1,488,750 Burlington to Gloucester, NJ line;

The bill further earmarks:

$10,400,000 for Alaska and Hawaii ferry projects;

$500,000 for the Albuquerque/Greater Albuquerque mass transit project;

$25,000,000 for the Atlanta, Georgia, North line extension project;

$1,000,000 for the Austin, Texas, capital metro light rail project; together with $50,000,000 transferred from ''Federal Transit Administration, Formula grants'';

$3,000,000 for the Baltimore central LRT double track project;

$5,000,000 for the Birmingham, Alabama, transit corridor;

$25,000,000 for the Boston South Boston Piers transitway project;

$1,000,000 for the Boston Urban Ring project;

$2,000,000 for the Burlington-Bennington (ABE), Vermont, commuter rail project;

$1,000,000 for the Calais, Maine, branch line regional transit program;

$2,000,000 for the Canton-Akron-Cleveland commuter rail project;

$3,000,000 for the Central Florida commuter rail project;

$15,000,000 for the Chicago Ravenswood and Douglas branch reconstruction projects;

$1,500,000 for the Clark County, Nevada, RTC fixed guideway project;

$4,000,000 for the improvement project;

$5,000,000 for the Charlotte, North Carolina, north corridor and south corridor;

$1,000,000 for the Colorado Roaring Fork Valley project;

$70,000,000 for the Dallas north central light rail extension project;

$5,000,000 for the Denver Southeast corridor project;

$20,200,000 for the Denver Southwest corridor project;

$500,000 for the Detroit, Michigan, metropolitan airport light rail project;

$50,000,000 for the Dulles corridor project;

$15,000,000 for the Fort Lauderdale, Florida, Tri-County commuter rail project;

$1,000,000 for the Galveston, Texas, rail trolley extension project;

$15,000,000 for the Girdwood to Wasillia, Alaska, commuter rail project; and

$1,000,000 for the Hollister/Gilroy branchline.

FEDERAL RAILROAD ADMINISTRATION

—Bill earmarks $17,000,000 for the construction of a third track on the Northeast Corridor between Davisville and Central Falls, RI;

—Bill earmarks $25,100,000 for High Speed Rail program;

—Bill earmarks $20,000,000 for Alaska Railroad; and

—Bill earmarks $15,000,000 for West Virginia rail development.

The report provides $350,000 to establish an ''intermodal emergency response training center for the southeast region of the country, to be located in Meridian, Mississippi.

The report provides $100,000 for a grant to Alabama State docks, a state owned facility, for a study of the cost and economic benefits of restoring rail service on Blakeley Island in Mobile Bay.

The report provides a total of $700,000 for North Carolina's ''sealed corridor initiative.''

Under the heading of ''corridor planning'', $200,000 is provided for a Boston to Burlington high-speed corridor feasibility study; $200,000 for the Southeast corridor extension from Charlotte, NC to Macon, GA; and $300,000 for the Gulf Coast high speed rail corridor from Mobile, AL to New Orleans, LA.

The conference report provides $20,000,000 for the Alaska Railroad.

The report provides $15,000,000 for Rail Development in West Virginia.

The report provides funding for Rail-highway crossing hazard elimination. Of these funds, $750,000 for the High Speed Rail corridor from Washington to Richmond; $1.5 million for the High Speed rail corridor from Mobile to New Orleans; $1.5 million for Salem, OR; $125,000 for both Atlanta to Macon, GA and the Eastern San Fernando Valley, CA; $500,000 for both the Harrisburg to Philadelphia corridor and the Milwaukee to Madison, WI corridor; and $250,000 is provided for the Minneapolis/St. Paul to Chicago high speed rail corridor.

The conference agreement, in Sec. 321, allows funds made available ''for Alaska or Hawaii ferry boats or terminal facilities to be used to construct new vessels and facilities; or to improve existing vessels and facilities.

U.S. COAST GUARD

Operating expenses

Conference Report earmarks $1,000,000 for Tulane University and the University of Alabama in Birmingham to investigate the unique occupational and health hazards affecting Coast Guard personnel due to their work in the marine environment. (Not Requested, p. 13) (Senate provision originally provided $1.75 million).

Conference Report directs the Coast Guard to evaluate the ''boatracs'' text communication system. (p. 14) (Authorizing provision not included in either bill).

Conference Report directs the Coast Guard to conduct an assessment of progress to replace single hull tankers with double hull ships (p. 14) (Authorizing provision not included in either bill).

Acquisition, construction, and improvements

Bill language earmarks $5,800,000 to be transferred from the Coast Guard to the City of Homer, AK, for the construction of a municipal pier and other harbor improvements. (Not requested).

Conference Report earmarks $1,000,000 for Helipad modernization in Craig, AK (not requested).

Alteration of bridges

The FY 2001 Budget Request proposed that funding for this account be provided out of the FHWA's discretionary bridge program instead of the Coast Guard's budget. This account was authorized by the last Coast Guard Authorization bill (FY 98). Conference report provides $15.5 million to repair 6 bridges under the Truman-Hobbs Act. The report earmarks $3,000,000 for the Sidney Lanier highway bridge in Brunswick, GA; $3,000,000 for the EJ&E railroad bridge in Morris, IL; $2,000,000 for the John F. Limehouse bridge in Charleston, SC; $3,000,000 for the Fourteen Mile Bridge in Mobile, AL; $3,925,000 for the Florida Avenue bridge in New Orleans, LA; and $575,000 for the Fox River Bridge in Oshkosh, WI. (Not requested).

General provisions

Sec. 382 prohibits funds to be used to adjust the boundary of the Point Retreat Light Station currently under lease to the Alaska lighthouse Association. (This provision conveys to the lighthouse association approximately an additional 1500 acres of land currently held by the U.S. Forest Service).

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Operations and research

Prohibits funds from being used to plan, finalize, or implement any rulemaking for any requirement pertaining to a grading standard that is different from the three standards (treadwear, traction, and temperature resistance) already in effect. (Included since FY 1996); and

Requires an NAS study on the static stability factor test versus a test with rollover metrics based on dynamic driving conditions that may induce rollovers (but allows NHTSA to continue to move forward with the rollover rating proposal during the NAS study).

Conference report earmarks $750,000 for the Brain Trauma Foundation to continue phase three of the guidelines for pre-hospital management of traumatic brain injury.

Conference report earmarks $750,000 for an aggressive driving program in Maryland, Virginia, and D.C. as specified in the House report.

Conference report earmarks $250,000 to the University of Vermont's College of Medicine and Fletcher Allen Health Care for advance mobile video telecommunications links in rural areas.

Conference report earmarks $500,000 to continue a project at the University of South Alabama on rural vehicular trauma victims, as proposed by the Senate.

Conference report earmarks $250,000, within contract funds, to Mercer University Research Center for a school bus safety initiative, as proposed by the Senate.

Conference report earmarks $1,000,000 to the Injury Control Research Center at the University of Alabama for research on cervical spine and paralyzing neck injuries from motor vehicle accidents.

Conference report prohibits the use of funds to prepare, prescribe, or promulgate different CAFE standards.

The PRESIDING OFFICER. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. BOND), the Senator from Colorado (Mr. CAMPBELL), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. KYL), and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

Mr. REID. I announce that the Senator from California (Mr. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

I further announce that, if present and voting, the Senator from North Dakota (Mr. DORGAN), the Senator from Illinois (Mr. DURBIN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Washington (Mrs. MURRAY) would each vote ''aye.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 78, nays 10, as follow:

[Rollcall Vote No. 267 Leg.]

YEAS—78

Abraham	Frist	Mack
Akaka	Gorton	McConnell
Ashcroft	Grams	Mikulski
Bayh	Grassley	Miller
Bennett	Gregg	Moynihan
Biden	Hagel	Reed
Bingaman	Harkin	Reid
Breaux	Hatch	Robb
Brownback	Helms	Roberts
Bryan	Hollings	Rockefeller
Bunning	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Chafee, L.	Inouye	Schumer
Cleland	Jeffords	Sessions
Cochran	Johnson	Shelby
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Landrieu	Stevens
Daschle	Lautenberg	Thompson
DeWine	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lincoln	Warner
Edwards	Lott	Wellstone
Fitzgerald	Lugar	Wyden

NAYS—10

Allard	Gramm	Thomas
Baucus	McCain	Voinovich
Feingold	Nickles	
Graham	Smith (NH)	

NOT VOTING—12

Bond	Durbin	Kyl
Boxer	Enzi	Lieberman
Campbell	Feinstein	Murkowski
Dorgan	Kennedy	Murray

The conference report was agreed to.

Mr. SHELBY. I move to reconsider the vote.

Mr. BROWNBACK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Iowa is recognized for 15 minutes.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa has the floor.

THE NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, it has now been 218 days—218 days that the Judiciary Committee of the Senate has had Bonnie J. Campbell's name there and not reported her out. She has had her hearings. Her paperwork is done. Yet she sits bottled up in the Senate Judiciary Committee.

I understand that later today—or maybe early next week—there will be a unanimous consent request to bring up for consideration and pass the Violence Against Women Act. It is a very good bill, a good law, that has done a lot to help reduce domestic violence in our country.

But we have an interesting dichotomy here. There will be a line of Senators out here talking about how they are all for the Violence Against Women Act. It will go through here like greased lightning. But when it comes to the person who has been in charge of implementing the provisions of the Violence Against Women Act, the person who has been in charge of the Office of Violence Against Women since its beginning in 1995—because it was created by the Violence Against Women Act—when it comes to that person who is widely recognized all over America as the one person who has done more to implement that law than anybody else—when it comes to that person, they say, no, we are not going to let her be reported out of the Judiciary Committee. That is Bonnie Campbell.

It is all right to have the Violence Against Women Act but, no, it is not all right to have her sit on the court of appeals—the one person who knows this law intimately, the one person who has led the fight in this country against domestic violence and violence against women in general.

Bonnie Campbell has not been treated fairly by this Senate, by the Republican leadership, and by the Senate Judiciary Committee.

I have heard all the arguments—including the one that she she wasn't nominated until this year. Mr. President, she was nominated in early March. She had her hearing in May. Yet the other day we reported four judges out, all of whom were nominated later than Bonnie Campbell. Three were nominated in July, had their hearing, and were reported out all in the same week. Yet Bonnie Campbell sits there, 218 days today.

It is not as if the appeals courts are full. We have 22 vacancies on the appeals courts. And we need more women serving on the appeals court. Out of 148 circuit judges, 33 are women—22 percent. Yet the Republican leadership in this Senate and on the Senate Judiciary Committee will not let Bonnie Campbell's name come out for a vote.

If somebody on the other side wants to vote against her, for whatever reason, that is their right. It is their senatorial privilege and even their responsibility, if they feel deeply about it, to do so. But I don't believe it is anyone's responsibility, nor even a right, to hold that name bottled up in committee when she is fully qualified. I have not heard one Senator say Bonnie Campbell is not qualified for this position—not one. I have heard no objections raised at all. She is supported by both the Senators from Iowa—a Republican Senator, Mr. GRASSLEY, and by me, a Democrat. So there has been strong, bipartisan support.

Again, she is a former attorney general of the State of Iowa and now head of the Violence Against Women office. Yet they won't report her name out.

Yes, they will let the Violence Against Women Act come through, and we will hear wonderful speeches about it, I am sure, from the Republican side. The House of Representatives, last week, voted for the Violence Against Women Act, 415–3. Does anybody believe they would have voted that overwhelmingly if the only person who has run that office had done a bad job and had not enforced the law fairly and equitably and brought honor to the law and the position? Absolutely not. By that 415–3 vote, they were saying Bonnie Campbell has done an outstanding job.

Mr. WELLSTONE. Will the Senator yield?

Mr. HARKIN. Yes.

Mr. WELLSTONE. I say this to the Senator from Iowa—and I wonder whether he would agree with me—I think if we had an up-or-down vote on Bonnie Campbell, it would be 100–0 or 99–1. Under the Violence Against Women Act, in terms of dramatically affecting the lives of women and their children, we would not have been able to have made a real difference without Bonnie Campbell. She is the one who made this a reality——

Mr. HARKIN. Exactly.

Mr. WELLSTONE. When it came to directly affecting their lives. If we had a vote, I think it would be 100–0 or 99–1.

Mr. HARKIN. I hadn't made that point, but yes, that is true. If we had a vote, I daresay maybe one or two may have a problem for some reason, but I think it would be overwhelming.

Mr. LEAHY. Will the Senator yield for a question?

Mr. HARKIN. Yes.

Mr. LEAHY. The Republican nominee for President, George W. Bush, has said what the Senate ought to do on all these nominees is, within 60 days, vote them up or down, but at least bring them to a vote. Would the Senator from Iowa agree with me that that is a good idea on what should be done?

Mr. HARKIN. I think that is a great idea.

Mr. LEAHY. Would he also agree with me that if Governor Bush actually means that, he ought to pick up the phone and call the Republican leadership and say there are an awful lot of women and minorities and others who have been bottled up, as well as Bonnie Campbell, a lot longer than 60 days—I think one for more than 1,360 days—we ought to vote them up or down?

Mr. HARKIN. I agree.

Mr. LEAHY. Lastly, would the Senator from Iowa agree with me that all he wants and would be satisfied with—bring her down here, 9 o'clock in the morning, or at night, whatever, and let's have a rollcall vote? I can assure you, I have read all of her file, and I sit on the Judiciary Committee. I have gone through every bit of this. Bonnie Campbell is one of the most qualified people nominated by either a Republican or Democrat in the 25 years I have been on the Judiciary Committee.

Mr. HARKIN. I agree with the Senator from Vermont, my great friend who does an outstanding job on the Judiciary Committee. He is absolutely right. Governor Bush said we ought to have a 60-day deadline. He should pick up the phone, as my friend said, and call the Republican leadership. He is the leader of the Republican Party.

UNANIMOUS CONSENT AGREEMENT

Mr. President, I will, as I do every day, ask unanimous consent to discharge the Judiciary Committee on further consideration of the nomination of Bonnie Campbell, nominee for the Eighth Circuit Court, and that her nomination be considered by the Senate following the conclusion of action on the pending matter, and that the debate on the nomination be limited to 2 hours equally divided, and that a vote on her nomination occur immediately following the use or yielding back of that time.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. Mr. President, I intend to make my point every day. And as you can see, an objection to bringing Bonnie Campbell's name out of the Judiciary Committee so we can have a debate and vote is made every time on the Republican side. That is who is holding this up. It is a darn shame that this is being done to a person who has led an exemplary life, done an outstanding job in public service both as attorney general of Iowa and now as head of the Violence Against Women Office in the Department of Justice. It is not right, it is not fair.

So every day that we are here I will continue to ask unanimous consent to bring her name out. Before I yield the floor, once again, I will point out that in 1992, when there was a Republican President and a Democratic Senate, 9 circuit court judges had their hearings; there were 14 nominated in 1992, during an election year, and 9 had hearings. Of all those who had hearings, they were all referred and all confirmed—one as late as October of 1992, a couple in September, and a couple were in August.

When the shoe was on the other foot, when there was a Republican President and a Democratic Senate, we had the hearings. Everyone who had a hearing during the Bush Administration got a vote in Committee. All but one got a vote on the Senate floor. Well, Bonnie Campbell had her hearing. All the paperwork is done. Yet she has been referred. Every single one was confirmed in 1992.

Well, this is the year 2000 and we have had seven circuit court judges nominated this year. One has had a hearing and was referred and was confirmed. That is one out of seven. In 1992, it was 9 out of 14. Tell me who is playing politics around this place. Tell me who wants to play politics with the circuit courts. It is not our side. It is the other side.

In 1992, as I said, we had nine circuit judges nominated and confirmed. This year, there was only one. No. 1, it is a flimsy argument to say because she was nominated this year it is too late. No. 2, it is a phony argument that, well, it is a circuit court and maybe George Bush will win the election and, therefore, we will put Republicans on there instead of somebody such as Bonnie Campbell.

In 1992, as I pointed out, when the roles were reversed, we confirmed nine circuit court judges that year. We could have said the same thing: Bill Clinton may win, so don't confirm them. But we didn't do that. I believe the right course of action to follow is to report those out, let them have a debate. If people want to vote one way or the other, that is their right.

I will continue to take this floor every day until we adjourn sine die, or whatever we do here. I will begin to use every means at my disposal to get her name out of the Judiciary Committee and make sure she is treated fairly by this Senate and that at least we have a vote.

I yield the floor.

UNANIMOUS CONSENT REQUEST—S. 3059

The PRESIDING OFFICER. The Senator from Arizona.

Mr. REID. Will the Senator yield for a unanimous consent request?

Mr. McCAIN. I am doing a unanimous consent.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I ask unanimous consent that the majority leader, in consultation with the Democrat leader, establish a date certain and time certain for consideration of S. 3059, and that only relevant amendments to the bill be in order.

Mr. REID. Reserving the right to object, I ask the Chair, is there no time certain for the vote on the unanimous consent request?

The PRESIDING OFFICER. No time certain.

Mr. REID. I object.

Mr. McCAIN. Could I have the reason for the objection?

Mr. REID. I say to my friend, we are very anxious to move forward on this matter, but we want a time for the vote.

Is this your request?

Mr. McCAIN. It is my request.

Mr. REID. I thought it was a different matter; sorry. I withdraw my objection.

Mr. SESSIONS. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. McCAIN. Mr. President, before the Senator from Alabama leaves the floor, the Senator from Alabama should understand what he is doing.

This bill came out 2 weeks ago. This bill came out 2 weeks ago and there are relevant amendments that are in order. The Senator from Alabama is going to bear responsibility for our failure to act.

Mr. President, I quote to the Senator from Alabama what the Secretary of Transportation says:

> More importantly, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

I tell the Senator from Alabama, if we don't act expeditiously, we will not address life-threatening motor vehicle safety defects.

The Senator from Alabama can have all the amendments he wants that are relevant, and he can have all the time he wants that is relevant. By blocking the bill, the Senator from Alabama assumes great responsibility, great responsibility. I hope he has a chance to talk to the relatives of those who have already been killed, and those who are going to be killed if this legislation is killed.

Again, I ask unanimous consent that the majority leader, in consultation with the Democrat leader, establish a date certain and a time certain for consideration of S. 3059, and only relevant amendments to the bill be in order.

For the benefit of my colleagues, that doesn't mean there is any time limit or any limits on amendments. An objection to this can only be viewed as obstructionism. I say again, expeditious action on comprehensive legislation will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects.

I intend to come back to the floor in about 15 minutes and propound this unanimous consent agreement again, if there is an objection.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. I object.

Will the Senator from Arizona yield?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. SESSIONS. I want to respond.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. REID. How long does the Senator from Alabama desire to speak?

Mr. SESSIONS. Five minutes.

Mr. REID. The Senator from Montana has been on the floor for a long time and he wants 10 minutes; the Senator from Connecticut desires 10 minutes. I ask permission from the Senator from Montana to allow the Senator from Alabama to speak for 5 minutes, and I ask unanimous consent the speaking order be: the Senator from Alabama for 5 minutes; the Senator from Montana, 15 minutes; the Senator from Connecticut for 10 minutes, in that order; and following my having this consent granted, I ask that the Senators from Minnesota and from Kansas be allowed to speak for 1 minute.

Mr. BROWNBACK. At most to proffer a unanimous consent. Could we do that first?

I understand Senator DOMENICI seeks 20 minutes.

Mr. REID. I ask unanimous consent Senator DOMENICI speak for 20 minutes.

The PRESIDING OFFICER. Is there an objection?

Mr. MCCAIN. Reserving the right to object, I will want to have 10 minutes following Senator DOMENICI for the purpose of propounding another unanimous consent request.

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

The Senator from Kansas.

Mr. BROWNBACK. This is a unanimous consent agreed to and worked out ad nauseam on both sides.

UNANIMOUS CONSENT REQUEST—H.R. 3244

Mr. BROWNBACK. Mr. President, I ask unanimous consent that at 9:30 a.m. on Wednesday the Senate proceed to the conference report to accompany H.R. 3244, the trafficking victims conference report and the conference report which has just passed the House, and be considered as having been read and considered under the following agreement for debate only: 2 hours equally divided between Senators BROWNBACK and WELLSTONE, or their designees; 3 hours under the control of the ranking member of the Judiciary committee; 1 hour under the control of Senator BIDEN; and 1 hour under the control of Senator HATCH.

I further ask consent that following the conclusion or yielding back of time, Senator THOMPSON be recognized to make a point of order against the conference report that the conference text, section 2001, regarding Aimee's law is not in the jurisdiction of the Foreign Relations committee and following the ruling by the Chair, Senator THOMPSON would appeal the Chair's ruling and that appeal be limited to the following: 1 hour under the control of Senator THOMPSON.

I further ask consent that following the use or yielding back of time, the vote relative to the appeal occur immediately on Wednesday, and if the Chair is not overturned, no other action occur and the Senate proceed to vote on adoption of the conference report, immediately, without any intervening action or debate.

Mr. LEAHY. Reserving the right to object, sometimes it is work to manufacture a time for a vote. I note, so there is not any confusion, and notwithstanding the fact that the conference report was sent over without people seeing it, I am perfectly happy to have the vote on this today. I am perfectly happy to go to a vote today on each of the aspects, so there will not be any question on that, and I understand that notwithstanding the fact that we can't get any other work done around here, the Republican leadership, which is their right, is going to take a few days off again, but I want to at least have this debate on the day we vote.

I commend the Senator from Kansas and the Senator from Minnesota for their work in getting us to this point. I do not object.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. I know the Senator from Arizona cares deeply about his legislation. He cares deeply about every legislative piece he pushes. I have some important legislation pending, too, and I haven't had time to debate them.

The Paul Coverdell Criminal Laboratory for Forensic bill will probably save more lives than this bill. However, I think his request is not unreasonable. I do believe the bill has problems. As a person who prosecuted for over 15 years, I do not believe in a continual blurring of the lines between what is criminal liability and civil liability.

We are talking about making crimes out of defective building of an automobile. I think we have to be careful about that. It has not gone through the Judiciary Committee. I have not had a chance to see it and I was very concerned about it. I indicated my concern to others.

As I have been briefed on this just 5 minutes ago, by my staff—they provided a memorandum which I have not had a chance to even read—I was prepared to go forward with the Senator's request and not object. However, I find that several people expected that I would be objecting who also wanted to object, and I felt I was obligated, due to that miscommunication, to file an objection.

Two hours from now I will not object if no one else does. I am prepared to debate these problems and see if we can cure these problems, but I do not feel it would be a collegial thing for me to do, when apparently it was thought that I would object, so that is why I object.

Mr. MCCAIN. Will the Senator yield to me just for a comment?

Mr. SESSIONS. I will.

Mr. MCCAIN. I thank the Senator from Alabama. I will be back in 2 hours. I want to assure him I understand those concerns, particularly on criminal sanctions. No one knows the situation better than the Senator from Alabama, who was a former attorney general of his State, who has more knowledge on those issues than I do. I want to work with the Senator from Alabama on that. That is why relevant amendments will be in order. I just hope the Senator from Alabama will allow this to move forward when we propound it again.

Again, I understand very well the concerns he has. That is why the unanimous consent agreement calls for simply relevant amendments, with no time limit. I think the stark political reality around here, as the Senator from Alabama knows, is that we are not coming back in until Wednesday. If the Senator from Alabama and others who object just have numerous amendments, there is no way we are going to be able to get a bill passed and then into conference with the House and move forward. So I thank the Senator from Alabama for his consideration. I understand his concerns. I look forward very much to working with him.

I yield and I thank my colleague from Montana for his indulgence.

THE PRESIDING OFFICER. The Senator from Montana is recognized.

COMMENDATION OF MONTANA WILDFIRE FIREFIGHTERS

Mr. BAUCUS. Mr. President, I rise today to talk about a matter that has impacted every inhabitant of the state of Montana: The wildfires of the past 2 months. The recent rain and snow have finally brought the fires in Montana under control, but many of the largest fires are still smoldering.

The Helena Independent Record Recently described the summer of 2000 as a:

Fire season marked by miracles and loss, heroism and heartache, smoky skies and blackened backyards, of evacuations, waiting, planning and prayer.

This photo showing two elk trying to escape the flames was taken on August 6th in the Bitterroot Valley by Forest Service firefighter John McColgan. On this particular day several forest fires converged near Sula, burning over 100,000 acres and destroying 10 homes. And this fire was just one of dozens burning across Montana.

Mr. President, it is not an exaggeration to say that these fires impacted every inhabitant of Montana. Even people in our cities, miles from the front lines, lived with a constant reminder of the conflagration burning about them.

As you can see in this photo of Helena, cities all across the region spent weeks under a cloud of smoke.

Clearly, it was one of the worst fire seasons we've seen in the last 100 years.

This is our cathedral, Saint Helena's Cathedral. You can see big smoke columns rising. The fact is, this is dramatically an understatement. I have asked my office to see if there are other photos which more accurately describe the situation in my State, and this is all we could come up with at the time. But this town, Helena, I might say, was so covered with smoke that my house—up just about 500, 600 feet from here—as I was looking across the back alley through the kitchen window, I could not even see across the alley. The whole city was just covered all the way down to ground level with smoke. That was the rule. That was the rule for all Montana cities, with the exception maybe of some of the eastern Montana cities. Most of them had just dense smoke impact for a long time. Clearly one of the worst fire seasons we have seen in over 100 years.

But, Mr. President, I didn't come to the floor to talk about how bad the fires were—that's already apparent. Nor did I come down here to talk about forest management policy and what we could have done to lessen the harmful impact of these fires—there will be plenty of time to address both topics in the weeks and months to come.

Mr. President, I am here today to commend the efforts of the thousands of people who pulled together to do battle with one of Mother Nature's most unforgiving forces.

From New Zealand's finest, most experienced firefighters to the Montana volunteers who ran Red Cross evacuee camps, the fires brought together some of the most courageous and hard-working individuals I have ever encountered.

Someone once told me that the true character of any community will reveal itself in the face of a natural disaster. I am proud of how Montanans and all of those who came to help rose to this challenge and persevered.

Of all the statistics—almost a million acres burned, over 300 structures lost, over $200 million spent in battling fires—the one statistic I am most proud of is the number of human casualties—zero. That's right, in Montana not one life was lost during this disaster and no one was seriously injured.

I can't tell you how proud I am that safety remained the highest priority: of all of the firefighters who were in harm's way, the pilots who flew risky missions dumping water or retardant chemicals over the fiery landscape, and the thousands of people who were evacuated—no one was seriously injured. To me, that's one heck of a statistic.

That's why today, Mr. President, I want to extend a heartfelt ''thank you,'' and I know I speak for every Montanan.

I want to thank firefighters from across the country, and around the world. Volunteer firefighters who left their regular jobs. The employees who let them go. Students who postponed attending classes. The families left at home and the co-workers who put in overtime to cover for those who traveled to the west.

I might say in this photo, in the center is James Lee Witt, flanked by two members of the Montana delegation, myself on the left, and Senator BURNS on the right. We are talking to a volunteer firefighter.

These are people who, when the fire comes, often are in an area next to a community—there are homes back in the woods and the volunteer fighters immediately rush out. They are the first ones there. They are there without any pay. It is their community and they are fighting their hearts out. They are bleeding, almost literally—doing all they can to prevent that structure from burning, to do all they can to force the fire back. They are not paid. It is without compensation. The Forest Service and smokejumpers are; there are others who are not paid. The others are not. They are the first there and often the last to leave. They are just into it because it is their community.

I called James Lee Witt, pictured in the center of this photo. He very quickly got some regulations changed so volunteer firefighters could be reimbursed. Recently now they are receiving payment for the services they rendered. But the point is, people came from all over. Employers let volunteers leave work—it was lost work, but still the main job had to be done fighting these fires. Students postponed attending classes at the University of Montana, or other classes, families left at home, coworkers who put in overtime to cover those who traveled to the West.

The Red Cross and its hundreds of volunteers who were there when folks needed to see a friendly face. The various state agencies that worked diligently and expeditiously to implement emergency plans. The federal agencies that came forward to help put the fires out and begin to rebuild these communities.

Specifically, I'd like to commend FEMA, the Federal Emergency Management Agency for their efforts. On several occasions, they quickly released federal funds or waived personnel requirements. Cutting red tape so we could get the assistance we needed right away.

I especially thank FEMA Director James Lee Witt who spent countless hours working with me and other folks in Montana. When these fires started to blow in Montana, James Lee Witt said he was really booked up with other plans, but he dramatically changed his schedule so he could come to Montana. That made a huge difference in getting agencies to work together, and it cut so much of this red-tape. FEMA is still working on recovery efforts, and we very much appreciate all they have done and continue to do.

I also thank with the same enthusiasm the adjutant general of the Montana National Guard, Gene Prendergast, and all his troops. Gene really stepped up. This guy really cares. He mobilized his troops, who care just as much. He was also influential in working with Federal, State, and local agencies to coordinate plans and requests for Federal assistance. We owe Gene Prendergast a huge debt of gratitude.

At the high point of the fires, there were well over 12,000 people fighting blazes in western Montana. That includes Forest Service firefighters and National Guard men and women. We had 3 active-duty battalions from the East coming to fight fires in Montana. People came from everywhere—from 48 States and 3 countries—to Montana. Across the West, some 30,000 brave individuals battled wildfires during this season.

We did not lose any lives in our State, thanks to the combination of solid training, sensible fire strategy, and good luck. The dangers faced by these individuals, however, were obviously real. Think of the danger we put people into.

Last year, we took time to remember the Mann Gulch fire. That was a huge fire in Montana which blew up about 50 years ago. Thirteen National Forest Service smoke jumpers died in that blowup. They were fighting a fire 10 miles away from Helena, 10 miles from the photo I showed earlier. It was not thought to be a fire that was going to threaten lives or property. An observer described the Mann Gulch fire with these words:

A terrific draft of superheated air of tremendous velocity had swept up the hill exploding all inflammable material, causing a wall of flame 600 feet high to roll over the

ridge and down the other side and continue over ridges and down gulches until the fuels were so light that the wall could not maintain enough heat to continue. This wall covered 3,000 acres in 10 minutes. Anything caught in the direct path of the heat blast perished.

Just 6 years ago, we lost 14 smoke jumpers in a similar firestorm near Glenwood Springs, CO. This fire, like the Mann Gulch, was considered routine, and these were not even the most deadly fires in the West's history. It is important to remember those who gave their lives fighting wildfires. It is also important to celebrate those who put their lives on the line day after day to keep our homes and communities safe.

A simple thank you does not seem to be enough to show our appreciation for these people and for everything they have done. That is why I have come to the floor to announce I am introducing legislation to honor and commemorate the selfless sacrifices each of these individuals has made to keep our families and our homes safe.

The legislation will direct the U.S. Forest Service, the Bureau of Land Management, the Federal Emergency Management Agency, and the U.S. Department of Defense to work together to create a commemorative pin or badge that will be issued to each firefighter at the end of a fire season. This will serve as an emblem of the vital service they have provided and a symbol of our gratitude, much as a soldier might receive a band to record a tour of duty, because those who fight wildfires really are soldiers who put their lives on the line every day in defense of the people, communities, the lands of America. These courageous men and women need to be recognized as the heroes they are.

As we properly focus on the work these brave firefighters do for us, let us not forget the work we must do for them, for it is only by creating and funding sensible forest management policy and by guiding development to reduce the risk to homes and property posed by wildfires that we can keep more of our firefighters out of harm's way and prevent future tragedies like Mann Gulch.

As we commemorate our firefighters, let us make sure we rise to the task of putting aside our differences and working together for commonsense policies that will keep our forests healthy and firefighters safe.

Again, I say thank you, thank you to all the heroes—firefighters, volunteers, Government employees, ordinary citizens—who pulled together to protect life and home in Montana and across the West. Please know that we are truly grateful for everything you have done.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, before my colleague from Montana leaves the floor, I commend him for his fine remarks. Connecticut is a long way geographically from the State of Montana. The Nation was transfixed over this past summer watching events unfold in the West and particularly in his State where so many millions of acres were engulfed in flames.

I express the strong feelings of all of us across the country on the tremendous work these firefighters have done and note further that we just passed as part of the Defense authorization bill a provision, the Fire Act, which will, for the first time, provide financial resources much along the lines of the COPS programs for fire departments, the 30,000 of them that exist in this country—volunteer, paid, and combination departments—to assist local communities and States in providing the sophisticated technology today which firefighters need, particularly the volunteer departments, where chemical and toxic substances and the tragedies of this summer demand a talent, education, and training unlike people even imaged a few years ago.

I commend the Senator from Montana for his fine work and express my sincere thanks to him and the fine people of Montana as well for a job well done.

Mr. DODD. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. SSSSIONS). The motion to proceed.

I believe the Senator has a time request to propound.

Mr. DODD. I ask unanimous consent to speak as in morning business.

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

OPPOSITION TO CUBA PROVISIONS

Mr. DODD. Mr. President, I express my strong opposition and disappointment with the outcome of last night's Agriculture appropriations conference report with respect to U.S.-Cuba policy. It is rather ironic that those who rail against Fidel Castro's dictatorial behavior seem to have adopted some of his tendencies; namely, a willingness to abuse the democratic process and go against the will of the majority in the Congress.

The proposed changes in the bill with respect to the sale of food to Cuba are modest at best since these exports can only be financed using third-country private commercial credit or cash. Such restrictive financing terms are a major hurdle for American exporters to overcome and are likely to significantly discourage any significant increases in such exports.

With respect to the codification of existing travel restrictions on Americans wishing to travel to Cuba, I think this action is shameful and irresponsible. I predict the authors of this provision will live to regret deeply having taken away this and future administrations' discretion to grant licenses on a case-by-case basis in circumstances that do not fall into the now codified categories of permissible travel.

I also believe that Cuban Americans who want to keep in touch with their family members in Cuba are going to be extremely critical of the fact that their ability to visit loved ones is now frozen in statute.

I say to the authors of this provision that they are only kidding themselves if they think this is going to stop Cuban Americans who are determined to visit their family members in Cuba several times a year from doing so. Sadly, they are going to encourage otherwise law-abiding individuals to break the law. I think that is regrettable.

I am supportive of other provisions of this legislation which will dramatically loosen the licensing and financing restrictions on sales of food and medicine to other countries that have been designated as terrorist states—North Korea, Iran, Sudan, and Libya. I strongly believe food and medicine should not be used as a sanctions tool, since the impact of denying such sales falls most heavily on innocent men, women, and children in these countries.

This is not to confuse our sincere and deep objections and strong opposition to the Governments of North Korea, Iran, Sudan, and Libya. But, it is not an American tradition to take food and medicine and make them a sanctions tool on a unilateral basis. We have understood in the past that you do not blame the innocent civilians of populations for the cruel regimes of their dictators and rulers. It is not in the American spirit to say to an innocent child—in any one of these countries—that if we are able to get food and medicine to you, you ought to be denied it as a tool of U.S. foreign policy.

I find it appalling that Cuba has been singled out, because in this bill we now say food and medicine can go to North Korea, Iran, Sudan, and Libya, but not to a little country of 11 million people 90 miles off our shore. I think that is regrettable. Cuba has been singled out for even more restrictive treatment than countries that are far more of a potential threat to United States foreign policy and national security interests than Cuba has ever been.

I am sure the average American is extremely puzzled by the decision just taken by the Agriculture appropriations conferees. I do not blame them for being confused, to put it mildly, and puzzled. Didn't the House and Senate go on record in support of less restrictive conditions on the sale of food and medicine to Cuba? Seventy Senators—70—voted to lift restrictions on the sale of such items; 301 Members out of the 435 Members of the House did so as well. And, 232 Members of the House also are on record in favor of lifting all travel restrictions to Cuba.

Yet despite these overwhelming votes by both Chambers—majorities, bipartisan majorities—the advocates of ''tightening the screws,'' as they like to say, on Castro are always quick to say they hold no ill will against the Cuban people. Yet I somehow suspect that the residents of Havana or Santiago, Cuba, will not be applauding our recent actions in Washington.

But that isn't what last night's conference decision was about, in any event. Very little we do in Washington with respect to Cuba has anything to do with winning the hearts and minds of the Cuban people. Rather, it is about attempting to win the hearts and votes of the residents of some sections of the country—hardly a wise and moral way, in my view, to make foreign policy decisions.

Earlier this year, Senator LEAHY and I introduced legislation that would take United States policy in a different direction with respect to the island of Cuba. A companion bill was introduced in the House by MARK SANFORD. The bill is entitled the Freedom to Travel to Cuba Act of 2000. It would have lifted the archaic, counterproductive, and ill-conceived ban on Americans traveling to Cuba.

We offered this legislation because we believe the existing restrictions on travel hinder rather than help our efforts to spread democracy as well as unnecessarily abridge the rights of ordinary Americans. We were taught in civics class that the United States was founded on the principles of liberty and freedom. Yet when it comes to Cuba, our Government abridges these rights with no greater rationale than political and rhetorical gain.

It is one thing if Castro does not want to let an American citizen in. I understand that. He is a dictator. What I do not understand is a democratic government saying to its own people you can't go somewhere. Cuba lies just 90 miles from America's shore. Yet those 90 miles of water might as well be on a different planet. We have made a land ripe for American influence a forbidden territory. In doing so, we have enabled the Cuban regime to be a closed system with the Cuban people having little contact with their closest neighbors on this Earth.

I note that in a few weeks the President of the United States is going to travel to Vietnam, a Communist government. There are 58,000 names on a wall just a few blocks from here of Americans who died in that conflict. Yet we have found it possible to rebuild diplomatic relations, economic relations, and even an America President will travel to a nation that only a few years ago we were in hostile conflict with and has a government with a political philosophy of which today we fundamentally disagree. Yet 90 miles off our shore there is a country to which you cannot even go to try to make a difference, and enlighten people about what democracy means.

Surely we do not ban travel to Cuba out of concern for the safety of Americans who might visit the island nation. Today Americans are free to travel to Iran, to Sudan, to Burma, to Yugoslavia, and to North Korea—but not to Cuba. Is there anyone who would come to this Chamber and suggest to me it is less dangerous to be in Sudan or Burma or Yugoslavia than the island nation that is 90 miles off our shore? I doubt it.

You can fly to Iran. They held hostages, we all recall, back in the 1979–1980 period, yet I can go to Iran today. I can fly there, if I want, without restriction. But I cannot go 90 miles off our shore to the island of Cuba. What an inconsistency.

If the Cubans want to stop Americans, as I said, from visiting their country, then that is their business. I disagree with it, but I would not be surprised that under a dictatorship they might pass such laws or prohibit such travel. But to say to an American citizen that you can travel to Iran, where they held American hostages for months on end, to North Korea, which has declared us to be an enemy of theirs completely, but you cannot travel 90 miles off the shore of this Nation to the island of Cuba is more than just a mistake, in my view.

To this day, some Iranian politicians believe the United States to be ''the Great Satan.'' That is what they like to call us. We hear it all the time. Just two decades ago, Iran occupied our Embassy and took innocent American diplomats hostage. To this day, protesters in Tehran burn the American flag with the encouragement of some officials in their Government. Those few Americans who venture into such inhospitable surroundings often find themselves pelted by rocks and accosted by the public.

Similarly, we do not ban travel to the Sudan, a nation we attacked with cruise missiles several years ago for its support of terrorism; to Burma, a nation with one of the most oppressive regimes in the world today; to North Korea, whose soldiers have peered at American servicemen through gun sights for decades; or Syria, which has one of the most egregious human rights records and is one of the foremost sponsors of terrorism.

I fail to see how isolating the Cuban people from democratic values and ideals will foster the transition to democracy in that country. I fail to see how isolating the Cuban people from democratic values and from the influence of Americans when they go to that country to help bring about change we all seek serves our own interest.

The Cuban people are not currently permitted the freedom to travel enjoyed by many peoples around the world. However, because Fidel Castro does not permit Cubans to leave Cuba and come to this country is no justification for adopting a similar principle in this country—a great democracy.

We need to treasure and respect the fundamental rights we embrace as Americans. Travel is one of them. If other countries want to prohibit us from going there, that is their business. But for us to say that citizens of Connecticut or Alabama cannot go where they would like to go is not the kind of restraint we ought to put on our own people.

Today, every single country in the western hemisphere is a democracy, with one exception: Cuba. American influence, through person-to-person and cultural exchanges, was one of the prime factors in this evolution from a hemisphere ruled predominantly by authoritarian and military regimes to one where democracy is the rule.

Our current policy toward Cuba limits these exchanges and prevents the United States from using our most potent weapon, in my view, in our effort to combat totalitarianism, and that is our own people—our own people. They are some of the best ambassadors we have ever sent anywhere. They are the best ambassadors to have.

Most totalitarian regimes bar Americans from coming into their countries for that very reason. These countries are afraid of the gospel of freedom that might motivate their citizens to overthrow dictators, as they have done in dozens of nations over the last half century. Isn't it ironic that when it comes to Cuba, we do the dictator's bidding for him in a sense? Cuba does not have to worry about America spreading democracy. Our own Government stops us from doing so.

There is no better way, in my view, to communicate America's values, our ideals, than by unleashing the average American men and women to demonstrate, by daily living, what our great country stands for, and the contrasts between what we stand for and what exists in Cuba today.

I do not believe there was ever a sensible rationale for restricting Americans' right to travel to Cuba. With the collapse of the Soviet Union and an end to the cold war, I do not think any excuse remains today to ban this kind of travel. This argument that dollars and tourism will be used to prop up the regime is specious. The regime seems to have survived 38 years despite the draconian U.S. embargo during that entire period. The notion that allowing Americans to spend a few dollars in Cuba is somehow going to give major aid and comfort to the Cuban regime is without basis, in my view.

Political rhetoric is not sufficient reason to abridge the freedoms of American citizens. Nor is it sufficient reason to stand by a law which counteracts one of the basic premises of

American foreign policy; namely, the spread of democracy. The time has come to allow Americans—average Americans—to travel freely to Cuba not make it even more difficult to do so.

Mr. President, a small number of individuals in the Congress may have temporarily succeeded in hijacking the democratic process with respect to this issue and in thwarting the will of the majority with respect to loosening U.S. restrictions on travel and sales of food and medicine to Cuba. But let me assure you that this issue is not settled. Those of us who want to see meaningful change in our Cuba policy will be back next year raising this matter on the floors of the House and Senate. And I predict that when the democratic process is allowed to work, the results of last night's conference will be decisively reversed and U.S. policy toward Cuba will be finally put on the right track and the prospects of a peaceful democratic transition in that country greatly enhanced, and the 11 million Cubans will know that the American people care about them despite their strong objections to the Government which runs that country today.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, it is my understanding that Mr. DOMENICI, and then Mr. MCCAIN, have orders for recognition.

The PRESIDING OFFICER. The Senator is correct.

Mr. BYRD. Mr. President, I ask unanimous consent that I may briefly speak now, and that I may also be recognized following the speech by Mr. MCCAIN and the speech by Mr. DOMENICI for not to exceed 45 minutes.

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

MAUREEN MANSFIELD

Mr. BYRD. Mr. President, on Wednesday, September 20, the Senate lost one of its own family members. Not a member with a capital ''M,'' elected by the people, but an unpaid, unsung, but O so important member of the Senate family. On Wednesday, Maureen Mansfield, the beloved wife of former majority leader Mike Mansfield, passed away.

It is safe to say that without the efforts, energy, dedication, and love of Maureen Mansfield, the Senate and the people of Montana might never have benefited from the extraordinary talents of Mike Mansfield. Like myself, Mike was raised by an aunt and uncle after the death of his mother when he was just 3 years old. During the First World War, Mike Mansfield dropped out of school and joined the Navy, and he also served with the Army and the Marine Corps.

Upon his return to Montana, he worked as a mucker in the copper mines and did not resume the schooling he had left in the eighth grade.

Maureen, a high school teacher when her younger sister introduced her to Mike, encouraged him to return to school. She helped him to apply to Montana State University and helped him complete his high school equivalency courses before completing college. She cashed in her life insurance and worked as a social worker in order to support her husband in school. Then both of them went on to earn Master's degrees. Maureen Mansfield did not believe, and disproved, the old saw that you cannot change a man and that all efforts to do so are futile.

Mike Mansfield's congressional career also benefitted from Maureen Mansfield's support. Maureen would campaign for Mike in Montana, sometimes on her own when Mike could not get away from Washington. Mike Mansfield served five terms in the House before his first election to the Senate. In the Senate, Lyndon Johnson picked Mike for party whip.

In those days, it was different from what it is now because a leader would not pick another Member for the office of party whip. That is a matter that the Members will resolve.

Mike went on to serve as Majority Leader himself for sixteen years, longer than any other Senator. I served as his party whip. I continued to hold Mike Mansfield in the highest respect. Mike and Maureen have always been good friends to me and Erma, and we will both miss their companionship and the very deep affection and esteem with which they treated each other, and which sustained them through 68 years of marriage.

Erma and I have 5 more years to go before we can say we have been married 68 years. But Mike and Maureen set an example as an exemplary creative family in that regard.

Mike Mansfield never lost his appreciation for his wife's support. He always readily gave Maureen the credit that he felt she was due and which I, having enjoyed the same kind of love and support from my wife, readily endorse. These talented, organized, gracious women, such as Maureen Mansfield and Erma Byrd, could have commanded armies. They could have run universities or won Senate seats in their own right. But they chose instead to hitch their stars to the wagons of their husbands. And Mike Mansfield and I are definitely the better for it. I believe, too, that the nation is better off as result as well.

The demands of the Senate, particularly the demands placed upon Majority Leaders, are stressful, time-consuming, and exhausting. It is even more than a two-person job. I could concentrate on Senate matters knowing that Erma was there at home to support me and to give the love, affection, and attention to our two daughters that they so much deserved. I am here to say that one old adage is certainly true, and we have all heard it many times. That is, behind any great man is an even greater woman. To the extent that I ever wanted to be great, I have been denied that. But I can say that I have Erma to thank for whatever I have been able to accomplish. I know Mike Mansfield would say the same about Maureen.

Now that Maureen has found new life in the shelter of God's hand, I hope that Mike, his daughter Anne, and his granddaughter might sympathize with the words of ''The Beyond,'' penned by Ella Wheeler Wilcox (1855–1919):

It seemeth such a little way to me,
Across to that strange country, the Beyond;
And yet, not strange, for it has grown to be
The home of those of whom I am so fond;
They make it seem familiar and most dear,
As journeying friends bring distant countries near.

And so for me there is no sting to death,
And so the grave has lost its victory;
It is but crossing with bated breath
And white, set face, a little strip of sea,
To find the loved ones waiting on the shore,
More beautiful, more precious than before.

We miss her here, but she surely waits for Mike.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, first, I want to congratulate Senator BYRD on his comments with regard to the very distinguished Mike Mansfield, and what happened to him recently with the passing of his beautiful and wonderful wife. I, too, in reading about him—I didn't experience as much of him as the Senator from West Virginia did—but he did things in a rather sensational and unique way.

Even though I didn't know him as long as the Senator from West Virginia, and didn't feel his presence as much, he is a very wonderful American.

Can you imagine in his early life what he did, how he became educated and found himself majority leader of the Senate? He did that for a long time, and is still the recordholder.

Mr. BYRD. He is. He was majority leader longer than any other Senator.

Mr. DOMENICI. Frankly, from what I understand, he did it with a very cool hand. Maybe it was different in those days. It was less confrontational than today, as I understand it—with no criticism and no inferences; just that it was different when he was leading.

Mr. BYRD. We were in very different times, and we were dealing with different personalities. He was a remarkable man, however.

I thank the very distinguished senior Senator from New Mexico for his words.

Mr. DOMENICI. I thank the Senator.

THE GORE BUDGET

Mr. DOMENICI. Mr. President, yesterday, and maybe two previous occasions on the Senate floor, I discussed the Gore budget and what is going to happen to the huge amount of money that we are getting from the taxpayers, which we have begun to call a ''surplus.'' I choose now to call it the ''tax overpayment.'' It is what the people are paying in that we don't need.

I would like to, once again, make sure the Republican candidate for President, George W. Bush, and the candidate for Vice President—who last night did such a marvelous job—the distinguished former Secretary of Defense, Dick Cheney—I urge them to continue to tell the American people what the Gore budget will look like.

When it is mentioned, everybody says this came from the Budget Committee staff and the Republicans, and, therefore, you shouldn't use it; that it is partisan; that it is like paper that is not even worth using.

I say to our two candidates, keep using it. Keep saying it is true because they are about as good as any people we have ever had to look at budgets. I am chairman of that committee, and, frankly, I have relied on their expertise year after year. I don't think I have to exaggerate and say they are the best. They are the best at getting to the bottom of programs and analyzing them. I asked them to do it. They did it. They gave us a major report on the subject, and I will say to our candidate—to the Governor of Texas, to the former Secretary of Defense, Dick Cheney—no matter what they say about it, you use it.

The Gore budget has 200 new programs in it. If you estimate appropriately their cost based upon what is said about the program, you cannot pay for those programs without using all of the on-budget surplus and $700 to $900 billion of the Social Security surplus.

Now, that is our version. We think it is true. And we don't believe the American people actually think when you finally have a surplus—because we are paying so much more in taxes than we need—we don't think the American people want the Government to grow at the largest rate in modern history. Probably if you put the Gore expenditure budget into effect, you will increase Government in 1 to 2 years, more than any modern year, excepting maybe the Lyndon Johnson Great Society years.

Now, it doesn't matter to me as the chairman of the Budget Committee what Vice President GORE says about these figures, nor what our distinguished Senator from Connecticut, Vice Presidential nominee who I have great, great respect for, it doesn't matter what they keep saying. The truth is, we have an analysis of that budget. Early next week we will have a full analysis. They finally put their budget on to sheets of paper. It is a very large budget. We will finally have that analyzed. I am told it will come out no different. It will come out the same way, 200-plus new programs, the largest new expenditure in the next 5 years that we have ever had in the Government. If you take them at their word and do all of them, you cannot do it without spending part of the Social Security surplus. No matter what they say about its source, it is as good as anything they have.

I have great respect for the Vice Presidential nominee. He knows that. Last night he said something that wasn't true, and I ask him to revisit this. He said their budget, the budget they have, analyzed for the future, was done by a neutral body called the Congressional Budget Office. That is to make sure that everybody would think it is authentic and that the Domenici budget analysis is not authentic. I assure everyone, the Congressional Budget Office does not do an analysis of either candidate's budget. In fact, that is not within their prerogative. They have not analyzed the Gore budget. They have not analyzed the budget of the Governor of Texas, either. And they won't.

The Democrats have somebody analyzing theirs, watching out for them, who is on their team, and they want everybody to think ours, and the majority staff has worked on this for years, they want everyone to believe it has no credibility. I think to the contrary.

My friend Dick Cheney will be in my State in a few days. I hope he talks about this subject. Let them bring up the fact that Democrats don't think it is worth very much. We will make sure the public understands we have as good an analysis as anyone. If the Democratic nominee for President does every program he contemplates—there are some that are superexpensive. There are some universal programs in there that will never get adopted by Congress, but we might as well make sure the public understands they are expected, they are contemplated, they are out there to tell the people, elect us and we will do all these things.

That is part of my reason for coming to the floor, so anyone who wonders whether that is authentic, I can assure Members, I will not give ground on this through the election and after the election. I believe it is right. I think our candidates ought to use it.

Now I will talk about the so-called Al Gore tax cut plan and the George W. Bush plan. I don't know if I have enough time today to go through the George W. Bush plan, which is very simple. I am not sure I can do that because today I want to talk a little bit about a rather unique way to cut taxes, or allege you are cutting taxes, for middle-income America when you are not.

If there is a middle-income American who happens to be listening, and they say, oh, boy, Vice President GORE has spoken so much about giving the middle class a tax cut, I will get a tax cut—my friends, you are not necessarily going to get the tax cut. The Gore plan says the Internal Revenue Service will decide whether you get a tax cut. And you are going to apply for it when you file your tax return, and if you are a family, you have to go through up to 25 different tests with the Internal Revenue Service to determine what you are entitled to. In fact, if the people think the Internal Revenue Code is complicated, and IRS is not doing a good job, then remember that every single so-called tax cut that Vice President GORE is telling you about is going to be administered by the Internal Revenue Service, which is going to pass judgment on whether you are entitled to one of the scores of tax credits or other tax benefits. Let me go further, the IRS will determine what tax refunds or government check you are entitled to, because under Vice President GORE's plan not only taxpayers get tax breaks, people who pay no taxes get government checks.

People will fill out their federal tax return. They will find a check in the mail from the Internal Revenue Service, even though they pay no taxes.

That is part of his tax plan. The part for middle Americans, middle-income Americans, you cannot just file your tax return and say, I am a middle-income American earning $65,000, and I want my 5-percent tax cut, or 7 or 10, you have to ask yourself if you qualify for a tax credit or a refundable tax credit under this plan. There are all kinds of reasons you might get some tax relief, but they are all going to administered by the Internal Revenue Service.

Isn't that nice? So if you apply, and the IRS agrees, you get to use your tax money. If you apply and if you fit, you get to use your taxpayer dollars for a certain specified purpose.

The most significant difference in the two men's tax proposals is that George W. Bush gives you a tax refund and you can spend it for whatever you want. The Vice President, the nominee from the Democratic Party, gives you no tax cut to spend as you may. Since it is your money, you have to qualify as if you were under a Federal program.

GORE wants to imbed social policy of the country into the tax code. We are substituting the Internal Revenue Service as the one that gets to see whether or not you are going to be able

to have these particular services paid for by the Federal Government. I cannot believe when the American people understand this that they are going to say they want that tax approach.

Let me repeat, in order to get all of the so-called Gore middle-class tax cut, a family has to meet 25 different tests, at least one for each of the 25 proposed pieces of the Gore middle class tax cut. That means if you don't meet the tests, you don't get any relief, any help. Wouldn't it be better to have a 5-percent or a 10-percent tax cut, and you use the money as you see fit, if you are $67,000, a $72,000 family or $35,000 or $40,000? You have to understand or try to understand and then comply with 25 sets of rules before you see $1 of so-called tax relief.

I thought tax policy was supposed to be neutral. The best tax policy does not try to engineer social behavior. I didn't think it was supposed to be the vehicle by which you ran scores of social programs and you told Americans if you want that program, you can pay for it and we will give you the money; but if you don't want that program, you don't get any tax relief.

GORE proposes to substitute the Internal Revenue Service for a score of Government programs. Instead of saying let's create a new federal program in this area with Government, AL GORE says file a tax return, and if you fit the cookie cutter profile, you can help your great grandmother who is sick—you get some of your tax overpayment back to help pay some of those expenses. The Government will help you. It will not help you with a program, it will help you so that you will get a piece of the taxes you pay refunded—or deducted.

This is not a step toward tax simplification. It will make the Tax Code more complicated. If it is too complicated today, it will become even more complicated. I think it would not take 3 or 4 years before the American people will force us to throw it out. But I do not think it will ever become law.

Some of the tax cuts are not even for taxpayers, much less for middle-class Americans. Because of the income limits, many people who think they are middle class are left totally out because they earn too much money to pigeonholed into AL GORE's ''middle class,'' or to be entitled to one of the myriad tax credits the Vice President suggests is good tax policy.

A refundable tax credit is Tax Code talk for Government checks to people who do not pay Federal income taxes. It sounds more like a way to have some welfare spending and use the income tax code to administer it. There is only one refundable credit in the code now, and many believe it is one too many. But I do not believe almost all of the entire surplus that is going to go to taxpayers ought to be done in this way, with refundable tax credits going to people who pay no federal income tax so long as the person does what the Vice President thinks you ought to do with your money. Refundable child care credits, refundable day care, refundable after school care—all specific and all already covered in the Earned Income tax credit. You don't have to be a taxpayer to get a so-called middle-income tax cut for child care, family leave, or stay-at-home parents or kids in afterschool care, or expanding the earned-income tax credit. More spending programs dressed up as tax cuts will be there for those who do not pay any taxes.

In addition to refundable credits, the Vice President proposes initiates that this Administration has vetoed. For instance, tuition savings accounts are listed now as one of those things in the long list of things that you might put your money away for and get some tax relief. AL GORE says he would like to enact them. Interesting; this administration vetoed that bill for them more than once.

The Vice President says he is for marriage penalty relief yet the Administration vetoed the bill providing it. The Vice President's proposal is curious. Let me say there is no marriage penalty relief if you own your own home and pay a mortgage. Isn't that interesting? This administration boasts record numbers of American homeowners. Yet, they will not give a dollar of marriage tax penalty relief to people who own homes and pay mortgages, again, using the Tax Code for social approaches in the United States. Perhaps the reason for this one is there are too many people who are building too many homes, and maybe we ought to slow it down.

There is a tax credit for individual health insurance. Yet you get part of the middle-income tax cut if you need additional training, or certification programs. That is a separate notion in their Tax Code.

So, today, I would like to start a series of discussions which I will bring to the floor regularly. The next one will be: What is the George Bush tax plan. The next time I come, I will include in the RECORD the entirety of Vice President GORE's so-called middle-income tax relief. I will bring the entire list. You might say: Why are you bringing a list? Isn't a middle-income tax cut just a percentage, just a cut?

No; it is myriad programs. If you do not qualify as having done one of those, or choose to do one of them, you do not get tax credits nor refundable tax credits. That is a very new way to run America.

We are going to expand those beyond recognition. The most significant one we have now is the earned-income tax credit. It is refundable. A lot of people who pay no federal income tax get a check from the federal government under the Earned Income Tax Credit program. It is an encouragement for low-income workers to work—although we have changed that, where you do not have to work. But, just think, we have a few of them. The entire middle-income tax proposal of the Vice President is going to be specific things that specific Americans qualify for or they do not get any tax relief.

Essentially, I am going to close saying the most significant aspect of the Bush tax cut is that the 15-percent bracket is cut to 10. This is a tax cut for taxpayers. That encompasses almost the entirety of the tax cuts—15 percent at the bottom goes to 10. But, you see, everybody at every bracket pays taxes on some of their income at the lowest rate—15-percent bracket. So cutting the lowest rate helps all taxpayers. It is very simple. You get it because of the tax bracket and whatever other things are in the current Tax Code.

I repeat, there is much talk about the top 1 percent. The top 1 percent pays 33 percent of the taxes in America. When the Bush plan is completed they will pay 34 percent of the total tax take of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

UNANIMOUS CONSENT REQUEST—S. 3059

Mr. MCCAIN. Mr. President, I would like to use 4 or 5 of those minutes in case someone who might object to the unanimous consent agreement would have time to come to the floor. I would like to say, within about 5 minutes I am going to try to get the unanimous consent agreement again.

Mr. President, this is from October 9, 2000, a copy of Newsweek magazine:

At first, the death of 14-year-old cheerleader Jessica LeAnn Taylor seemed simply to be a tragic tire failure. While heading for a football game in Mexia, Texas, on a hot October afternoon in 1998, the Ford Explorer in which Taylor was riding flipped after its left rear Firestone tire shredded at 70 miles an hour. Jessica's grieving parents sued Bridgestone/Firestone in March 1999. But over the last two months, as congressional investigators probed the recall of 6.5 million Firestone tires, the Taylors became convinced that Ford Motor Co. shares the blame for their daughter's death. So late last month the Taylors sued Ford, too, and when the case goes to trial next spring, the Taylors' lawyer Randy Roberts says he will tell the jury: ''A piece of tire tread never killed anybody. People die when the vehicle rolls over. And the responsibility for the design and occupant protection of that vehicle belongs to Ford.''

Since the safety crisis began, Ford executives have argued the recall was strictly a ''tire issue.'' But as the death toll mounts to 101 lives, [it has exceeded that since then] questions about the stability of the Explorer are shifting the focus onto Ford. The carmaker is facing 80 lawsuits involving Explorers equipped with Firestones that shred

at high speeds. Meanwhile, Firestone is consistently trying to blame Ford. ''We could remove every one of our tires from the Explorer, and rollovers and serious accidents will continue,'' Firestone executive John Lampe told a congressional panel.

Mr. McCAIN. Mr. President, there have been well over 100 deaths. Last weekend, a 10-year-old boy was killed when the driver of a Firestone-equipped Explorer had an accident near Laredo, TX. Authorities said at least one of the tires was shredded.

I am not going to repeat every human tragedy that takes place here. But we passed a bill out of the Commerce Committee on a 20–0 vote. The majority leader is a member of that committee. He supported it. All Republican members had an opportunity to amend it, as well as those on the other side of the aisle.

I would like to repeat; I have a letter from the Secretary of Transportation. In the last paragraph, he says:

Most important, however, is expeditious action on comprehensive legislation that will strengthen NHTSA's ability to address life-threatening motor vehicle safety defects. I will work with you in any way I can to help shape legislation the Congress can approve and the President can sign into law.

Sincerely, Rodney Slater.

Mr. President, the Members of the House of Representatives are here to meet with me. They just passed a bill through the House, 42–0, from their committee.

They are prepared to take it to the floor of the House on Tuesday, is my understanding from Chairman TAUZIN and Congressman Upton. Congressman UPTON, by the way, as we all know, is from a State where the vehicles under question are manufactured and one of the reasons he has taken a lead role here.

I hope we can get this agreement. I emphasize again my commitment to the Presiding Officer, the Senator from Alabama, to work with him on serious concerns that he has about this issue. I assure the Senator from Alabama, again, my respect for him, his experience as former attorney general of his State, and I believe his views and his input will be very important.

Also, in this unanimous consent request, there is no time limit and only relevant amendments are in order. It would be fairly easy, the way the Senate works, in the remaining days—because my understanding is now we will not be back until next Wednesday—it would be fairly easy to block this legislation, although I certainly hope that will not be the case.

Again, I thank the Senator from Alabama for his consideration of this issue.

Mr. President, I ask unanimous consent that it now be in order for the majority leader and the Democratic leader to determine the specific time and date for the consideration of S. 3059 and that only relevant amendments to the bill be in order.

The PRESIDING OFFICER. Is there objection?

Mr. VOINOVICH. Mr. President, I reserve the right to object and I shall not object, but I would like to engage in a discussion with the Senator from Arizona. I have some substantive concerns about this bill and I and my staff need some time to review the bill. I have concerns that if we are going to impose criminal penalties in this area, that standard for triggering these penalties is a clear bright line. I am also concerned that the reporting requirements as outlined presently are over broad and unworkable. I am very concerned about safety and want to ensure that we enact solid workable legislation to protect people. I am not trying to stop this bill, just ensure that it is solid, clean, well thought through legislation.

Mr. McCAIN. I appreciate the concerns of the Senator from Ohio and I respect his right to object. I intend to work with the Senator to resolve his concerns either before we move the bill or through the amendment process. As I have said from the beginning, all I am seeking is an opportunity for the Senate to address this matter before we adjourn.

Mr. DOMENICI. Mr. President, reserving the right to object, I will say to my friend from Arizona, I have been asked by a number of Senators who cannot be here at this hour to object in their behalf. So I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. McCAIN. Mr. President, I was told by the majority leader that if Senators had objections, they would come to the floor themselves. That was the word I had from the majority leader, that those who had objections would come themselves. I have his word on that, so I took his word.

I think the Senator from New Mexico should know that was the word I was given by the majority leader of the Senate; That they would have to come down and object to this unanimous consent request themselves. So I hope the Senator from New Mexico will withdraw his objection.

Mr. DOMENICI. Mr. President, I say again to my distinguished friend from Arizona, I have no such understanding and representatives on the floor of the majority leader's office have asked me to do this.

Mr. McCAIN. I thank the Senator from New Mexico.

Will the Senator from New Mexico, for the RECORD, say which Member or Members are objecting to this legislation?

Mr. DOMENICI. I do not believe I have to and I will not do that.

Mr. McCAIN. I did not imply the Senator had to.

Mr. DOMENICI. I understand that. I have been asked to do this. You have asked a number of times, and the objection has been raised just as I am raising it. I regret I have to do it. I am not here suggesting you have not taken due diligence in producing this bill. I am saying in the waning moments of this session, this is what I have been asked to do, and I must object.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, it is of interest that the Members on the other side of the aisle have no objection to moving forward with this legislation, this unanimous consent request. Therefore, I intend to continue to propound the unanimous consent request as long as it seems there might be some way to do so.

I say to the Senator from New Mexico—and I say this more in sorrow than anger—by objecting, you do take responsibility in not allowing this legislation to go forward, and I regret that deeply.

Mr. President, I suggest the absence of a quorum.

Mr. DOMENICI. Before the Senator does that, I ask for 1 minute.

The PRESIDING OFFICER. Does the Senator from Arizona withhold?

Mr. McCAIN. I withhold.

Mr. DOMENICI. I thank you for your comments. I do not agree with you with reference to my responsibility, but I think we know each other well enough. I know what I had to do, and I know where my responsibility lies, but I thank you very much.

Mr. McCAIN. I thank you for your response. The fact is, the Senator from New Mexico lodged the objection.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, will the distinguished Senator withhold his suggestion and allow me to complete some remarks?

Mr. McCAIN. Absolutely.

Mr. BYRD. I thank the distinguished Senator.

THE SENATE SAYS GOODBYE TO SENATOR J. ROBERT KERREY

Mr. BYRD. Mr. President, in this season of fall, the view from our window on the world transforms. As the stoic Greek philosopher Heraclitus has been quoted as saying, ''Nothing endures but change.''

Since I became a Senator in 1959, I have observed that every 2 years the picture of the United States Senate also changes. This year will be no exception. Before we adjourn, we will wish a fond farewell to the men who have chosen to leave the hallowed halls of the Capitol to travel down new roads that will bring different vistas into view.

Five of our fellow Senators know, even before the election results are tallied in November, that come January

2001—the beginning of the 21st century and the beginning of the third millennium—they will be starting out on a new journey. One of these five has announced that he will take a position that will allow him to continue his advocacy for a fine and noble pursuit, the pursuit of education. In January, Senator BOB KERREY, the Senior Senator from Nebraska, but the youngest Senator who has announced his retirement from the Senate this session, will begin a new life, far from his native Omaha, as president of the New School University of New York City. There he certainly will have a different view from his window on the world, a much different view than the one we see from Capitol Hill.

While many of us were surprised by Senator KERREY's decision not to seek reelection at the youthful age of 57 years, setting off on new adventures is nothing new to Senator KERREY, who has already followed many different paths during his lifetime. While serving in the Senate, BOB KERREY has never feared to take the path less trodden, to follow his convictions and his principles no matter how rocky or lonely the road. His independence of thought and action is legendary.

After earning a Master of Science degree in pharmacy in 1966 from the University of Nebraska, he volunteered for military service in Vietnam. Not only did he volunteer to bear arms for our Nation, he distinguished himself during service. He earned a Bronze Star, a Purple Heart, and as a U.S. Navy SEAL. In doing so, BOB KERREY displayed such courage, dedication, and heroism that he was awarded the Medal of Honor by President Nixon.

In March 1999, on the occasion of the 30th anniversary of the events giving rise to his receiving the Medal of Honor, I joined with my colleagues in the Senate to salute him for his courage, his determination, and his heroism. His heroic story is inspiring.

After Senator KERREY's return from service as a U.S. Navy SEAL, he started a chain of restaurants and health clubs in his home State of Nebraska. Then, in 1982, he ran for Governor of Nebraska and won. He served as Governor of Nebraska until 1986, when he announced, to the surprise of many, that despite a 70-percent approval rating, he would not seek another term as Governor. He was prepared to take a turn down a different road, and 2 years later, he won a seat in the United States Senate.

When his face was added to the Senate picture in 1989, he became a member of the Senate Committee on Appropriations. It was my pleasure to welcome him, as I was chairman of that committee at that time. I appreciated the clear vision and the unflappable demeanor that Senator KERREY brought to the committee. In 1997, he chose to leave the Appropriations Committee for the Senate Committee on Finance. The countenance of that important committee will drastically change when we return, God willing, in January, after Senators MOYNIHAN, BRYAN, KERREY, and MACK depart from the Senate, of their own volition and on their own choice.

I commend Senator KERREY for his willingness to work hard on issues of interest to him and to his constituents.

During his 57 years of life, he has thus far been a scholar, a U.S. Navy SEAL, a Medal of Honor recipient, a scholar, a restauranteur, a fitness club founder, Governor of Nebraska, and a United States Senator. He has made his life unique. I wish the Senator from Nebraska well as he sets off down the path for his next adventure. Knowing Senator KERREY's propensity for taking his own road, I shall close with the following lines of verse written by Robert Frost. We are all familiar with that great poem, ''The Road Not Taken.''

THE ROAD NOT TAKEN

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;
Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that the passing there
Had worn them really about the same,
And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet knowing how way leads on to way,
I doubted if I should ever come back.
I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference.

PLANNING FOR OUR ENERGY FUTURE

Mr. BYRD. Mr. President, once again a critical region of the Middle East is engaged in violent clashes. Over the last week, the death toll in the Gaza Strip and the West Bank has risen to 67 lives lost. I know that Prime Minister Ehud Barak and PLO Leader Yasser Arafat made heroic efforts to try to reach a peace agreement these last few months. They even met for part of the time in my own State of West Virginia. With U.S. support and encouragement, the Israelis and Palestinians stood at the brink of a resolution, and they were as close as they have ever been to resolving a very longstanding dispute in that ancient, volatile, and embattled part of our world. Though I hope these two peoples will return to the negotiating table, today that opportunity appears lost.

This disheartening incident again illustrates that the Middle East peace is very fragile and could erupt like flash powder. While Saddam Hussein has been quelled for the time being, the world must always be on the watch. We do not know if the Israelis and Palestinians will reach a peace accord. Americans are affected in many ways. We have security and family interests in this region of the world, and the United States gets much of its energy resources from there as well. The U.S., our European allies, and many other industrial countries are tethered to the Middle Eastern oil chain. If we are ever going to break that stranglehold, then it is time that we take action here at home.

Over the past 18 months, the national average price of gasoline has risen from under $1 per gallon to $1.52 per gallon this week. As winter approaches and crude oil inventories remain at record low levels, both gasoline and fuel prices are expected to increase further. Americans are growing increasingly concerned about the seemingly endless volatility in our energy markets.

What we are seeing, Mr. President, in the fluctuation of energy prices is a textbook study of how supply and demand can affect energy prices. First, the Organization of Petroleum Exporting Countries agreed last year to reduce crude oil production, thus increasing the cost of producing gasoline. Secondly, gasoline refineries, which had shut down some operations when crude oil prices fell to record lows in 1998, suddenly faced shortages of production capacity to produce gasoline and heating oil when demand spiked earlier this year.

In response, the administration has successfully lobbied for an increase by OPEC in crude oil production over the past year. In March, OPEC's decision to increase crude oil production temporarily reduced the cost of gasoline, but prices increased again going into the summer driving season as demand for gasoline increased. Gasoline prices decreased in late summer, but, as winter approaches and the expected demand for crude oil, heating oil, and gasoline increases, prices could very likely climb again. These are the ups and downs of the energy roller coaster that has taken the American public for a ride.

To make matters worse, this volatility in gasoline prices is occurring as the United States prepares itself for the upcoming Presidential election. This has added fuel to the fire as Members of Congress, the administration, and politicians everywhere position themselves politically to avoid blame for the spike in energy prices. Unfortunately, such positioning is usually accompanied by a myriad of snake-oil remedies and miracle cures that do little more than lull the American public into believing that the problem is being fixed when, in fact, the problem is being exacerbated.

Two weeks ago, the administration announced such a proposal, against the better judgment of the U.S. Treasury Secretary and the Chairman of the

Federal Reserve, that would authorize the sale of 30 million barrels of crude oil from the Strategic Petroleum Reserve over the next month. This is the same petroleum reserve that was created in response to the 1973 Arab oil embargo to store oil in case of a national emergency, such as a war in the Middle East. Like the Army, you hope never to use the reserve. But, if you need to, it should be big enough to do the job.

Yet, the release of oil from this reserve is unlikely to have a significant effect on prices at the pump. The United States consumes approximately 19 million to 20 million barrels of crude oil per day. The administration's proposal would provide for an additional one million barrels per day. Such a small amount of oil is unlikely to have much of an effect on gasoline prices, especially in light of the additional 800,000 barrels per day of crude oil that will be produced by OPEC.

But what is worse is that this sort of intervention in the domestic energy market, which may seem simple, could actually be self defeating. If refiners expect more oil to be released from the reserve, these shrewd businessmen may hold off on buying more crude oil to produce gasoline and heating oil until the price of crude oil decreases, which would make it more profitable to them, not to mention the oil companies that have posted strong profits this year. Similarly, OPEC could easily offset any benefits from the release of crude oil from the reserve by reducing its own production by an equal amount.

So, I am not sure that Americans should breathe a collective sigh of relief at this announcement regarding releases from the Strategic Petroleum Reserve. It might be good public relations but not a good faith effort to reduce prices. A similar ''fix all, miracle cure'' was offered this spring in response to high oil prices. Some Members of Congress proposed reducing the federal excise tax on gasoline in order to reduce prices at the pump. In their rush to score political points, the proposal was brought to the Senate floor for a vote twice in April—once as an amendment to the fiscal year 2001 budget resolution and again as a free-standing bill. Both times, a sensible majority in the Senate voted not to repeal the gasoline tax by substantial majorities. I am proud that so many of my colleagues refused to swallow this patent nostrum, realizing that first, the savings from the excise tax repeal would not filter down to the consumer, and, second, that a reduction in the excise tax would have a significantly negative effect on the highway trust fund. Presumably, the sponsors of this dangerous proposition were going to provide tax relief to these oil and gas companies and delay highway projects just to make a political point. It is time to get beyond this campaign hysteria and last-minute gimmickery. These current concerns are really just symptoms of a larger problem.

Mr. President, I would also be remiss if I did not raise disturbing evidence that oil companies are sending our own oil overseas. On average, 50,000 to 90,000 barrels of oil per day have been exported to the Asian Pacific Region from Alaska's Northern Slope after an export ban was lifted in 1995. This output equaled about 27 million barrels in 1999. Why are we exporting oil from Alaska to countries like South Korea, Japan, Taiwan, and China when we face shortages at home? Are the same voices advocating for increased production in Alaska also supporting the export of oil overseas while simultaneously criticizing the recent release from the Strategic Petroleum Reserve? These voices are singing the siren song for increased oil company profits, not the hallelujah chorus of relief for the average American.

So here we are today caught in a black hole that will do little to move us down the road toward developing a sustainable energy policy. Just last week, a motion was made to proceed to S. 2557. I believe that we should be deliberating proposals on energy security. I also believe that we should not forget that there are other measures out there that should be given equal attention. While this bill may have some valid energy policy provisions, so do many other proposals. I note for the record, that Senator DASCHLE began an effort over two years ago to construct an energy security package. This effort, which I have cosponsored, addresses a number of important energy resources and industries. If Senators wish to support greater energy independence and encourage cleaner, more efficient technologies, then I urge them to also look at S. 2904, the Energy Security Tax and Policy Act of 2000.

We need to be talking about very complicated and critical energy matters, asking what role and responsibility we all must play. What is OPEC doing? What are the oil and gas companies doing? What is the administration doing? What is Congress doing? What are we doing individually?

My call for a comprehensive national energy policy is longstanding. On May 14, 1984, I took to the Floor with a warning that America should not be so dependent on Persian Gulf oil. At that time, the Reagan Administration was trying to eliminate the Department of Energy and its many energy programs. I argued that this was a wrongheaded approach and that short-term budget concerns should not dominate longer-term national security interests. At that time, I said: ''Our energy security rests upon our military might, not upon our natural resources, nor our technological genius.''

In another floor statement from August 6, 1987, I noted how the Reagan administration was continuing to undercut funding for the fossil, renewable, and synthetic fuels programs. That administration had slashed spending for energy conservation programs and vetoed legislation to provide for emergency preparedness and national appliance efficiency standards. Additionally, the Reagan administration was even balking at filling—not using—but filling the Strategic Petroleum Reserve. In reviewing that August 1987 speech, I warned:

> Why must the energy security of the United States be protected first with guns and not with brains or our homegrown natural resources? . . . The Reagan Administration's destruction of the Nation's long-term energy policies—policies that have been developed and promoted by every Administration since President Nixon—is imperiling America's energy security.

What can Congress do to find some common ground? Energy security and energy independence are a critical national, in fact, a critical international issue. Congress should find beneficial proposals and move forward on passing legislation in the 107th Congress that will get the job done. We should be looking at a variety of opportunities.

Let me offer one example from the recent past. Several weeks ago, while the Senate was debating the bill to grant China permanent normal trade relations, I offered an amendment to increase the use of American-made clean energy technologies in China. No Senator argued against this amendment on its merits. I believe that if a proposal like this were offered on another bill, then it could very likely have passed by an overwhelming margin and would be a win-win-win opportunity for business, labor, and the environment. I say to my colleagues, knowing that a multi-trillion dollar clean energy and environmental infrastructure market will be exploding in the coming decades, we should be taking every opportunity to promote market-based initiatives to deploy these American-made clean energy technologies at home and export these same technologies to developing countries as soon as possible.

Still, I realize that an effective energy strategy will require much debate and a good bit of negotiation. This is not something that can be resolved by depending on any one approach, technology, or resource. There are many serious questions that must be examined when considering our energy choices. We must consider the pros and cons of each of our energy resources and ask the following questions. With regard to oil and natural gas, how can the U.S. decrease its dependence on foreign producers by increasing domestic production while also ensuring that environmental protection and conservation are promoted? Regarding nuclear energy, is it possible for the U.S. to continue utilizing our existing nuclear energy facilities while also finding a workable

solution to the problem of nuclear waste? Can the U.S. find ways to decrease the price for renewable technologies like wind, solar, geothermal, and biomass in a very competitive energy market? Is it possible to reconcile the conflicts regarding hydroelectric power and sustainable fisheries? How can the U.S. continue to use coal while ensuring that the air and water are made even cleaner? Finally, how can American businesses and individuals use all of these energy resources more wisely and find ways to reduce greenhouse gas emissions? No one industry, no one resource, no one technology, no one approach is going to provide that one silver bullet to fix our energy security problems!

Our long-term energy security interest goes far beyond the current price hikes in gasoline, diesel, home heating oil, or electricity. I fear that, as a nation, we are falling asleep at the wheel. We need policies that buffer our economy and our people from decisions made by foreign suppliers. It is time to focus on increased research and development into advanced technologies, energy efficiency and conservation measures, and market-based incentives to rapidly move these advanced technologies and conservation measures from the lab to the field. I believe that a comprehensive national energy strategy can do all of this and incorporate a strong environmental strategy as well.

Therefore, what would a comprehensive national energy strategy include? Let me suggest a framework that I believe would help Congress craft such an energy policy. We must look at developing all of our energy resource sectors—fossil, nuclear, and renewables. A comprehensive plan must include improved measures for all of the major energy consuming sectors—the transportation, manufacturing, residential, and commercial sectors. A national energy plan needs to address the development and the conservation of our resources. It does no good to be producing more of our energy at home if we are not making further progress to conserve energy as well, especially in a growing economy. We need to develop an effective pipeline for the development of more advanced energy technologies. This will demand that more money and effort must be devoted to research and development, demonstration, and, ultimately, deployment in the market place. This energy strategy must be sound economically and environmentally. We must examine actions that can be taken now as well as actions for the long-term. Finally, while taking these steps domestically, we should also be finding ways that we can increase the export of American-made clean energy technologies to other countries that need these technologies just as much as we do.

As many of my colleagues know, I have been working for many years to provide funding for a range of clean energy technologies. I note that two of these 21st century clean energy technologies, the Clean Coal and fuel cell programs, are being centered at our nation's newest national laboratory, the National Energy Technology Laboratory in Morgantown, WV and Pittsburgh, PA and I believe that Congress should continue to support critical efforts like these in the future.

These are 21st century clean energy technologies—not because this is the 21st century, it is not, until next year. But we are talking about technologies that extend into the future.

These technologies are essential for growing our economy while also ensuring that environmental improvements, energy security, public health, and air and water quality are met. I have been working for 15 years on the Clean Coal Technology Program, and I believe that it is possible to bring together several complementary and mutually beneficial proposals. Let me outline a framework for coal and Clean Coal Technologies that I believe should be included in an energy security bill in the 107th Congress. This package must be bipartisan, and I look forward to working with my Democratic and Republican colleagues who have supported this effort like Senator DASCHLE, Senator MCCONNELL, and others.

Senator LOTT's bill, S. 2557, has requested a report from the Department of Energy regarding coal and the development of an effective research, development, and demonstration program. I agree it is time to do a more comprehensive study of Clean Coal Technologies. Among other steps, the Department of Energy should work with the private sector on a study to find ways for achieving higher performance goals and should recommend a road map for the development of these new technologies. The Congress should also consider authorizing additional funding to carry out a more advanced research, development, and demonstration program to achieve these ends. I will certainly put my shoulder to the appropriations wheel in an effort to assist in this regard.

A comprehensive energy package should also include a provision to promote the commercialization of Clean Coal Technologies, similar to that included in S. 2904. This provision, which I and other Senators support, would help to establish incentives to increase the deployment of these advanced Clean Coal Technologies now and in the future.

Finally, it is time that the U.S. turn its attention to the current fleet of coal-fired power plants. These coal-fired powerplants generate approximately 56 percent of our Nation's electricity and are the work horses of our electric generating capacity.

Up here is part of the work. Take a look at the lights in the ceiling. When the curtains of night fall, look at the lights at the top of the Capitol and across both sides of the Capitol, and pause to think that those lights are burning because coal is still being mined.

It is time that we examine market-based incentives to make emission reductions and efficiency improvements for the existing fleet of coal-fired electric power generation.

I believe that Americans witnessed a healthy discussion about our Nation's energy security at Tuesday night's presidential debate between Vice President GORE and Governor Bush. Both candidates put forward their views on how the U.S. can effectively develop a comprehensive national energy policy. Each candidate made what I believe signify complementary goals regarding a comprehensive energy policy. Principally, Governor Bush expressed his belief that the U.S. should take additional steps to increase the availability of our domestic energy resources, and Vice President GORE asserted that the U.S. should also find ways to decrease our energy consumption. Additionally, and particularly, I welcome the comments by both Presidential candidates regarding clean coal technologies.

I have to say that this present administration and some of the budgets that have come to the Hill have sought to defer funding on clean coal technology, and even this year sought to rescind some of the money. That is going in the wrong direction.

The Vice President, in his September 14, 2000, letter to United Mine Workers President Cecil Roberts remarked, ''I strongly support accelerating the development and deployment of technologies that will allow us to use coal in cleaner and more efficient ways.'' Following his announced support for clean coal technologies at a campaign stop in Huntington, WV a day before, Governor Bush also voiced his support at the debate by saying, ''I want to develop the coal resources in America and have clean coal technologies.'' Responding to those comments by Governor Bush, Vice President GORE said, ''I strongly support new investments in clean coal technology.'' I am heartened by the comments of both candidates, and I hope that the next administration will be a strong advocate for the increased research and development, demonstration, and deployment of these clean coal technologies in the coming years. The next administration has an obligation to follow through on those commitments to help America's coal miners, develop our own resources and technologies, and to deploy these clean coal technologies in the market at home and abroad. If we want to have a national energy strategy, then we must sit down together and put all of our interests on the table.

I heard a great deal of talk by both Presidential candidates in that debate

about what each is going to do. Each is going to do this and each is going to do that, and this is going to happen and that is going to happen. Very little mention was made in that debate about Congress.

Congress has to be a partner in carrying out whatever plans the winning candidate may have in this respect and in other respects. So don't leave out Congress, my friends. Congress is very much a partner. I hope both candidates will recognize that in their future debates. They will think of Congress because it takes help from Congress, because Congress is made up of the elected representatives of the people. You have to have Congress on your side, whoever becomes President. We will sit down together and put all of our interests on the table.

We should judge the success of our energy strategy by how it affects the average person. How will it benefit farmers, coal miners, home owners, and truck drivers? We need to help create more jobs and an even stronger economy and ensure that the U.S. does not quiver each time that OPEC tries to flex its muscles. We must not allow ourselves to be swayed by the winds of the current political movement. The American people are not fools. They realize that last-minute, short-term, quick-fix solutions do little to address the underlying problem: the need for comprehensive national energy policy. It is my hope that Congress will begin to take a serious look at energy security legislation in the 107th Congress. Mr. President, I stand ready to meet these challenges.

ON THE RETIREMENT OF SENATOR CONNIE MACK

Mr. BYRD. Mr. President, the distinguished Senator from Florida, CONNIE MACK, has decided to retire from the Senate after serving two successful terms. This Senator from the Sunshine State has served his people and his country well.

Following graduation from the University of Florida with a Bachelor of Arts degree in Marketing, the young Senator-to-be began a successful sixteen-year career as a community banker. Quickly emerging as a local civic leader in Cape Coral, FL, he fought to ensure access to vital health care services in his community by leading the effort to build a local hospital.

Heeding the call of greater professional challenge, CONNIE MACK entered the political arena when he won election to the U.S. House of Representatives in 1982, a position he would occupy for the next six years. As a member of the House, he was recognized by U.S. News and World Report as one of the Nation's most effective ''rising political stars.'' His sincere dedication to public service and love for the art and the process of legislating further propelled him to seek and win a seat in the United States Senate.

It is obvious that his Florida constituents understand and appreciate the degree of skill, dedication, and integrity that Senator MACK has brought to his work. And, as Republican Conference Chairman and third-ranking member of the Senate Republican leadership, it is obvious that his Republican colleagues have understood and valued those qualities in Senator MACK as well.

In 1994, Senator MACK had the distinguished honor of being the first Republican in Florida history to be reelected to the U.S. Senate. He received 70 percent of the vote, more than any other Republican Senate candidate in the nation. In that same year, Senator MACK was named by Campaigns and Elections magazine as one of the 20 most popular elected officials in America.

Mr. President, no Senator has fought more vigorously to protect and preserve the jewel-green waters, the soft, white beaches, and the inland springs that comprise the immense natural beauty of the marvelous peninsula he so effectively represents. He has been an ardent supporter of restoring the natural history and the fragile ecosystem of the Florida Everglades, a true national treasure. Most recently, Senator MACK played a large role in the recent Senate passage of the largest environmental restoration project in history—a $7.8 billion effort to rescue the Florida Everglades from years of environmental degradation.

Senator MACK has been driven by his personal commitment to doing all that he can to provide a better, healthier life for all Americans and people of the world. He has worked long hours, and with great determination, in an effort to see that Federal dollars are wisely used to combat breast cancer, prostate cancer, heart disease, and Alzheimer's disease. The junior Senator from Florida has long realized the importance of providing researchers with the tools necessary to continue the tremendous advances being made in biomedical research.

In the Senate, CONNIE MACK has been a true champion of the fight against cancer. He impressively co-chairs the Senate Cancer Coalition with Senator DIANE FEINSTEIN to heighten awareness of cancer research, early detection programs, improving cancer prevention, and exploring various innovative cancer treatment options. Senator MACK and his wife Priscilla, have both escaped the clutches of cancer, and have led the charge to ensure that all Americans take to heart the message that early detection of cancer saves lives. The Senator and his wife have received numerous honors and awards in their crusade against cancer, such as the National Coalition for Cancer Survivorship Ribbon of Hope Award in 1998 and the National Coalition for Cancer Research Lifetime Achievement Award in 1999.

Drawing upon his experience as a community banker, Senator MACK played a key role in defining the framework of landmark legislation in the Senate to modernize our nation's banking laws and offer more convenience for consumers. I supported this legislation. It has helped to shape the financial industry, enabling more efficient and appropriate responses to the burgeoning demands of an aggressive global marketplace.

And so, Mr. President, as he prepares to leave the Senate, I offer my sincere gratitude to Senator CONNIE MACK for his professionalism, for his friendship, for his leadership, for his candor, and for his many years of dedicated service to our Nation.

Always a gentleman, and that means a lot in this body and in life, he brought to this Senate floor and to his committee work some of the best that Florida has to offer this Nation—a willingness to work hard, to make tough and principled decisions, and to seek common ground in order to serve the common good. It is these notable qualities which will be so sorely missed.

I wish my distinguished colleague from the Sunshine State well.

Next week I will have something to say about other colleagues who are retiring and about whom I have yet to state a farewell message.

I yield the floor.

HATE CRIMES LEGISLATION

Mr. LEAHY. Mr. President, I rise today to note my deep disappointment that hate crimes legislation has been dropped from the Department of Defense authorization bill in conference, despite the fact that both the Senate and the House have voted to include it. This is a major step backward for our commitment to civil rights.

The Senate passed the Local Law Enforcement Enhancement Act of 2000, sponsored by Senators KENNEDY and GORDON SMITH, on June 20 by a strong bipartisan vote of 57–42. This legislation would strengthen current law by making it easier for federal authorities to investigate and prosecute crimes based on race, color, religion, and national origin. It also focuses the attention and resources of the federal government on the problem of hate crimes committed against people because of their sexual orientation, gender, or disability.

The Senate bill also shows full respect for principles of federalism. It strengthens Federal jurisdiction over hate crimes as a back-up, but not a substitute, for state and local law enforcement. It has received strong bipartisan support from state and local law enforcement organizations across the country, support that is particularly significant to me as a former prosecutor.

On September 13, the House voted 232–192 to instruct their conferees to agree to the Senate language, showing that a strong bipartisan majority of the House also wanted to strengthen and expand our laws against hate crimes.

But the conferees have now ignored the will of both the Senate and the House. They have dropped the Local Law Enforcement Enhancement Act, which has the support of not just the Congress but the President and the American people.

Their objection cannot be that this legislation is unimportant. Hate crimes affect more than just their victims and their victims' families—they inspire fear in those who have no connection to the victim beyond a shared characteristic such as race or sexual orientation. When James Byrd, Jr. was dragged behind a pickup truck and killed by bigots in Texas for no reason other than his race, many African-Americans throughout the United States surely felt diminished as citizens. When Matthew Shepard was brutally murdered in Wyoming because he was gay, many gay people throughout the United States felt less safe on our streets and in their homes. These crimes promote fear and insecurity that are distinct from the reactions to other crimes, and House and Senate have both agreed that they should have distinct punishments.

The conferees' objection cannot be that this legislation is unnecessary. Bigotry and hatred are corrosive elements in any society, but especially in a country as diverse and open as ours. We need to make clear that a bigoted attack on one or some of us diminishes each of us, and it diminishes our Nation. As a Nation, we must say loudly and clearly that we will defend ourselves against such violence. All Americans have the right to live, travel and gather where they choose. In the past we have responded as a nation to deter and to punish violent denials of civil rights. We have enacted Federal laws to protect the civil rights of all of our citizens for more than 100 years. The hate crimes amendment this Senate approved and the House endorsed continues that great and honorable tradition.

The conferees' objection cannot be that this legislation is unconstitutional. This bill accomplishes a critically important goal—protecting all of our citizens—without compromising our constitutional responsibilities. It is a tool for combating acts of violence and threats of violence motivated by hatred and bigotry. The Constitution does not permit us in Congress to prohibit the expression of an idea simply because we disagree with it. As Justice Holmes wrote, the Constitution protects not just freedom for the thought and expression we agree with it. As Justice Holmes wrote, the Constitution protects not just freedom for the thought and expression we agree with, but freedom for the thought that we hate. I am devoted to that principle, and I am confident that this bill does not contradict it.

The conferees' objection cannot be that this legislation has not been properly examined. In addition to gaining the approval of the Senate and the House this year, similar legislation passed the Senate last year. It has been the subject of great discussion in the general public and in the halls of Congress. It is long past time to act on this legislation.

Finally, the conferees's objection cannot be that hate crimes are rare occurrences. In addition to the terrible murders of Mr. Byrd and Mr. Shepard, the last years have seen the murder of former Northwestern basketball coach Ricky Byrdsong and others in a bigoted Illinois shooting spree, the terrible sight of small children at a Jewish community center in Los Angeles fleeing a gunman who sprayed the building with 70 bullets from a submachine gun, and racially-motivated crimes in the Pittsburgh area by both African-American and white offenders. And these are just some examples of a wider phenomenon of hate-based crimes.

I would like to thank Senators KENNEDY and GORDON SMITH for their exhaustive efforts on behalf of hate crimes legislation. I regret that their efforts and the will of the House and Senate have been frustrated.

VICTIMS OF GUN VIOLENCE

Mr. WELLSTONE. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue to fight. Following are the names of some of the people who were killed by gunfire one year ago today.

October 6, 1999:

Hector Colon, 34, Bridgeport, CT;

David Cook, 32, Kansas City, MO;

Raymond Foster, 32, Philadelphia, PA;

Michael Gatheright, 46, Detroit, MI;

Andres Geronimo, 15, Houston, TX;

Jose Godinez, 19, Chicago, IL;

Jerome Green, 40, Boston, MA;

Relendo McKarney, 21, Washington, DC;

Christopher Reese, 17, Fort Worth, TX; and

Ennis Walton, 29, Denver, CO.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

THE PASSING OF PIERRE ELLIOT TRUDEAU

Mr. L. CHAFEE. Mr. President, last week the Canadian people learned of the passing of their former prime minister, Pierre Elliot Trudeau. His funeral, which took place on Wednesday, brought Canada's many political factions together for an unusual moment of unity. I would like to take this time to share with my colleagues my thoughts on this momentous event for our neighbors.

Pierre Trudeau led Canada at a time when that nation made enormous progress both internally and on the world stage. He served as prime minister from 1968 through 1984, with a brief nine-month hiatus in 1979–80. During these years, Trudeau championed many initiatives, and supervised the process by which Canada replaced its ties to Great Britain with a constitution of its own. His agenda affected Canadian politics for years after he left office.

Pierre Trudeau's private life certainly made many headlines, but his most enduring legacy was his success in addressing the separatist movement in his native Quebec. Just two years after assuming the prime minister's post, he won plaudits from the Canadian people for his toughness in dealing with separatist terrorists who had kidnapped a British diplomat and a Quebecois provincial official. Ten years later, in May 1980, Trudeau's leadership and persuasiveness convinced 59.6% of Quebecois to vote against separating from the national government. At the same time, though, he was sensitive to his country's French-speaking population; Canada was made officially bilingual in 1984.

I lived in Canada for seven years during the Trudeau era. As an American in this foreign-but-nearby land, I learned first-hand how Pierre Trudeau shaped and influenced the maturation of Canada. Although the United States and Canada certainly had their differences during this era, particularly on matters of arms control, I know that our nation fully respected his abilities and leadership qualities that guided Canada through some momentous times. Our friendly neighbor to the north has lost a great leader, and I hope all of my colleagues will take a moment to recognize the enormous legacy of Pierre Elliot Trudeau.

THE HAZARD SUPPORT SYSTEM

Mr. AKAKA. Mr. President, Benjamin Franklin once described how ''for want of nail the shoe was lost; for want of a shoe the horse was lost; and for want of a horse the rider was lost.''

I wish to call the Senate's attention today to a similar situation. For $13 million, we could help prevent hundreds of millions of dollars in losses from forest fires.

This case involves a Federal program which can help detect wild fires and volcanic activity from space. It is a small program that has been in a pilot phase for a couple of years but which is now operational. Except it is not operating. It stopped when funding for it ended on September 30, 2000. Unfortunately, funds to keep it going have not been authorized or appropriated for the next fiscal year.

The program, which only recently came to my attention, is called the Hazard Support System. It is operated by the United States Geological Survey (USGS) and is a forceful example of how today's modern technologies can be employed to the benefit of us all.

For several years, our fire and volcanic agencies have been working with the Department of Defense to realize the potential dual use of the nation's ballistic missile warning satellites to argument existing fire detection and suppression capabilities and to monitor global volcanic activity.

We have heard a great deal about fires over the past few months. On average there about 100,000 wildland fires in the United States each year, destroying millions of acres of timber, rangeland, and homes at the cost of hundred of millions of dollars. In 1994, federal fire suppression cost $920 million.

Here is a system—the Hazard Support System—which can detect fires of less than a quarter acre in size and dispatch warnings via the Internet to fire fighters in five minutes, saving potentially millions of dollars—not to mention people's homes—and it is not being funded.

The system's utility is not limited to forest fires but also can be used to detect volcanic eruptions and to track ash clouds.

One can ask why should we care about tracking ash clouds?

Imagine cruising through an ash cloud in a airplane at 30,000 feet above Alaska: volcanic ash is sucked into the jet's engines where it instantly melts, coating the inside of the engines, cutting off the flow of oxygen, and causing the engines to stall. The plane drops to 10,000 feet where the engines restart only because the rapid descent has dislodged the ash crust. This actually happened to an aircraft in Alaska.

Jet radars and weather satellites cannot detect ash clouds. To these systems, ash looks like water vapor. With ash from volcanic explosions traveling around the world at high altitudes, we cannot fly safely unless we have the ability to track these clouds. Every year about 10 volcanic eruptions penetrate the altitude range of air traffic. Seven passenger airliners have experienced engine power losses, and plane repair and replacement costs, as of 1994, exceeded $200 million.

Most of the world's volcanoes can erupt without warning. There is no global volcano monitoring capability. Currently, less than half of America's 65 potentially active volcanoes are monitored for signs of activity—but not their ash clouds. We have active volcanoes in Alaska, Washington, Oregon, California, and Hawaii. Most of the volcanoes in the Aleutian Islands are active but, along this major international airline route, only 10 percent of these volcanoes are monitored. Only 10 percent of the world's 1,500 potentially active volcanoes are under constant surveillance.

The USGS' Hazard Support System fuses the fire- and volcanic-activity detection capabilities of the world's environmental weather satellites with that of our ballistic missile warning satellites—without affecting their primary national security mission—to provide 24-hour worldwide detection.

The cost of this system for its first year would be $13.5 million and $5 million thereafter. The benefits of this program for states in the Western part of the United States are obvious. I have been assured by the Administration that the only reason funding for this program was not requested for the next fiscal year was because, at the time of the budget preparation, the system was not yet operational. It is now operational and proven.

I intend to seek funding for a small program with a huge return in protecting Americans from future forest fires and the danger of catastrophic airline crashes. I would urge my colleagues to join me in support of this program.

VIOLENCE AGAINST WOMEN ACT

Mr. JOHNSON. Mr. President, October is Domestic Violence Awareness Month, and I can think of no better way to start off the month than by reauthorizing the Violence Against Women Act and providing thousands of South Dakota women and children with the resources and protection from violence and abuse.

As you know, programs contained in the Violence Against Women Act expired October 1. I have sponsored legislation to reauthorize and expand these important programs, and the reauthorization bill has received broad, bipartisan support in both the House and Senate. In fact, there are 72 Senators cosponsoring my bill. Also, the House of Representatives voted last week by an overwhelming 415–3 margin to reauthorize the Violence Against Women Act.

This Congress, that has failed to act on several important legislative initiatives, has the opportunity to do something right this week. Majority Leader LOTT can schedule votes today on reauthorization of the Violence Against Women Act, and it would pass overwhelmingly. The President has promised to sign the bill as soon as possible. The time to act is now.

In South Dakota alone, approximately 15,000 victims of domestic violence were provided assistance last year. Shelters, victims' service providers, and counseling centers in South Dakota rely heavily on these funds to provide assistance to these women and children. Reauthorization of this legislation assures that South Dakota communities will continue to have access to critical funds for domestic violence services.

A woman from South Dakota recently wrote me about this issue, and I shared her story on the Senate floor last week because I believe it made the most compelling case for reauthorization of the Violence Against Women Act. This South Dakotan was abused as a child, raped as a teenager, and emotionally abused as a wife. Her grandchildren were also abused. In her letter, she pleads: Please reauthorize the Violence Against Women Act. Don't let another woman go through what I went through, and please don't let another child go through what my grandchildren have gone through. You can make a difference.''

I also heard from a Rural Outreach Advocate in South Dakota who said a grant from the Violence Against Women Act enables her and other advocates to help battered women in our state. She noted that many assaulted women and children in our state live in remote, rural areas that don't have available services. Without grants from the Violence Against Women Act, this Rural Outreach Advocate warned that we will be unable to help a majority of battered women and children on our state's farms and in our state's small towns.

In addition to the need to reauthorize the Violence Against Women Act, I recently joined Senator PAUL WELLSTONE of Minnesota in introducing legislation called the National Domestic Violence Hotline Enhancement Act. Since 1994, the National Domestic Violence Hotline (1–800–799–SAFE) has received 500,000 calls from women and children in danger from abuse. My legislation would create the National First Call for Safety web site that would allow National Domestic Violence Hotline operators to quickly and easily find the most appropriate shelter for callers. The highly secure and confidential web site would keep a continuously updated, nationwide list of available shelters and information about services and facilities offered by these shelters.

My legislation is modeled after the successful Day One program in Minnesota. Day One has run a web site linking every shelter in Minnesota and reports that 99 percent of women and

children who call are assured to receive shelters and services that meet their needs.

While there are many worthwhile issues that must be addressed by this Congress in the next few weeks, I can think of no better accomplishment for Congress than to reauthorize the Violence Against Women Act and pass my National Domestic Violence Hotline Enhancement Act. Simply put, these laws will help keep wives, daughters, sisters, and friends from becoming victims of domestic violence.

RURAL LOAN GUARANTEE PROGRAM

Mr. LEAHY. Mr. President, as a conferee last year on the satellite television bill, I worked hard to include, along with several of my colleagues, a provision that would have ensured that the benefits of that bill would also be shared by rural Americans through a loan guarantee program.

Those benefits include providing local-into-local television over satellite—which simply means that rural Americans would be able to receive their local network stations over satellite if they owned a satellite dish, along with the full range of weather, movie, superstation, sports and a host of other channels.

We wanted to ensure that rural Americans would get the same level of television service over satellite as urban Americas would enjoy.

As it turns out, urban Americans can now receive the full array of local network channels over satellite—but the great majority of rural Americans can not.

Unfortunately, the Chairman of the Banking Committee objected to the provision—at the end of last year—that would have helped finance such service to rural areas and we have been unable to resolve this matter.

At the time I was very worried this would happen which is why I discussed it at some length on the floor.

I want to stress, once again, to all of my colleagues that this is very important to our constituents. We need to work together so that we can resolve this problem and make sure that rural America is not left in the dark.

I am here today, to again stand with rural Americans. I have already mentioned on the floor several times that if we tried to hold a Conference on this issue that we would be unable to pass the bill this year.

I said few weeks ago that we simply do not have time to go through the formal Conference process. The e-signature Conference, for example, took many months. As I have warned everyone before—we do not have time for a Conference.

However, if we work together we can easily finish a bill that will actually work and get local television stations carried over satellite.

With a few improvements to the House-passed or to the Senate-passed bills we can get this job done for rural America.

We need to make sure that the federal guarantee can cover providing high-speed Internet access to rural Americans. As long as we are going to help finance a satellite we should get the biggest benefit out of it by having it also help break down the digital divide.

Also, some of the bill provisions consist of such atypical, and onerous, credit requirement that I do not think that any lenders will want to participate.

I have two basic concerns with the proposed language, and have serious concerns about the extraneous House provisions on cell telephones and the like.

I also understand through lobbyists that efforts are being made to include language that would take away FCC authority to approve the new ''Northpoint'' technology that could provide local-into-local television in many areas of the country. My understanding is that some of the satellite providers are concerned that Northpoint could compete with them.

In terms of the credit provisions of the bill, I am worried that potential borrowers may have long-term existing contractural obligations or security agreements whose contract terms would be abrogated by this law if they were to participate in this loan guarantee program.

If they received a guaranteed loan under the bill, their lenders could pull back existing credit lines for violating their contracts by complying with the new law.

With respect to the default language, even a minor default could lead to liquidation which would reduce the ability of the United States to protects its own interests and, in addition, could trigger unnecessary defaults on loans or projects which the borrower may have with the United States, or other lenders.

The additional problem with the superpriority bankruptcy language is that it is a backdoor ''taking'' of property because it would take the property rights of creditors that have other prior perfected security interests in the borrower's property.

These contract property rights—which would be destroyed after the fact—could be very valuable and the bill could take them away.

Mr. President, I have provided language to most interested offices some months ago to resolve these points which may appear at first blush to be technical but, in fact, could make it impossible for this program to work.

I have also proposed language to ensure that rural Americans are able to receive high-speed Internet access under this bill. The section on prerequisites for the loan does not list high-speed Internet access as a purpose for the guarantee.

I recommend adding ''high-speed Internet access'' to that section so that the Board could approve a guarantee which would include that purpose, as a secondary consideration.

I have pointed out before on the Senate floor that, ''computers are on a development path that improves performance by a factor of 10 every five years,'' according to Scientific American.

However, without high-speed linkage of these constantly improving computers rural America will be left behind.

In America, there is a growing disparity between the digital ''haves'' and ''have-nots'' as portions of our society get left behind at the same lightning pace at which the Internet develops.

I would like the bill changed so that we can close the ''digital divide'' that keeps rural America from fully participating in America's economic boom under President Clinton.

I know that some are fighting to keep this disparity—but this disparity between rural and urban America is self-defeating as the Internet becomes an increasingly important thread of our business and social fabric.

So I hope all my colleagues will join with me in working together to get this program in operation before Congress goes out of session.

APPROPRIATIONS—INTERIOR AND RELATED AGENCIES

Mrs. LINCOLN. Mr. President, I rise today to talk about the Interior Appropriations Bill for fiscal 2001 and our efforts here in the Senate to enact the Conservation and Reinvestment Act to provide permanent funding for land, water, and wildlife conservation programs in this nation.

With the passage of the Interior Appropriations Bill for fiscal year 2001, we have taken a step in the right direction toward providing a permanent conservation fund for this nation—but it is only a step.

The Interior Appropriations bill funds many important programs and projects in Arkansas including refurbishing the historic Hot Springs National Park Bathhouses, constructing a visitors center at the White River National Wildlife Refuge, and funding needed construction and maintenance at recreation areas in the Ouachita National Forest.

The bill also increases the funding for the Land and Water Conservation Fund, Payments in Lieu of Taxes, Urban and Historic Preservation programs, State Conservation grants. And needed funding for tackling the maintenance backlog in our nation's park system. But it leaves many of the programs that we have pushed for in the Conservation and Reinvestment Act out completely. Specifically, it leaves

out a permanent stream of funding for wildlife conservation and education programs.

By establishing a permanent funding source for state based wildlife programs, we can take steps now to prevent species from becoming endangered. This would enable us not only to conserve the significant cultural heritage of wildlife enjoyment for the people of this country, but also to avoid the substantial costs associated with recovery for endangered species. In fact, all 50 states would benefit as a result of the important link between these wildlife education-based initiatives and the benefits of wildlife-related tourism.

CARA also would have provided a permanent funding source for rural community assistance and development funds, historic preservation, urban parks, conservation easements, and restoration of National Parks. These provisions would annually provide almost $3 billion nationwide for land, water, and wildlife conservation programs and include over $25 million in funding for Arkansas.

The 2001 Interior Appropriations bill is an important step toward providing for the conservation of this nation's land, water, and wildlife, but we can do so much more. We must not let this opportunity slip away to enact what may well be the most significant conservation effort of the century. I strongly urge my colleagues to continue to work toward passage of the Conservation and Reinvestment Act.

CONCEALED GUN LICENSES

Mr. LEVIN. Mr. President, in recent years, lobbyists for the National Rifle Association, NRA, have been pressing state legislatures around the country to pass so called ''shall issue'' laws. ''Shall issue'' laws require that licensing authorities shall or must issue concealed weapons permits to those who meet standard eligibility requirements. The state laws take discretion away from local law enforcement agencies, who would ordinarily use their own criteria to determine who should carry a concealed weapon.

When such a law was proposed in my home state of Michigan, every major law enforcement organization in the state spoke out against it. Athletes, entertainers, religious leaders and some lawmakers joined them in their public plea to keep concealed firearms off our streets. In the end, although both the State House and Senate passed the ''shall issue'' legislation, lawmakers yielded to public pressure and refused to proceed to a conference committee, thereby rejecting the law.

While Michigan's citizens acted quickly to ensure that lawmakers rejected the NRA backed proposal, other state legislatures embraced the law as their own. This week the Los Angeles Times published an extensive report on the effects of the relatively new law that gives Texans the right to carry concealed weapons into public places, including churches, hospitals, nursing homes, and amusement parks. The Times story reveals that since the ''shall issue'' law's inception in 1995, and its expansion in 1997, Texas has issued concealed weapons permits to more than 400 criminals with prior convictions, and has since arrested more than 3,000 licensees.

Based on the LA Times investigation, it appears that the law billed as part of an ''anti-crime'' package could really be more accurately described as pro-crime. A recently released study from the Violence Policy Center disclosed that Texans with concealed-carry licenses were 66 percent more likely to be arrested for firearms violations than Texans who did not have such licenses.

The LA Times story explains that part of the problem is that in many cases, concealed permits were given to those whose records should have disqualified them. Perhaps the most disturbing case is that of Terry Gist, also known to his friends as ''Holsters'' because of his well-known affection for guns. Before he even applied for his permit to carry a concealed weapon in Texas in 1997, Gist had already been to court for trying to choke his wife and threaten her with a gun (she had a restraining order out against him) and arrested while in the army for brandishing his handgun at a local citizen in Haiti. After he passed the state background check and received his concealed weapons permit in the mail, he was known to carry two semiautomatic handguns, sometimes three, with him at all times. Gist bragged that he displayed one of those guns to a driver during a ''freeway feud.'' In 1998, Gist was arrested and convicted for sexually assaulting an eight-year-old girl who said during the trial that she was afraid he was going to shoot her.

The most common category of problems associated with concealed weapons holders, however, are not those of Terry Gist, but those of people like Paul Leuders. Leuders, a Houston computer analyst, became so upset when he almost missed his bus that the concealed weapons licensee took out his gun and shot the bus driver in the chest.

Law abiding citizens, armed with concealed weapons, are too often turning what would otherwise be unpleasant but not catastrophic events, such as fender-benders and commuting hassles, into tragedies. The ''shall issue'' laws in Texas and in states around the country don't make us safer, they make us less secure. In addition, they send the wrong message to our children, that the way to deal with the problems of modern life is with a gun. People around the country reject the NRA logic that they are unsafe in public places if they are not armed. Legislatures should do the same.

America has come a long way since the days of the wild west. Over the last years our law enforcement agencies have developed better ways to reduce violent crime and keep our streets safe. ''Shall issue'' laws go in the wrong direction by increasing the number of weapons on the streets and the dangers we and our children face.

NATIONAL RURAL DEVELOPMENT PARTNERSHIP ACT OF 2000

Mr. CONRAD. Mr. President, I am pleased to be a cosponsor of the National Rural Development Partnership (NRDP) Act of 2000 introduced yesterday by my friend from Idaho, Senator CRAIG, and 25 of our distinguished colleagues.

The NRDP is a nonpartisan interagency working group whose mission is to ''contribute to the vitality of the nation by strengthening the ability of all rural Americans to participate in determining their futures.'' Today the NRDP is comprised of nearly 40 State Rural Development Councils [SRDCs]. The NRDP also brings to the task of developing rural America more than 40 agencies, in addition to state, local, tribal, for- and non-profit organizations.

The Partnership has thrived in recent years because of the hard work of thousands of dedicated Americans throughout the country who are committed to reinvigorating rural life through coordination of their efforts and those of the public and private sectors. However, the NRDP has never been formally authorized. The future of this important organization can only be secured if the NRDP, the National Rural Development Council, and the SRDCs are formally recognized by the Congress and authorized to receive appropriations.

Mr. President, that is exactly what this legislation would do. Additionally, the Craig-Conrad bill delineates specific responsibilities for each component of the NRDP while refocusing and reinvigorating many current activities. It does not, however, create any new bureaucracy. This legislation grew out of a hearing of the Agriculture Committee's Subcommittee on Forestry, Conservation, and Rural Revitalization that Senator CRAIG and I, as chairman and ranking member, held on March 8 of this year. The support expressed at that hearing for the NRDP was broad-based and considerable.

I cannot emphasize enough the importance of the NRDP's work. Every region of our nation has benefited. In my part of the country, the NRDP has been particularly valuable in bringing together previously independent rural development efforts, creating a synergistic effect.

As I have discussed on the Senate floor and in committee on numerous

occasions, in the Upper Great Plains we are facing a crisis of staggering proportions, placing unprecedented stress on every aspect of economic and community life. This is a very serious matter for the entire country. The farms of the Dakotas and the surrounding states produce wheat, corn, and soybeans in abundance, but something much more important: good families and great kids. The rural way of life helps foster the values of hard work and fortitude that have made America great.

In my view, the ongoing crisis in agriculture represents as great a threat to our nation's future as any of the foreign threats we face today. As we work to combat this domestic national security threat and preserve the rural way of life, the NRDP is a truly vital asset. I hope all my colleagues will join the 27 of us on this bill in pressing for its passage and enactment at the earliest possible moment.

Mr. President, I yield the floor.

ADDITIONAL STATEMENTS

FATHER NICHOLAS MAESTRINI AND FATHER JOHN BORACCO CELEBRATE 70TH ANNIVERSARY OF PRIESTHOOD TOGETHER

• Mr. ABRAHAM. Mr. President, I rise today to recognize Father Nicholas Maestrini and Father John Boracco, two men who have dedicated their lives in service to the Catholic Church, and who have often found their paths cross along the way. On October 22, 2000, the paths of these old friends will converge once again, as they will be honored together by the Pontifical Institute for Foreign Missions (PIME) in Detroit, Michigan, in recognition of their 70th Anniversary of Ordination.

Fr. Maestrini and Fr. Boracco began their long histories of dedicated service to the Catholic Church together as seminary classmates in Monza, Italy. Shortly after becoming ordained priests, both chose to enter into the PIME missionary. PIME is an international community of priests, lay missionaries and lay volunteers who have dedicated their lives to service in foreign lands. Founded in Italy in 1850, it is now a global organization that operates missions throughout the world. Its international headquarters are in Rome, Italy, while PIME U.S. Region is based out of Detroit.

Both Fr. Maestrini and Fr. Boracco joined missions in Asia, and both experienced struggle and hardship there during the chaotic period before, during and after World War II. Fr. Maestrini served as a missionary in Hong Kong from 1931–50. During this time, he suffered through the strife of the Great War and of being interned by the Japanese. Fr. Boracco had it no easier in China, where he was stationed from 1934–54, first in the northern Henan Province and then at Kai Pheng. He was forced to persevere through imprisonment, the Japanese occupation, and the Communist revolution. In 1954, he was condemned to die at the hands of the Communists, but was instead expelled.

In 1951, Fr. Maestrini was named Superior of the PIME U.S. Region. Four years later, he was joined in Detroit by Fr. Boracco, who was assigned to help with the seminary expansion started by his friend. For the next 19 years, the two formed the perfect team. Fr. Maestrini focused his energy on external matters, such as public relations and fundraising, while Fr. Boracco served as rector and spiritual director of PIME's theological and high school seminars. With success, their roles expanded. Fr. Maestrini oversaw the establishment of three seminaries, two award-winning films, and many fund raising and public relations programs benefitting the foreign missions. Fr. Boracco became Director of the PIME residence for priests, brothers and seminaries. While Fr. Maestrini retired as Superior in 1974, Fr. Boracco retired just last year.

Both Fr. Boracco and Fr. Maestrini remain active within the Catholic community. Aside from assisting at his local parish, Fr. Maestrini publishes a mission newsletter, and continues correspondence with missionaries and benefactors. Fr. Boracco regularly assists several parishes in the Archdiocese of Detroit.

I applaud Fr. Maestrini and Fr. Boracco on their extraordinary legacies of service. For 70 years, they have tirelessly spread the message of faith and good will to others embodied by the Catholic Church, and they have done so while forming a friendship that is truly unique. On behalf of the entire United States Senate, I congratulate Father Nicholas Maestrini and Father John Boracco on 70 years of successful service, and wish them both continued success in the future.•

TRIBUTE TO MR. BENNIE THAYER

• Mr. KERRY. Mr. President, Senator BOND and I would like to submit for the RECORD a tribute to Mr. Bennie Thayer, a long-time business advocate and remarkable man who passed away Monday.

Mr. BOND. Yes, Mr. President, Senator KERRY and I would like to join in making the following statement recognizing Mr. Thayer's lifetime accomplishments.

The remarks follow:

Mr. Thayer earned the respect and admiration of the small business community. Until his passing, Mr. Thayer served as the eloquently outspoken President and CEO for the National Association for the Self-Employed. Representing more than 200,000 members nationwide, as head of NASE Mr. Thayer fought for relief from unfair government regulations and pushed for legislative action on issues ranging from taxes to retirement plans. I think we will all remember him for his tireless work to get 100 percent deductibility for health insurance purchased by the self-employed. It wasn't easy. In fact, it was a long, long fight, but he managed to build bi-partisan support for 100 percent deductibility. How fitting it would be for Congress to pass such legislation before we adjourn.

In addition to Mr. Thayer's leadership at NASE, he has chaired and served on the board of many local and national business associations covering economic development, credit development, small-business enhancement, and general business growth. Of course, Mr. Thayer knew what he was doing. He could identify with the needs of small business owners and the self-employed because he himself was co-owner of the Board of Natural Health Options and A.W. Curtis Products, a manufacturer of natural health products. In his distinguished career, Mr. Thayer also was called upon at times to advise the past three Presidents—President Reagan, President Bush, and President Clinton.

But Mr. Thayer should be remembered for much more than his impressive resume or for being a champion of and advocate for small businesses and the self-employed. He served tirelessly in several capacities as a leader in his community. For the past seven years, Mr. Thayer was Senior Pastor of the United Methodist Church of the Redeemer in Temple Hills, Maryland. He also worked toward community development and youth mentoring as a board member of such organizations as REDEEM Inc. and the Board of Eagle Flight Inc.

In the most recent issue of ''Self-Employed America,'' NASE's bi-monthly publication, there is an article entitled ''Make Yourself Memorable.'' Mr. Thayer did. His first impression was a lasting impression—a warm, sincere handshake and an incredible, mesmerizing voice. Even if you didn't agree with something he said, you always liked how he said it. We will miss him.

Our condolences go out to his wife Bernice, his two daughters, his two grandchildren and his home community in Prince George's County Maryland, where he touched the lives of so many. May God bless his family and friends, and may the remarkable Bennie Thayer rest in peace.•

HONORING A COLUMBINE HERO, BOY SCOUT EVAN TODD

• Mr. ALLARD. Mr. President, I rise today to share with my colleagues a pair of statements I recently received from an exceptional young man in Colorado, Mr. Evan Todd of Littleton. Evan was one of the many unfortunate victims of the horrific shooting that took place at Columbine High School on April 20, 1999. Evan was the first student shot in the library at Columbine High School, and despite his injuries he assisted other students and administered first aid to a seriously wounded peer until emergency services could arrive. Evan, an active Boy Scout, was awarded the prestigious Boy Scouts of America Honor Medal for his inspiring actions. Still a Columbine student, Evan has dedicated a tremendous amount of time to speaking to other students and adults around

the nation concerning the problems of youth violence and the cultural influences on American youth. I am honored that Evan took the time to write to me and I ask that a copy of Evan Todd's letter to his fellow Scouts and a copy of a speech he delivered at ''The Gathering,'' a meeting of victims of school violence, be included in the CONGRESSIONAL RECORD.

The material follows:

Dear Fellow Scouts, I have been told that into each life some rain must fall. Some get rained on more than others. The rain that came down on us at Columbine High School was a cloudburst of epic proportions. This act was senseless, tragic and without justification, whatsoever. 13 murdered 25 wounded and 1,951 students youth destroyed. As a student who was shot and wounded in the library, it has changed my life, forever.

I believe that the children of a society are nothing more than the reflection of the society that they are brought into. The event here at Columbine in Littleton Colorado, and the events at Moses Lake Washington, Pearl Mississippi, Jonesboro Arkansas, Edinboro Pennsylvania, Fayetteville Tennessee, Springfield Oregon, Richmond Virginia, Conyers Georgia, Los Angeles California and elsewhere indicate to me that our nation has a serious character flaw. Since the Columbine tragedy, I have tried to stay abreast of the ''adult society'' debate as to the ''why'' and ''how'' of these terrible incidents. The adults debate and argue over what constitutes good and what constitutes evil; what is right and what is wrong. At the time of the Columbine tragedy, our national leader, the President, stated the youth of this nation need to learn to resolve our differences with words, not weapons. At the time this statement was made, we as a nation, were bombing Yugoslavia. They tell us that the youth of this nation need to be more tolerant, kinder, gentler, more understanding. Yet our entertainment, music, TV, movies, games (and actions of) the adult world provides for our consumption are all too often filled with violence, sex, death and destruction. If we were to take into our lives what is provided to us by our society, our actions would also violate the Scout Oath & Law. Other solutions to school violence have been nametags to be carried around our neck as millstones, metal detectors, increased video surveillance, etc. Our nation has always had guns. Our nation has always had children. What our nation hasn't always had is children murdering children and their parents, and parents murdering their children. The ingredient that has made America different is the last couple of 'adult generations', and their changes towards what is right & wrong, good & evil. It appears to me that our society is confused. The adult world seems as a ship with no rudder being cast around by the wind and storms of our times, with no control or understanding as to why. Many of these storms appear to have been caused by their own accord. It's as if our adult society has no compass, no bearing, no standards for our society. I have found them confused. Even at our age, we can discern the difference between what you say and what you do. . . .

In regard to the solution of watching what comes out of us by monitoring closely our world with surveillance cameras, what we say, how we look, etc., our society needs to watch carefully what goes into us. In my room is a picture of the Grand Teton mountain range in Wyoming. Below the picture is the following:

''THE ESSENCE OF DESTINY

''Watch your thoughts, for they become words. Choose your words, for they become actions. Understand your actions, for they become habits. Study your habits, for they will become your character. Develop your character, for it becomes your destiny.''

The good news for those of us that are Scouts is that we are privileged to be a part of an organization that provides us the tools and instructions to put into us that which builds a better person, a better nation. Those tools are called the Scout Oath and Scout Law. Robert Gates, former Director of the U.S. Central Intelligence Agency (CIA) and our current President of the National Eagle Scout Association (NESA) recently stated that there is a war going on for the souls of our boys and young men in this nation. He sees clearly. If you are to be a scout, don't be a scout in word only. Learn and practice the Oath & Law in everything you think, say and do. I understand well how hard that can be, but ''Do Your Best.'' To the Boy Scouts of America, thank you for defending our 90-year record and not allowing the Oath & Law to be redefined. As you say, it has stood the test of time. The generation that wants to change the Oath & Law has not stood the test of time. To all the scouts across America that sent me & my troop cards, letters, posters, your thoughts and prayers, thank you from the bottom of my heart. To you here tonight, I bid you vaya con Dios mi amigos, God Bless you and God Bless the work you do. Thank you.

GLASTONBURY YOUTH AND FAMILY SERVICES

● Mr. LIEBERMAN. Mr. President, I rise today to congratulate Glastonbury Youth and Family Services on its thirtieth anniversary. For a generation, this agency has provided a much needed service to the families of Glastonbury, Connecticut.

The children of Glastonbury are the future leaders of our state and nation, and it is critical to our continued success that they obtain the social and educational skills necessary to compete and succeed in the twenty-first century. The many programs offered by Glastonbury Youth and Family Services helps ensure that the town's children are exposed to the very best role models both inside and outside of the home. Because of the hard work and dedication of the parents, children, and workers in this program, the future of Glastonbury is very bright indeed.

Glasonbury Youth and Family Services has already helped open doors for countless young people, and I am confident that the children of the community will continue to benefit from its services far into the future.

Mr. President, I ask that you and all of my colleagues join me in congratulating Glastonbury Youth and Family Services on this very special anniversary.●

THE 75TH ANNIVERSARY OF THE NORWEGIAN CLUB OF DETROIT

● Mr. ABRAHAM. Mr. President, I rise today to recognize the Norwegian Club of Detroit, which will celebrate its 75th Anniversary in Orchard Lake, Michigan, on October 14, 2000. Only Ireland has had a larger percentage of its population immigrate to the United States than has Norway. As Norwegians arrived in Michigan, the Norwegian Club of Detroit was there to help them adjust to their new homeland, while at the same time continue to celebrate the familiar traditions of home.

The Norwegian Club of Detroit was organized in 1925. Originally consisting of only engineers, it quickly expanded to include Norwegians from all walks of life, providing an important cultural, social and professional network for Michigan's Norwegian community.

An example of the Club's importance to the Norwegian community can clearly be seen during World War II, when members managed to mobilize and ultimately provide support to Norwegian military forces who escaped the Nazi invasion. Members also organized training in Canada to assist in the war effort of the Allies.

The Norwegian Club of Detroit remains an important factor in celebrating and promoting Norwegian and Scandinavian cultural, political and economic ties to the State of Michigan. One of the first groups to participate in the Ethnic Festivals in Detroit, the Club also has helped support performances by the Scandinavian Symphony, a visit by the Hjemkomst Viking ship reproduction, as well as various Norwegian performers and artists.

Mr. President, 2000 is an extremely important year in the Norwegian-American community. It is the 100th Anniversary of the founding of Oslo, Norway's capital city, as well as the 1000th Anniversary of the Viking discovery of North America. This year also marks 175 years of Norwegian immigration to the United States. Amidst all of this, and on behalf of the entire United States Senate, I wish the Norwegian Club of Detroit a Happy 75th Anniversary, and continued success in the future.●

HONORING SHIRLEY RAGSDALE

● Mr. JOHNSON. Mr. President, I rise today to publicly commend Shirley Ragsdale, the editor for the Sioux Falls, South Dakota Argus Leader newspaper, on her receiving the national Casey Journalism Center Awards 2000 Casey Medals for her outstanding coverage of the plight of South Dakota's children in the Juvenile Corrections facilities.

The Casey Medals for Meritorious Journalism honor distinguished coverage of disadvantaged children and family, and the institutions and agencies charged with serving them. The Casey Journalism Center serves as an independent national resource center for professional journalists and it is operated by the University of Maryland

and funded by the Annie E. Casey Foundation.

Shirley Ragsdale is a talented journalist, an advocate of children's rights, and a dedicated citizen of South Dakota. This honorable award is a reflection of her extraordinary talent, creativity, and ability to convey depth and originality supported by thorough research and consistent documentation. Her unremitting and well-reasoned editorials pressed for changes in the unacceptable practices, as indicated by substantiated reports of abuse, occurring within the South Dakota juvenile correction system.

Shirley Ragsdale truly deserves this prestigous award. It is an honor for me to share her impressive achievements with my colleagues and to commend her on her journalistic success.●

OLYMPIC SWIMMER JENNY THOMPSON

● Mr. GREGG. Mr. President, I would like to take this opportunity to congratulate one of our nation's finest Olympians, Jenny Thompson. This week, Jenny set herself apart from the rest of the world. With 10 Olympic medals, 8 of which are gold, Jenny has become the most decorated Olympic female swimmer of all time. As an American, I am very proud of our U.S. Olympic athletes, but I am especially proud of Jenny Thompson, from my home state of New Hampshire.

Jenny first appeared on swimming's national stage in the mid-1980's when she began swimming for the Seacoast Swimming Association in Dover, New Hampshire for coach Mike Parratto. At the age of 15, Jenny just missed making the 1988 U.S. Olympic Swim Team, but her success as a young athlete drew the attention of college swimming programs from around the country. Jenny began attending Stanford University in 1991, and in 1992, she became the first woman in 61 years to set a world record in the 100 meter freestyle event. She followed up on her new world record by leading Stanford to a 27–0 dual-meet record, four PAC–10 titles and four consecutive NCAA Championships. Through her leadership and her firm sense of teamwork, Jenny Thompson was elevated to team captain and served as a mentor for Stanford's more recent arrivals to the natatorium.

In addition to Jenny's team accomplishments, she managed to swim her way to 19 NCAA titles, the most in women's collegiate swimming history. Having also captured 23 U.S. national titles, Jenny is the most successful active swimmer in the United States.

When Jenny arrived in Sydney, Australia, she did so with five gold medals and one silver medal. She has now added to her Olympic success by again leading the U.S. women's relay team to gold in the 4 x 100 meter freestyle relay, setting another new world record, and the 4 x 100 meter medley relay. Additionally, Jenny continued to show her competitive edge as an individual by medaling in the 100 meter freestyle, winning the bronze.

Jenny Thompson's performance at the 2000 Sydney Olympics has made her the most decorated female Olympian in the United States and the most successful female Olympic swimmer in history. Aside from her achievements at the Olympics and Stanford University, Jenny has won numerous World Championships and accumulated countless awards and honors as an athlete. She has always displayed team spirit and professionalism in and around the pool, showing that character is one of her finest assets. Her contribution to the sport of swimming is unmatched and has left a lasting impression in the minds and hearts of all who have watched her represent the United States throughout the years. Jenny Thompson has inspired a generation of young swimmers to dream and achieve their goals, to think positively and to work hard.

Jenny Thompson will enter Columbia University Medical School next fall, where I know she will be successful. Her drive and desire will surely allow her to achieve her goals as she makes her way into a different stage of her life. I am confident that Jenny will continue to be a role model for all, and I hope that she knows we are proud of her. New Hampshire is proud of her, our nation is proud of her, and we wish her nothing but the best in her future endeavors.●

COLUMBUS, GEORGIA'S HOUSE OF HEROES PROGRAM

● Mr. CLELAND. Mr. President, there is a great outpouring of human generosity taking place in our great country that I must speak about here today. I was honored to be with my friends and colleagues, including the late Senator Coverdell, Representatives MAC COLLINS and SANFORD BISHOP, Columbus Mayor Bobby Peters, Col. Frank Helmick, along with Wayne Anthony of Hands On Columbus and many, many other volunteers, as we embarked on the historic event of initiating the House of Heroes program. This program should serve as a model to communities all across the country to provide needed assistance and support for aging veterans who bravely served their country and their families.

It is often said that ''Poor is the nation who has no heroes. Poorer still is the nation which has them but forgets them.'' The House of Heroes project makes sure we don't forget this adage by having volunteers take up shovels, paint brushes and brooms to show not only our veterans, but also their families, that they are not forgotten. This past May at the home of Betty Cook of Columbus, in my state of Georgia, the House of Heroes was inaugurated by federal, military, and local officials to help serve as a reminder to younger generations of Americans how our nation's older men and woman veterans have proudly served and sacrificed for their country to help preserve our freedom. The inauguration ceremony reminded us all that honor, valor, and sacrifice come not only from service members, but from their spouses and family as well. While Mrs. Cook's husband served his country as a medic in World War II, she fought the war at home. She supported their family on her own, while encouraging her husband to press on in battle overseas. Hundreds of thousands of G.I.'s fought for their families, sustained by the love they were getting from home. Victory was never won alone.

The House of Heroes program relies on people who volunteer their services to repair and improve the home of a veteran and/or their spouse as an act of appreciation from the Congress of the United States and people of this nation. I am especially proud of those who contributed their time, effort and energy to help bring this project to fruition. It was especially uplifting to have witnessed the hard work that was put into the project. I would like to express my gratitude to each and every volunteer who made this worthy event the great success that it was.

I strongly support H. Con. Res. 395 that expresses the sense of the Congress that the House of Heroes project in Columbus, Georgia, should serve as a model for public support for the Nation's veterans and strongly agree with everything this resolution represents. I especially thank Representative MAC COLLINS for introducing this worthy legislation.

Today, Columbus, Georgia, remains home to thousands of service members and their families stationed at Ft. Benning and Columbus has always been a critical area for our nation's defenses, both past and present. The initiation of the House of Heroes program proves that from beginning to end, this remarkable city is home to some remarkable people. This event is only the beginning for the House of Heroes program as communities across the nation will begin to undertake their own House of Heroes programs modeled after the great program that the fine people of Columbus started.●

A TRIBUTE TO CAPTAIN WILLIAM JAMES BUSHAW

● Mr. ABRAHAM. Mr. President, I rise today to recognize Captain William James Bushaw, who is retiring from the United States Navy after nearly 30 years of service. Captain Bushaw leaves behind a legacy of versatility and consistency, as he has consistently been successful in whatever area he has been asked to perform.

Upon graduating from the University of Michigan, Captain Bushaw attended Navy Officer Candidate School in Newport, Rhode Island. He was commissioned as an ensign May 14, 1971, receiving the award of Distinguished Naval Graduate.

While on active duty, Captain Bushaw served as the Gunnery Officer aboard the U.S.S. *Joseph Strauss*. From January of 1972 until August of that same year he participated in several combat operations in Vietnam, including Operation Freedom Train, Operation Linebacker and Operation Notification Line. During these operations, U.S.S. *Joseph Strauss* fired over 15,000 rounds of ammunition, earning the Navy Unit Citation. Captain Bushaw himself earned the Navy Achievement Medal with Combat V and the Combat Action Award.

Following active duty Captain Bushaw transferred to the selected reserve. As a drilling reservist, he served as Commanding Officer of three Navy reserve units and Executive Officer of two other units. For his efforts, he received a Navy Commendation Medal.

Captain Bushaw currently serves as the Emergency Preparedness Liaison Officer to the Governor of the State of Michigan, representing the United States Navy in all issues of emergency preparedness. He recently received the State Legion of Merit award from the Adjutant General of the Michigan National Guard.

I applaud Captain Bushaw on nearly thirty years of extraordinary service to our Nation. I know that the United States Navy will greatly miss his leadership, as will the many men he has commanded. On behalf of the entire United States Senate, I thank Captain William James Bushaw for his service, and wish him the best of luck in retirement.●

IN TRIBUTE TO FRANCIS BROWN

● Ms. SNOWE. Mr. President, I rise today to pay tribute to a great Mainer and one of the most outstanding individuals I have had the good fortune to know, Francis Brown of Calais, ME.

There are many rewarding aspects to public service, not the least of which is the opportunity to meet people like Francis Brown. It has been my privilege to call Francis a friend for more than two decades now, and I know the people of Downeast Maine share my high regard and deepest respect for this devoted family man who has given so much of himself to the community and state he loves.

Francis is a leading citizen of Calais. He exemplifies the kind of values and ideals we frequently associate with those small towns throughout the country where neighbors still help neighbors, and where service to others is the standard by which a man or woman is measured. Indeed, for Francis, the concept of service is one indelibly woven through the fabric of his life.

As a student at the University of Maine, my alma mater, Francis spent four years in the ROTC program, and went on to serve in World War Two as a Radar Officer and in Korea as a member of the military police. Having more than fulfilled his duty to his country, Francis nevertheless later volunteered as an Army reservist with the Maine Army National Guard from 1946 until 1967, when he retired with the rank of Major.

When he was not serving his country in the armed forces, Francis was working on behalf of his fellow Mainers not only in his law practice but as a longtime and well-respected city solicitor. As is typical of his nature, however, Francis was not content to allow his efforts in the practice of law alone—significant as they were—define his commitment to the community.

Giving generously of his time and talents, Francis has touched many lives and has made an indelible and positive mark on his beloved Washington County and the State of Maine. He was a member of the Advisory Committee to the Maine Supreme Judicial Court on Criminal Rules of procedure for thirteen years. A long-time active and integral member of the Calais Rotary Club, he earned distinction as a Paul Harris Fellow in 1976.

Emblematic of his commitment to and interest in education, Francis brought his tremendous wealth of knowledge and experience to his service on the University of Maine Board of Trustees for more than a decade. And as a man whose faith has always been central to his life, he has served his beloved United Methodist Church in Calais as a trustee for many years.

Not surprisingly, Francis has been recognized with many awards over the years, including the Arlo T. Bates Award for Outstanding Community Service from the Calais Chamber of Commerce, the prestigious Jefferson Public Service Award, and the University of Maine Presidential Achievement Award.

And just as predictably, Francis has never been very impressed by all the recognition and adulation. For him, good deeds are always to be done for their own sake. Acts of kindness are made because that is simply the proper way to live one's life, not because they may bring personal glorification. Indeed, Francis is one of the most genuinely decent and humble people I have known.

Most of all, he is quite simply a wonderful person to be around. I would dare say there was never a person who has met Francis who does not like Francis. His generous spirit could warm even the coldest Maine day, and his humor could shine good cheer into the darkest of times. How thankful we are for such gifts as those he has so selflessly given to us.

Today, it is our turn to return the favor. With Francis having fallen ill in recent times, the hearts of many go out to him as do our prayers. It is not likely that any of us will be able to fully repay the debt of gratitude we feel to this beloved friend, neighbor, and fellow Mainer. But we certainly feel compelled to try.

The great American author Ralph Waldo Emerson once wrote, ''to know even one life has breathed easier because you have lived—this is to have succeeded.'' By that measure, Francis Brown is unquestionably one of the most successful people I know, and I want him to know that I am proud to call him a friend.●

THE 150TH BIRTHDAY OF ST. CLEMENT CATHOLIC CHURCH IN CENTER LINE, MICHIGAN

● Mr. ABRAHAM. Mr. President, I rise today to recognize St. Clement Catholic Church in Center Line, Michigan, which will celebrate 150 years of service to the Warren and Center Line communities with an anniversary mass on October 15, 2000. The story of St. Clement is one of continual adaptation and growth, but through it all the spirit that existed in 1850 remains today, for the church has never stayed from its original purpose of teaching the timeless lessons of faith and love.

The perfect illustration of how important St. Clement is to the Warren and Center Line communities can be seen in how many times it has been forced to be reconstructed. In 1857, a school was added to the church. After expansions to the original building in 1868 and 1879, the growing size of the congregation forced a new building to be constructed in 1880. In 1922, a new school had to be built to accommodate the growing number of students, and, ultimately, another school was constructed anew in 1953. In May of 1960, ground broke on the present church building. It is an extraordinary piece of architecture, a Cruciform-shaped structure with a 65 foot high vaulted ceiling, gables that form a cross, hundreds of stain-glassed panes, a main altar of imported marble, a seating capacity of over 1,600 worshippers and two cry rooms.

An essential part of the success of St. Clement Church has been its leadership. From 1868–1890, Father William Hendrix guided the growing church to the point where it had firmly established its presence as the center of social activity in the Warren and Center Line communities. From 1890–1929, Father John Kramer's devotion to improving education was essential not only to having the new school be built, but also to filling it with nearly 400 students. Father Alexander Mayer guided the parish through the Depression, World War II and the Korean War,

and his leadership enabled the church to make it through years of financial hardship.

Father Timothy Edward Murray oversaw the building of the third St. Clement Church, as well as set up a program where St. Clement Schools became involved in a shared-time program with Center Line Public Schools. In 1976, Father James Murphy returned a warmth and camaderie to the parish. From 1992–97, the Rev. Dr. Arthur J. Jacobi, Jr.'s many skills both as an educator and as a professional businessman helped to lead St. Clement both spiritually and financially. And today, Father Ron Victor continues in this strong tradition of leadership, overseeing the growth and adaptation that is a necessary part of any church's history, while at the same time shepherding his parish on its continuous mission of faith and love.

For 150 years, St. Clement Catholic Church has been an essential part of the Warren and Center Line communities. It has been a constant source of leadership within these communities, and has guided them through both good and bad times. It has also provided thousands of children with a solid foundation upon which to grow and become upstanding members of their own communities. On behalf of the entire United States Senate, I congratulate St. Clement Catholic Church on 150 successful years of leadership and growth, and wish the church continued success in the future.●

OLYMPIC SWIMMER B.J. BEDFORD

● Mr. GREGG. Mr. President, I rise today to recognize and honor B.J. Bedford, a gold medalist for the 2000 United States Olympic Swim Team and originally from the town of Hanover in my home state of New Hampshire. B.J. has been a competitive swimmer in national standings for years. She competed in the 1988 Olympic trials when she was just 15 years old. After three Olympic trials and a successful 12 year career in domestic competition, B.J.'s hard work has paid off this year as she secured a spot on the U.S. Swim Team for the 2000 Summer Games.

B.J.'s participation in the XXVII Olympiad certainly adds to a long and illustrious career in swimming. B.J. Bedford has qualified and competed in four Olympic trials, winning the 100 meter backstroke this year, set an American record in the 50 meter backstroke, and won seven U.S. National Titles in the 50, 100 and 200 meter backstroke and two gold medals for relays at the 1998 World Championships. On September 23, 2000, B.J. Bedford became the holder of a new world record. Swimming the backstroke leg of the 4 x 100 meter medley relay, B.J. and three of her teammates won gold in Sydney and smashed the previously held world record by an incredible three seconds.

Her outstanding work in the pool, along with her display of dedication to her sport and her country, have helped to make the U.S. Swim Team more successful than any other country at the Sydney Games. The United States won 33 medals in swimming, tying its highest total since 1984. B.J. Bedford was an important part of this overall team victory, as her experience undoubtedly made her a leader in the pool. B.J.'s athleticism, drive and determination have allowed her to claim her place in history. She has made both New Hampshire and the country proud, and I am confident that B.J. will be successful in all that she chooses to do.

I would like to congratulate B.J. for her fine work at the Olympics, for the excitement that she brought to Americans this summer, and for her gracious representation of the United States. She is a positive role model that will be looked up to by younger swimmers, and for that, she should be proud. We wish her nothing but the best in all of her future endeavors.●

IN RECOGNITION OF CORE CITY NEIGHBORHOODS IN DETROIT, MICHIGAN

● Mr. ABRAHAM. Mr. President, I rise today to recognize Core City Neighborhoods of Detroit, Michigan, which will hold its 16th Annual Meeting and Dinner on October 12, 2000. In its sixteen years, Core City Neighborhoods has been a leader in the field of community development, serving and supporting the residents and small businesses of Southwest Detroit in an exemplary manner.

The mission of Core City Neighborhoods is to strengthen the social and human development of the Southwest Detroit community while at the same time helping to spur the physical and economic development of the area. The organization does this through a variety of programs, focusing on such things as youth and adult leadership to training and employment.

One of the most successful Core City Neighborhoods program has been an after school program for children aged 6–13. The program seeks to strengthen academic and life skills, such as substance abuse and violence prevention, as well as provide a safe and positive environment for the youth involved. The program also provides children with tutoring and mentoring. They work on homework together, and play board games and sports in an effort to aid in the development of teamwork skills and self confidence.

Another program sponsored by CCN is the Multi-Family Apartment Building Acquisition and Rehabilitation Program. The goal of this program is to prevent further loss of highly visible apartment buildings, buildings which truly serve as the foundations of the Southwest Detroit community. The program includes counseling. Homebuyers Club, Home Repair workshops, loans and referrals on such topics as credit and budgeting.

Core City Neighborhoods has also been directly responsible for the development of nearly 200 units of housing, totaling over $12 million of reinvestment into the Southeast Detroit community. This includes the development of the Alberta W. King Village Apartments, which were built to house low to moderate income families.

I applaud the many people involved with Core City Neighborhoods on the extraordinary work they have done on behalf of Southwest Detroit. No group works harder to build up this community, both physically and spiritually. On behalf of the entire United States Senate I thank Core city Neighborhoods for fifteen successful years of civic service, and wish the organization continued success in the future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:19 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2941. An act to establish the Las Cienegas National Conservation Area in the State of Arizona.

At 11:59 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

ENROLLED BILLS SIGNED

At 1:22 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises

in developing countries, and for other purposes.

H.R. 1162. An act to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge.''

H.R. 1605. An act to designate the Federal building and United States courthouse located at 402 North Walnut Street and Prospect Avenue in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse.''

H.R. 4318. An act to establish the Red River National Wildlife Refuge.

H.R. 4578. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4642. An act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An act to designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building.''

H.R. 5284. An act to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.''

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 2:14 p.m., a message from the House of Representatives, delivered by Mr. Hayes, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–11047. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of five items; to the Committee on Environment and Public Works.

EC–11048. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Promulgation of Extension of Attainment Date for the San Diego, California Serious Ozone Nonattainment Area'' (FRL #6872–8) received on October 4, 2000; to the Committee on Environment and Public Works.

EC–11049. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Chlorinated Aliphatics Production Waste; Land Disposal Restrictions for Newly Identified Wastes; and CERCLA Hazardous Substance Designation and Reportable Quantities'' (FRL #6882–6) received on October 4, 2000; to the Committee on Environment and Public Works.

EC–11050. A communication from the Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or Superfund, Section 104 'Announcement of Proposal Deadline for the Competition for the FY 2001 Brownfields Cleanup Revolving Loan Fund Pilots' '' (FRL #6884–1) received on October 5, 2000; to the Committee on Environment and Public Works.

EC–11051. A communication from the Under Secretary, Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Food Stamp Program, Regulatory Review: Electronic Benefit Transfer (EBT) Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996'' (RIN0584–AC44) received on October 3, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11052. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Phosphorus Acid; Exemption from the Requirement of a Tolerance'' (FRL #6599–1) received on October 4, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11053. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, the report of one item, received on October 4, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC–11054. A communication from the Acting Associate Administrator for Civil Rights, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' received on October 3, 2000; to the Committee on Governmental Affairs.

EC–11055. A communication from the Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, a report relative to the strategic plan for fiscal years 2000 through 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–11056. A communication from the Acting Director of Communications and Legislative Affairs, Equal Opportunity Commission, transmitting, pursuant to law, a report relative to the employment of minorities, women and people with disabilities; to the Committee on Health, Education, Labor, and Pensions.

EC–11057. A communication from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, pursuant to law, the report of the transmittal of the certification of the proposed issuance of an export license relative to the United Kingdom, France, Italy, Sweden, Australia, Germany, Norway, Japan, Belgium, Bermuda, and Canada; to the Committee on Foreign Relations.

EC–11058. A communication from the President and Chief Executive Officer of the Overseas Private Investment Corporation, transmitting, pursuant to law, a report relative to the updated strategic plan for fiscal year 2000 through 2005; to the Committee on Foreign Relations.

EC–11059. A communication from the Director of the Office of Equal Opportunity Program, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance'' (RIN1190–AA28) received on October 3, 2000; to the Committee on Finance.

EC–11060. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the effect of the Nursing Home Initiative on nursing home quality of care; to the Committee on Finance.

EC–11061. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Advance transit passes under section 132(f) of the Internal Revenue Code'' (Announcement 2000–78) received on October 4, 2000; to the Committee on Finance.

EC–11062. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 846 Discount Factors for 2000'' (Revenue Procedure 2000–44) received on October 5, 2000; to the Committee on Finance.

EC–11063. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 832 Discount Factors for 2000'' (Revenue Procedure 2000–45) received on October 5, 2000; to the Committee on Finance.

EC–11064. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rabbi Trust Notice'' (Notice 2000–56) received on October 5, 2000; to the Committee on Finance.

EC–11065. A communication from the Attorney-Advisor, Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice of Proposed Rulemaking; Rules and Procedures for Efficient Federal-State Transfers'' (RIN1510–AA38) received on October 5, 2000; to the Committee on Finance.

EC–11066. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, a report relative to the revised strategic plan; to the Committee on Commerce, Science, and Transportation.

EC–11067. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Appliance Labeling Rule, 16 C.F.R. Part 305'' (RIN3084–AA74) received on October 4, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11068. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class D Airspace; Gary IN and establishment of Class E Airspace; Gary, IN; docket No. 00–AGL–16 [9–29/10–5]'' (RIN2120–AA66) (2000–0228) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11069. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Duchesne, UT; docket No. 00–ANM–08 [9/21–10/5]'' (RIN2120–AA66) (2000–0229) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11070. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Designations, IBR; docket No. 29334 [9–19/10–5]'' (RIN2120–AA66) (2000–0230) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11071. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Augusta SpA Model A109E Helicopters; docket No. 2000–SW–41 [9–23/10–5]'' (RIN2120–AA64) (2000–0477) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11072. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777 Series Airplanes; docket No. 2000–NM–259 [9–22/10–5]'' (RIN2120–AA64) (2000–0478) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11073. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes, docket No. 2000–NM–43 [9–20/10–5]'' (RIN2120–AA64) (2000–0479) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11074. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB135 and EMB 145 Series Airplanes; docket No. 2000–NM–300 [9–18/10–5]'' (RIN2120–AA64) (2000–0480) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11075. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB135 and EMB 145; docket No. 2000–NM–301'' (RIN2120–AA64) (2000–0481) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11076. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (28); Amdt. No. 2010 [9–21/10–5]'' (RIN2120–AA65) (2000–0048) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

EC–11077. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (147); amdt. No. 2011 [9–21/10–5]'' (RIN2120–AA65) (2000–0049) received on October 5, 2000; to the Committee on Commerce, Science, and Transportation.

PETITONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–627. A resolution adopted by the Senate of the State of Michigan relative to a proposed mitigation policy for portions of the Lake Michigan shoreline; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 209

Whereas, The United States Army Corps of Engineers, through its Detroit district office, has issued a proposed erosion mitigation policy for shore protection projects along the eastern shoreline of Lake Michigan's Lower Peninsula. This proposed policy is designed to minimize damage to the delicate ecology of the shore by structures constructed to save property threatened by erosion. The corps is seeking public comment until September 29, 2000; and

Whereas, The policy proposed provides for a series of requirements and reviews to safeguard the shoreline from damage that may occur at locations that can be some distance from any retaining wall or other project. A variety of permit options are presented; and

Whereas, There are many aspects of the proposed policy that have generated concern. One of the key problem areas is the possibility that the Corps of Engineers may be impinging upon the rights of private property owners to take reasonable steps to protect their property. Requirements for private property owners who follow regulations in constructing protective seawalls to bear all of the costs of beach nourishment can be a major obstacle for a property owner protecting his or her property; and

Whereas, In any discussion of the erosion mitigation policy, it is essential to determine the authority for the establishment of policies and for the enforcement of them. The line between congressional responsibility and the Army's responsibility must be understood for both clarity and consistency. This will also contribute to public support for shore protection practices; now, therefore, be it

Resolved by the Senate, That we urge the United States Army Corps of Engineers to hold public hearings on its proposed erosion mitigation policy for portions of the Lake Michigan shoreline (file number 00–900–001–0); and be it further

Resolved, That copies of this resolution be transmitted to the Detroit District of the United States Army Corps of Engineers, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 1688: A bill to amend chapter 89 of title 5, United States Code, relating to the Federal Employees Health Benefits Program, to enable the Federal Government to enroll an employee and the family of the employee in the program when a State court orders the employee to provide health insurance coverage for a child of the employee, but the employee fails to provide the coverage, and for other purposes (Rept. No. 106–492).

H.R. 3995: A bill to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government (Rept. No. 106–493).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BINGAMAN (for himself, Mr. DOMENICI, and Mr. CONRAD):

S. 3176. A bill to conduct a demonstration program to show that physician shortage, recruitment, and retention problems may be ameliorated in rural states by developing a comprehensive program that will result in statewide physician population growth; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. BREAUX, and Mr. REED):

S. 3177. A bill to require the Secretary of Health and Human Services to establish minimum nursing staff levels for nursing facilities, to provide for grants to improve the quality of care furnished in nursing facilities, and for other purposes; to the Committee on Finance.

By Mr. REID (for Mrs. FEINSTEIN (for herself, Mrs. BOXER, and Mr. AKAKA)):

S. 3178. A bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same age that applies with respect to Federal law enforcement officers; to the Committee on Governmental Affairs.

By Mrs. LINCOLN (for herself and Mr. CLELAND):

S. 3179. A bill to promote recreation on Federal lakes, to require Federal agencies responsible for managing Federal lakes to pursue strategies for enhancing recreational experiences of the public, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. EDWARDS:

S. 3180. A bill to provide for the disclosure of the collection of information through computer software, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MOYNIHAN (for himself, Mr. BYRD, and Mr. SCHUMER):

S. Res. 368. A resolution to recognize the importance of relocating and renovating the Hamilton Grange, New York; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself, Mr. INOUYE, Mr. THURMOND, and Mr. STEVENS):

S. Con. Res. 145. A concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capital; considered and agreed to.

By Mr. WELLSTONE (for himself and Mr. GRAMS):

S. Con. Res. 146. A concurrent resolution condemning the assassination of Father John Kaiser and others in Kenya, and calling for a thorough investigation to be conducted in those cases, a report on the progress made in such an investigation to be submitted to Congress by December 15, 2000, and a final report on such an investigation to be made public, and for other purposes; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. BINGAMAN (for himself, Mr. DOMENICI and Mr. CONRAD):

S. 3176. A bill to conduct a demonstration program to show that physician shortage, recruitment, and retention problems may be ameliorated in rural states by developing a comprehensive program that will result in statewide physician population growth; to the Committee on Finance.

RURAL STATES PHYSICIAN RECRUITMENT AND RETENTION DEMONSTRATION ACT OF 2000

Mr. BINGAMAN. Mr. President, I rise today with my colleague Senator DOMENICI of New Mexico to introduce legislation that is intended address a significant problem facing some rural states today—a serious shortage of physicians. The bills we are introducing are intended to demonstrate that physician shortages, and recruitment and retention problems can be ameliorated in some rural states by a multifaceted approach, including providing incentives for physicians in training to practice in areas where they are most likely to be needed.

The Council on Graduate Medical Education (COGME) has for some time held the position that the U.S., in the aggregate, has enough, if not too many, physicians. However, COGME's most recent report, published in March 1999, documented that almost half of the counties in our country are designated as Health Professional Shortage Areas—a remarkable finding, given almost three decades of Federal government efforts to address the geographic maldistribution of physicians.

In our State of New Mexico we have physician shortages that are worsening, with certain types of speciality physicians being in the shortest supply. According to 1998 data from the American Medical Association, New Mexico is 20 percent below the U.S. national average of 224 patient care physicians per 100,000 persons. In 15 New Mexico counties, there is no more than 1 physician or less per 1000 population, and 1 New Mexico county has no physician at all to care for its population.

And, Mr. President, New Mexico is not alone. Other rural states are also suffering.

A recent Health Care Finance Administration report showed that there has been a decline over the past 5 years in certain types of specialty physicians either practicing medicine or participating in the Medicare program in many rural states. The worst loss for New Mexico has occurred in thoracic surgery with a 35 percent decline. Several other specialities, such as urology, ophthalmology, and psychiatry, are not that far behind.

The only significant physician growth that can be seen is in primary care and that's still not adequate. With losses occurring in certain physician specialties, problems for all physicians' practices are continuing to worsen—they can't refer patients to specialists without great difficulty. For example, in New Mexico, there have been accounts of patients being referred to ear, nose and throat doctors having to wait up to 9 months for a non-emergency consultation. Without a timely in-state consultation, the patient's primary care physician may have to refer the patient to an out of state speciality physician for care. This is frustrating for the physician, and costly and time consuming for the patient.

As many of you know, New Mexico is one of the nation's poorest states, with a large uninsured population. In 1998, it ranked 48th in the amount of personal income per capita. For many physicians, this means they may never get paid for much of the work they do.

The physician shortage is becoming so severe in our state that last year the New Mexico Medical Society conducted a survey of our physicians to try to find out about how doctors are faring in the state. The response from New Mexico physicians was shocking—42 percent of the physicians surveyed said that they are seriously or somewhat seriously considering leaving their medical practice, and 40 percent said that reimbursement rates are a significant problem. Comments offered by physicians in this survey were very clear—''I make a good income, but to do that I have to work 65–70 hours a week, in, and week out. The reimbursement rates are such that I could move to a lot of nice places and maintain my income and work three-quarters as much. Family life is important.''

Almost weekly, New Mexico newspapers report about problems caused by provider shortages. On September 7th, the Albuquerque Journal carried a story about a women who had fallen, bruised her spinal cord, and rapidly developed paralysis of both hands and arms. She had to wait 18 hours to be seen on an emergency basis because of a critical shortage of neurosurgeons in Albuquerque, New Mexico's largest city. Stories like this one are becoming more and more common. There are many accounts of New Mexicans having to wait up to 9 months for an appointment to be seen by a specialist, and of newborns having to be transported out of state because the neonatal intensive care unit does not have adequate physician coverage.

My offices in Washington, DC, and New Mexico are constantly receiving letters and phone calls, and visits from constituents who want to tell us about physician shortages, physicians leaving the State of New Mexico, and the loss of their individual providers. They can't understand why this happening in a country with the greatest healthcare system in the world.

All of these problems clearly show that New Mexico's health care system has broken down. However, it is not only New Mexico that is experiencing these problems. Other rural states are experiencing similar problems—they have become states that are being avoided by physicians entering practice. With the population in these states continuing to grow, the problem just gets worse. If this situation is not addressed right now, it will result in a complete breakdown of an already fragile health care delivery system.

This is why we are each introducing this package of legislation today. These two bills, the ''Rural States Physician Recruitment and Retention Demonstration Act of 2000, will together, when enacted, demonstrate that physician shortages and recruitment and retention problems can be ameliorated in rural states by instituting a comprehensive plan that provides for a proper physician speciality mix that will address the needs of a rural state's population.

My legislation will require the Secretary of the Department of Health and Human Services to establish a demonstration program that will:

Target up to a 15 percent increase in physician residency slots identified to be in short supply in demonstration states. These expanded residency slots would carry with them a legally binding commitment to practice in the demonstration state on a year of training for year of service basis.

Establish a loan repayment program to provide incentives for physicians in identified shortage specialities to locate their practices in demonstration states. This program will help physicians repay their educational loans on a year of service for a year of loan repayment basis in return for a commitment to practice in the demonstration state.

Develop a demonstration state health professional data base to capture and track the practice characteristics and distribution of licensed health care providers. This data will be used to develop a baseline and track changes in a demonstration state's health professions workforce, target this demonstration program to identified physician specialities and determine a state's need for other types of supportive health professionals.

Provide for an evaluation of each element of our comprehensive demonstration by the Council on Graduate Medical Education (COGME) for physician workforce issues, and by Medicare Payment Advisory Commission (Medpac) for Medicare reimbursement and Medicare funded graduate medical education positions.

As I mentioned earlier, one of the primary reason physicians report they are leaving New Mexico is because reimbursement is too low, particularly when combined with other factors like long work days, inability to recruit speciality physicians, and provide comprehensive patient care in a reasonable period of time.

That's why the second part of this package, the Physician Recruitment and Retention Act of 2000, consists of legislation that will provide physicians that are practicing in demonstration states with a special 5 percent Medicare part B reimbursement rate increase. This increase will provide a financial incentive to physicians to continue to practice in the underserved states and also to continue to participate in the Medicare program.

Both Senator DOMENICI and I anticipate that by the end of this demonstration program, physician shortages, particularly in specific physician specialities, will be greatly diminished or even have disappeared.

Mr. President, the health care system in New Mexico is near collapse for reasons too numerous and complex to get into here. These bills we are introducing today, in combination with the fixes we are making to the problems resulting from the BBA of 1997, may stave off disaster for a while. I certainly hope they will.

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

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

S. 3176

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Rural States Physician Recruitment and Retention Demonstration Act of 2000''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Rural States Physician Recruitment and Retention Demonstration Program.
Sec. 4. Establishment of the Health Professions Database.
Sec. 5. Evaluation and reports.
Sec. 6. Contracting flexibility.

SEC. 2. DEFINITIONS.

In this Act:

(1) COGME.—The term ''COGME'' means the Council on Graduate Medical Education established under section 762 of the Public Health Service Act (42 U.S.C. 294o).

(2) DEMONSTRATION PROGRAM.—The term ''demonstration program'' means the Rural States Physician Recruitment and Retention Demonstration Program established by the Secretary under section 3(a).

(3) DEMONSTRATION STATES.—The term ''demonstration States'' means the 2 States selected by the Secretary that, based upon 1998 data, have—

(A) an uninsured population above 20 percent (as determined by the Bureau of the Census);

(B) a population eligible for medical assistance under the medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) above 17 percent (as determined by the Health Care Financing Administration);

(C) an unemployment rate above 4.8 percent (as determined by the Bureau of Labor Statistics);

(D) an average per capita income below $21,200 (as determined by the Bureau of Economic Analysis); and

(E) a geographic practice cost indices component of the reimbursement rate for physicians under the medicare program that is below the national average (as determined by the Health Care Financing Administration).

(4) ELIGIBLE RESIDENCY OR FELLOWSHIP GRADUATE.—The term ''eligible residency or fellowship graduate'' means a graduate of an approved medical residency training program (as defined in section 1886(h)(5)(A) of the Social Security Act (42 U.S.C. 1395ww(h)(5)(A))) in a shortage physician specialty.

(5) HEALTH PROFESSIONS DATABASE.—The term ''Health Professions Database'' means the database established under section 4(a).

(6) MEDICARE PROGRAM.—The term ''medicare program'' means the health benefits program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

(7) MEDPAC.—The term ''MedPAC'' means the Medicare Payment Advisory Commission established under section 1805 of the Social Security Act (42 U.S.C. 1395b–6).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(9) SHORTAGE PHYSICIAN SPECIALTIES.—The term ''shortage physician specialty'' means a medical or surgical specialty identified in a demonstration State by the Secretary based on—

(A) an analysis and comparison of National data and demonstration State data; and

(B) recommendations from appropriate Federal, State, and private commissions, centers, councils, medical and surgical physician specialty boards, and medical societies or associations involved in physician workforce, education and training, and payment issues.

SEC. 3. RURAL STATES PHYSICIAN RECRUITMENT AND RETENTION DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a Rural States Physician Recruitment and Retention Demonstration Program for the purpose of ameliorating physician shortage, recruitment, and retention problems in rural states in accordance with the requirements of this section.

(2) CONSULTATION.—For purposes of establishing the demonstration program, the Secretary shall consult with—

(A) COGME;

(B) MedPAC;

(C) a representative of each demonstration State medical society or association;

(D) the health workforce planning and physician training authority of each demonstration State; and

(E) any other entity described in section 2(9)(B).

(b) DURATION.—The Secretary shall conduct the demonstration program for a period of 10 years.

(c) CONDUCT OF PROGRAM.—

(1) FUNDING OF ADDITIONAL RESIDENCY AND FELLOWSHIP POSITIONS.—

(A) IN GENERAL.—As part of the demonstration program, the Secretary (acting through the Administrator of the Health Care Financing Administration) shall—

(i) waive any limitation under section 1886 of the Social Security Act (42 U.S.C. 1395ww) with respect to the number of residency and fellowship positions;

(ii) increase by up to 15 percent of the total number residency and fellowship positions approved at each medical residency training program in each demonstration State the number of residency and fellowships in each shortage physician specialty; and

(iii) subject to subparagraph (C), provide funding for such additional positions under subsections (d)(5)(B) and (h) of section 1886 of the Social Security Act (42 U.S.C. 1395ww).

(B) ESTABLISHMENT OF ADDITIONAL POSITIONS.—

(i) IDENTIFICATION.—The Secretary shall identify each additional residency and fellowship position created as a result of the application of subparagraph (A).

(ii) NEGOTIATION AND CONSULTATION.—The Secretary shall negotiate and consult with representatives of each approved medical residency training program in a demonstration State at which a position identified under clause (i) is created for purposes of supporting such position.

(C) CONTRACTS WITH RESIDENTS AND FELLOWS.—

(i) IN GENERAL.—The Secretary shall condition the availability of funding for each residency and fellowship position identified under subparagraph (B)(i) on the execution of a contract containing the provisions described in clause (ii) by each individual accepting such a residency or fellowship position.

(ii) PROVISIONS DESCRIBED.—The provisions described in this clause provide that, upon completion of the residency or fellowship, the individual completing such residency or fellowship will practice in the demonstration State in which such residency or fellowship was completed that is designated by the contract for 1 year for each year of training under the residency or fellowship in the demonstration State.

(iii) CONSTRUCTION.—The period that the individual practices in the area designated by the contract shall be in addition to any period that such individual practices in an area designated under a contract executed pursuant to paragraph (2)(C).

(D) LIMITATIONS.—

(i) PERIOD OF PAYMENT.—The Secretary may not fund any residency of fellowship position identified under subparagraph (B)(i) for a period of more than 5 years.

(ii) PHASE-OUT OF PROGRAM.—The Secretary may not enter into any contract under subparagraph (C) after the date that is 5 years after the date on which the Secretary establishes the demonstration program.

(2) LOAN REPAYMENT AND FORGIVENESS PROGRAM.—

(A) IN GENERAL.—As part of the demonstration program, the Secretary (acting through the Administrator of Health Resources and Services Administration) shall establish a loan repayment and forgiveness program, through the holder of the loan, under which the Secretary assumes the obligation to repay a qualified loan amount for an educational loan of an eligible residency or fellowship graduate—

(i) for which the Secretary has approved an application submitted under subparagraph (D); and

(ii) with which the Secretary has entered into a contract under subparagraph (C).

(B) QUALIFIED LOAN AMOUNT.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall repay not more than $25,000 per graduate per year of the loan obligation on a loan that is outstanding during the period that the eligible residency or fellowship graduate practices in the area designated by the contract entered into under subparagraph (C).

(ii) LIMITATION.—The aggregate amount under this subparagraph shall not exceed $125,000 for any graduate and the Secretary may not repay or forgive more than 30 loans per year in each demonstration State under this paragraph.

(C) CONTRACTS WITH RESIDENTS AND FELLOWS.—

(i) IN GENERAL.—Each eligible residency or fellowship graduate desiring repayment of a loan under this paragraph shall execute a contract containing the provisions described in clause (ii).

(ii) PROVISIONS.—The provisions described in this clause are provisions that require the eligible residency or fellowship graduate to practice in a demonstration State during the period in which a loan is being repaid or forgiven under this section.

(D) APPLICATION.—

(i) IN GENERAL.—Each eligible residency or fellowship graduate desiring repayment of a loan under this paragraph shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(ii) PHASE-OUT OF LOAN REPAYMENT AND FORGIVENESS PROGRAM.—The Secretary may not accept an application for repayment of any loan under this paragraph after the date that is 5 years after the date on which the demonstration program is established.

(E) CONSTRUCTION.—Nothing in the section shall be construed to authorize any refunding of any repayment of a loan.

(F) PREVENTION OF DOUBLE BENEFITS.—No borrower may, for the same service, receive a benefit under both this paragraph and any loan repayment or forgiveness program under title VII of the Public Health Service Act (42 U.S.C. 292 et seq.).

(d) WAIVER OF MEDICARE REQUIREMENTS.—The Secretary is authorized to waive any requirement of the medicare program, or approve equivalent or alternative ways of meeting such a requirement, if such waiver is necessary to carry out the demonstration program, including the waiver of any limitation on the amount of payment or number of residents under section 1886 of the Social Security Act (42 U.S.C. 1395ww).

(e) APPROPRIATIONS.—

(1) FUNDING OF ADDITIONAL RESIDENCY AND FELLOWSHIP POSITIONS.—Any expenditures resulting from the establishment of the funding of additional residency and fellowship positions under subsection (c)(1) shall be made from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i).

(2) LOAN REPAYMENT AND FORGIVENESS PROGRAM.—There are authorized to be appropriated such sums as may be necessary to carry out the loan repayment and forgiveness program established under subsection (c)(2).

SEC. 4. ESTABLISHMENT OF THE HEALTH PROFESSIONS DATABASE.

(a) ESTABLISHMENT OF THE HEALTH PROFESSIONS DATABASE.—

(1) IN GENERAL.—Not later than 7 months after the date of enactment of this Act, the Secretary (acting through the Administrator of Health Resources and Services Administration) shall establish a State-specific health professions database to track health professionals in each demonstration State with respect to specialty certifications, practice characteristics, professional licensure, practice types, locations, education, training, as well as obligations under the demonstration program as a result of the execution of a contract under paragraph (1)(C) or (2)(C) of section 3(c).

(2) DATA SOURCES.—In establishing the Health Professions Database, the Secretary shall use the latest available data from existing health workforce files, including the AMA Master File, State databases, specialty medical society data sources and information, and such other data points as may be recommended by COGME, MedPAC, the National Center for Workforce Information and Analysis, or the medical society of the respective demonstration State.

(b) AVAILABILITY.—

(1) DURING THE PROGRAM.—During the demonstration program, data from the Health Professions Database shall be made available to the Secretary, each demonstration State, and the public for the purposes of—

(A) developing a baseline and to track changes in a demonstration State's health professions workforce;

(B) tracking direct and indirect graduate medical education payments to hospitals;

(C) tracking the forgiveness and repayment of loans for educating physicians; and

(D) tracking commitments by physicians under the demonstration program.

(2) FOLLOWING THE PROGRAM.—Following the termination of the demonstration program, a demonstration State may elect to maintain the Health Professions Database for such State at its expense.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the purpose of carrying out this section.

SEC. 5. EVALUATION AND REPORTS.

(a) EVALUATION.—

(1) IN GENERAL.—COGME and MedPAC shall jointly conduct a comprehensive evaluation of the demonstration program established under section 3.

(2) MATTERS EVALUATED.—The evaluation conducted under paragraph (1) shall include an analysis of the effectiveness of the funding of additional residency and fellowship positions and the loan repayment and forgiveness program on physician recruitment, retention, and specialty mix in each demonstration State.

(b) PROGRESS REPORTS.—

(1) COGME.—COGME shall submit a report on the progress of the demonstration program to the Secretary and Congress 1 year after the date on which the Secretary establishes the demonstration program, 5 years after such date, and 10 years after such date.

(2) MEDPAC.—MedPAC shall submit biennial reports on the progress of the demonstration program to the Secretary and Congress.

(c) FINAL REPORT.—Not later than 1 year after the date on which the demonstration program terminates, COGME and MedPAC shall submit a final report to the President, Congress, and the Secretary which shall contain a detailed statement of the findings and conclusions of COGME and MedPAC, together with such recommendations for such legislation and administrative actions as COGME and MedPAC consider appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to COGME such sums as may be necessary for the purpose of carrying out this section.

SEC. 6. CONTRACTING FLEXIBILITY.

For purposes of conducting the demonstration program and establishing and administering the Health Professions Database, the Secretary may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

By Mr. GRASSLEY (for himself, Mr. BREAUX, and Mr. REED):

S. 3177. A bill to require the Secretary of Health and Human Services to establish minimum nursing staff levels for nursing facilities, to provide for grants to improve the quality of care furnished in nursing facilities, and for other purposes; to the Committee on Finance.

NURSING HOME STAFF IMPROVEMENT ACT OF 2000

Mr. GRASSLEY. Mr. President, I am pleased to have the support of Senator BREAUX in introducing The Nursing Home Staff Improvement Act of 2000. This is an important piece of legislation for the 1.6 million frail elderly Americans who reside in nursing homes across the nation.

A recently released and long overdue report from the Health Care Financing Administration was the immediate impetus for our bill. This report was first mandated by Congress in 1990. It took the Department of Health and Human Services 10 years to complete Part I of the report. It will take almost another year to finish it. The first part of the study documented, to just about everyone's satisfaction, severe staffing shortages, severe staffing shortages in our nation's nursing homes. While we are waiting for the agency to complete the second and final part of the report, Senate BREAUX and I want to begin to address the staffing crisis in long-term care. Therefore, we are introducing this legislation today.

We have a long way to go in meeting the staffing needs of elderly nursing home residents. The bill we are introducing today is not the answer to the problem. It is only a first step. Yet, it is an extremely important step that Congress should take.

Before describing the bill Senator BREAUX and I are introducing today, I'd like to take a couple of minutes to go over the history of our committee's work on nursing home quality of care and HCFA oversight of the Nursing Home Reform Act of 1987. It's important for me to emphasize the scope and depth of the problem in order to give my fellow Senators an appreciation of the context out of which this legislation developed.

In the fall of 1997, serious allegations were brought to my attention about the quality of care provided in California nursing homes. These allegations claimed that thousands of California nursing home residents had suffered and met with untimely and unnecessary deaths due to malnutrition, dehydration, decubitus ulcers, and urinary tract infections.

In an effort to respond to these allegations, I asked the General Accounting Office [GAO] to conduct a thorough review of them and, more generally, of the quality of care in California nursing homes.

This review culminated in a 2-day hearing held on July 27–28, 1998, entitled ''Betrayal: The Quality of Care in California Nursing Homes.'' At this hearing, the GAO released its report titled ''California Nursing Homes: Care Problems Persist Despite Federal and State Oversight.'' The findings of this

report were explosive and disturbing, illustrating that residents in far too many California nursing homes were threatened by seriously substandard care.

One week prior to this hearing, the Clinton administration announced a broad set of new nursing home initiatives to improve enforcement of the Nursing Home Reform Act and, hence, the quality of care in nursing facilities. The administration was acting in response to the impending release of the GAO's study before the scheduled Aging Committee hearing. It acted also in response to a congressionally mandated report by the Department of Health and Human Services on nursing home oversight that was completed just before the hearing. The Department's report uncovered weaknesses on the part of the federal government in its oversight of nursing home quality of care. As the Federal agency with regulatory oversight responsibility over our Nation's nursing homes, the Health Care Financing Administration [HCFA] is responsible for monitoring the compliance of nursing home facilities in meeting the requirements of the Nursing Home Reform Act. For facilities found to be noncompliant, HCFA is responsible for seeing that remedies or sanctions are imposed until the situation is corrected. The administration's report found shortcomings in HCFA's enforcement of the Nursing Home Reform Act of 1987. The agency's report was really a kind of self-indictment. Up to that point, the agency had failed in its responsibility to protect nursing home residents.

As part of its multistep initiative, the administration called for improvements in nursing home inspections, better and more timely enforcement against nursing homes that repeatedly violate safety rules, and more attention to quality of care for nursing home residents through prevention of bed sores, malnutrition and dehydration. HCFA was given the responsibility for carrying out this initiative. Under my chairmanship, the Senate Special Committee on Aging has taken an active role in overseeing the implementation of the President's nursing home initiative led by the Administrator of HCFA. At regular hearings and forums, 10 to be specific, I have heard from family members, health care professionals and other long-term care experts about the progress and obstacles in achieving improved nursing home quality of care.

Anecdotally, we have heard from the very beginning of our work on nursing home quality of care that understaffing is a root cause of many of the problems facing nursing home residents. Because we desperately needed a more systematic, research-based analysis of this understaffing problem, I had persistently urged HCFA to finish the long delayed staffing report I mentioned earlier.

On July 27, 2000, Part I of the report, entitled ''Appropriateness of Minimum Staffing Ratios in Nursing Homes'' was done, and our committee held a hearing to take testimony on it. The report and the hearing presented groundbreaking new information on nursing facility staffing. It was the first time that understaffing, and the consequences of understaffing, were described by a scientifically sound government report. Although a Part II of the report will be required to completely validate the findings of Part I and to analyze a number of other questions raised by Part I, the report showed for the first time what family members and resident advocates had been saying for years: that the majority of nursing homes in our country are dramatically understaffed. Specifically, the report concluded that more than half of nursing facilities around the country employ too few nurses and nurse aides to provide adequate care to residents.

As a result of these report findings, I began working on legislation to address the serious problems of understaffing. I started by seeking input from interested parties, including the Administration, nursing home providers, health care professionals, and resident advocates. I finalized my proposal right around the same time the President announced the administration's initiative in this area. The two proposals are similar in their goal to start addressing the problems of understaffing in nursing facilities.

As I said earlier, the impetus for my bill was the Report to Congress on the ''Appropriateness of Minimum Nurse Staffing Ratios in Nursing Homes''. The major conclusions of the report are outlined in the Findings section of our bill. The report found that 2.0 nurse aide hours per resident day is a threshold below which residents' lives are at risk, not a standard for the provision of appropriate care. The findings also showed that 2.9 nurse aide hours per resident day are necessary for a nurse aide to complete core resident care tasks, although, because of the very conservative estimates used in this part of the study, 2.9 hours probably significantly understates the staffing levels necessary for a nurse aide to complete these core tasks. Part I of the report also indicated that Part II will analyze and report on minimum staffing levels according to a facility's resident acuity level. I urge Congress and the Administration to be careful in accepting either the 2.0 or 2.9 nurse aide hours per resident day as a minimum goal for nursing facilities until these results are validated and case-mix is included in the equation. It is reasonable to expect that staffing requirements will be substantially higher for facilities that have residents with higher acuity.

Our bill calls for the completion of phase two of the study. It requires the Secretary to complete the report not later than July 1, 2001. It adds to the original authority a requirement that the study undertake several tasks that Part I of the report stated would be done in the second phase. Among other things, these tasks include a requirement that the case mix analysis of Part I of the report be further refined and related to appropriate minimum staffing levels. It also adds to the original authority a requirement that the report analyze ''optimal minimum'' caregiver to resident levels and ''optimal minimum'' supervisor to caregiver levels of skilled nursing facilities participating in the Medicare program and nursing facilities participating in the Medicaid program. We modified the original authority in this manner because we believed the public should know not just appropriate minimum staffing levels, but also what more optimal staffing levels should be in nursing facilities.

My bill requires that minimum staffing levels be developed and enforced within one year of the completion of the Report. It requires the Secretary to make recommendations regarding appropriate minimum caregiver to resident levels and minimum supervisor to caregiver levels for skilled nursing facilities participating in the Medicare program and nursing facilities participating in the Medicaid program. The Secretary further shall require through the administrative rulemaking process compliance with appropriate minimum staffing levels as a condition for such facilities to receive payment under those programs. The Secretary would be required to promulgate a final rule not later than one year after completion of the report.

The bill requires that the Secretary establish appropriate minimum staffing levels because we believed that a regulatory requirement should establish those staffing levels that will assure that residents receive the quality of care they have a right to receive under the terms of the Nursing Home Reform Act of 1987. We assume that the resident case mix of a facility will have an effect on the appropriate minimum staffing levels of the facility.

In order to help States prepare for the minimum staffing levels that the Secretary will promulgate by July 1, 2002, my bill establishes a competitive state grant program. The purpose of the grant program will be to improve staffing levels in nursing facilities in order to improve the quality of care to residents of such facilities. A state that secures such a grant may provide technical or financial support to nursing facilities, labor organizations, nonprofit organizations, community colleges, or other organizations approved by the Secretary. Such support from the state shall be used for projects which will help to increase or improve recruitment and retention of direct

care nursing staff. Projects supported by a state must be consistent with the requirements of sections 1818 and 1919 of the Social Security Act. No funds may be made available to county or state-owned nursing facilities. Funds used under a grant to a state may only be used to supplement, not supplant, other funds that the state extends to carry out the activities that may be supported by this grant program. The Secretary shall evaluate this grant program and report to the Congress on her findings not later than six months after completion of the grant program. Authorized to be appropriated are $500,000,000 for each of fiscal years 2001 and 2002.

My bill includes a requirement for reporting of accurate information on staffing. Skilled nursing facilities participating in the Medicare program and nursing facilities participating in the Medicaid program would be required to submit staffing information to the Secretary in a form and manner determined by the Secretary. Such information must be attested to as accurate by the reporting facility. The Secretary shall periodically post and update such information on the Nursing Home Compare web site. Skilled nursing facilities participating in the Medicare program and nursing facilities participating in the Medicaid program shall submit to the Secretary a classification of all residents of the facility according to the resident classification system required under current law. My understanding is that nursing facilities should have data on hand and in a form that would be required by the Secretary for reporting to the Department, and, thus, the administrative burden of this requirement should be minimal.

My bill includes a requirement for posting of facility staffing information. Facilities participating in the Medicare and Medicaid program would be required to post daily for each nursing unit and each work shift the current number of licensed and unlicensed nursing staff directly responsible for resident care together with the number of residents per unit and shift.

Throughout my work and oversight activity of nursing facility quality of care, I have made it a point to stress that there are many good nursing facilities. When a family is in need of a facility for a loved one, it is critically important that individuals shop around and gather information in order to find the best nursing home to meet the needs of their loved ones. The provision in my bill calling for additional reporting of staffing and facility posting of staffing data will help families which need to find a good facility for a loved one's placement. It should also eventually have an effect on the overall quality of care in nursing facilities as families search out and choose better facilities.

The information collected by HCFA will help it improve and maintain its Nursing Home Compare web site. This is a database which contains information on every Medicare and Medicaid certified nursing home in the country. You can locate nursing homes in your area and find information about compliance with Medicare and Medicaid regulations based on the facility's most recent survey by state inspectors. Additionally, the web site contains useful phone numbers for survey agencies and long term care ombudsmen on the web site's ''Phone Directory'' page.

In closing, I plan to continue my work to improve quality of care and quality of life for nursing home residents. In my position as Chairman of the Special Committee on Aging, I will continue to monitor the quality of care provided to our nation's nursing home residents. With the assistance of the GAO, I will continually assess and monitor the Health Care Financing Administration's progress and commitment to improving the quality of care in nursing homes.

Mr. BREAUX. Mr. President, I rise today as ranking member of the Special Committee on Aging and am proud to inform you that after the culmination of years of investigation and attention to the relationship between nursing home staff levels and quality of care, today Senator GRASSLEY—my colleague on the Committee—and I are introducing legislation on this important issue. Our ''Nursing Facility Staff Improvement Act of 2000'' would encourage increased quantities of staff but also would improve the quality of those caring for our loved ones in nursing homes.

Chairman GRASSLEY and I have been committed to ensuring that our seniors are getting the best quality care possible in our nation's nursing homes, and the Aging Committee has held numerous hearings regarding the best way to reach this goal. We have been working with HCFA to determine the best way to ensure state surveyors are appropriately monitoring the quality of care their residents receive. Additionally, we held a hearing to learn from industry representatives about the links between nursing home bankruptcies and quality care. And we have continually and consistently sent the message that we will remain involved and committed to improvement for as long as it takes.

The bill we introduce today—the Nursing Facility Staff Improvement Act of 2000—is the result of bipartisan efforts to put something on the books that will not only provide real incentives for nursing home staff to strive to do their jobs well but will also be a huge step toward defining what optional nursing home care should entail. I commend President Clinton for building on the Aging Committee's findings and making this very important issue one of his priorities.

More specifically, this bill will:

Call for the Secretary of HHS to establish a competitive grant program to the states to increase or improve the recruitment and retention of direct care nursing staff. Provide for $1 billion over two years. Require that HCFA complete Phase II of their Nursing Home Staffing study and report back not later than July 1, 2001. Appropriate use of grant monies would include: establishing career ladders for nurse aides; improving nursing management; providing additional training programs for staff.

In conclusion, it is exciting for me to put forth a piece of legislation that offers tangible incentives to current and future staff and also directly encourages appropriate nursing home care for our loved ones. This effort has truly been one of joint cooperation between my Republican colleague on the Aging Committee and myself and I am proud to introduce it to you today.

Mr. REED. Mr. President, I rise today to join my colleague from Iowa, the Chairman of the Special Senate Committee on Aging, to introduce legislation that we hope will begin to address an immediate and critical labor shortage facing nursing home facilities across the nation as well as the long term objective of establishing nursing home staffing thresholds.

In late July, the Health Care Financing Administration, HCFA, released the first phase of its long awaited report on the feasibility and appropriateness of minimum nursing home staffing ratios. The initial phase of this report explored the relationship between staffing levels and quality of care. The HCFA study found a strong correlation between certain staffing thresholds and the quality of care provided to nursing home residents. The report also found that nursing homes are having great difficulty in recruiting and retaining qualified staff to work in their facilities. Clearly, we can and should be doing more to ensure that the care of our elderly and disabled is not being placed at risk.

In my home state of Rhode Island, we have been dealing with a critical shortage in the number of Certified Nursing Assistants, CNAs, in particular. CNAs provide direct care in a skilled nursing setting to residents who need help with essential daily living tasks, such as dressing, feeding and bathing. A state task force comprised of long term care providers and nursing home consumer advocates found that over 26,000 individuals were licensed as CNAs, but only 14,000 are currently working in the field. The task force also found that the turnover rate for CNAs rose to an unprecedented 82.6 percent in 1999.

The two most important issues identified in the state report were wages and adequate staffing levels. In terms of wages, a person in my state can make more in starting salary as a

hotel maid in Providence ($9.50/hour) than they would as a licensed CNA ($7.69/hour). Those individuals who have dedicated their careers to caring for our most vulnerable citizens certainly deserve better and the legislation we are introducing today will help to restore respect and dignity to the caregiver profession.

The Nursing Home Staff Improvement Act will address these problems in essentially two ways. First, the legislation requires the Secretary of Health and Human Services to complete the second phase of the nursing home staffing report by July 2001. The Secretary will then be called upon to use the findings and recommendations of the final report to develop appropriate caregiver to resident and supervisor to caregiver ratios for nursing facilities that participate in the Medicare and Medicaid programs. The second major component of the bill is the establishment of a grant program to States for the purpose of augmenting staffing levels. This provision, which is based on a initiative announced by President Clinton in mid-September, will support projects aimed at improving the recruitment and retention of direct nursing staff. The bill also requires nursing homes to post, on a daily basis, the number of staff and residents at the facility as well as submit staffing information to the Secretary.

As a member of the Special Senate Committee on Aging, I am pleased to be an original cosponsor of the Nursing Home Staff Improvement Act, a balanced piece of legislation that I believe will go a long way in stabilizing nursing home staffing levels nationwide. I look forward to working with Senator GRASSLEY and my other colleagues to enact this important legislation.

By Mrs. LINCOLN (for herself and Mr. CLELAND):

S. 3179. A bill to promote recreation on Federal lakes, to require Federal agencies responsible for managing Federal lakes to pursue strategies for enhancing recreational experiences of the public, and for other purposes; to the Committee on Energy and Natural Resources.

RECREATION LAKES ACT OF 2000

Mrs. LINCOLN. Mr. President, I rise today to introduce the Recreation Lakes Act of 2000—a bill that will recognize the benefits and value of recreation at federal lakes and give recreation a seat at the table in the management decisions of all our federal lakes. I am proud to be joined in this effort today by Senator CLELAND.

Recreation on our federal lakes has become a powerful tourist magnet, attracting some 900 million visitors annually and generating an estimated $44 billion in economic activity—mostly spent on privately-provided goods and services. And by the middle of this century, our federal lakes are expected to host nearly two billion visitors per year.

Yet, even with the millions of visitors each year to our lakes and reservoirs, recreation has suffered from a lack of unifying policy direction and leadership, as well as insufficient interagency and intergovernmental planning and coordination. Most federal agencies are focused on the traditional functions of man-made lakes and reservoirs; flood control, hydroelectric power, water supply, irrigation, and navigation. And often recreation is left out of the decision process.

Mr. President, this legislation will reaffirm that recreation is also an authorized purpose at almost all federal lakes and direct the agencies managing these projects to take action to reemphasize recreation programs in their management plans. This legislation will emphasis partnerships between the federal government, local governments, and private groups to promote responsible recreation on all our federal lakes.

It will establish a National Recreational Lakes Demonstration Program, comprised of up to 20 lakes across the nation. At each of these federal lakes, the managing agency will be empowered to develop creative agreements with private sector recreation providers as well as state land agencies to enhance recreation opportunities. Rather than just building new federal campgrounds with tax dollars, we need to create new partnerships to provide support for building recreation infrastructure that is in line with visitor and tourist desires for recreation. The National Recreation Lakes Demonstration Program will be a pilot project to test these creative agreements and management techniques on a small scale to demonstrate their effectiveness at promoting recreation on federal lakes.

Second, this legislation will establish a Federal Recreation Lakes Leadership Council to coordinate the National Recreation Lakes Demonstration Program and coordinate efforts among federal agencies to promote recreation on federal lakes.

It also will include the Bureau of Reclamation and the U.S. Army Corps of Engineers in the Recreation Fee Demonstration Program. The Fee Demo Program has had wide successes in Arkansas and across the country in allowing individual parks and recreation areas to keep more of their fee revenues on-site to reduce the often overwhelming maintenance backlog.

The legislation will also provide for periodic review of the management of recreation at federal water projects—something long overdue. A great deal has changed since many of the water projects were authorized, yet the initial legislative direction from over 70 years ago continues to be the basis for the management practices now in the year 2000—and that is not right.

Finally, the legislation will provide new opportunities to link the national recreation lakes initiative with other federal recreation assistance efforts, including the Wallop-Breaux program for boating and fishing.

Mr. President, let me give you a little background on how this legislation was developed. In 1996, the U.S. Senate recognized that recreation was becoming more important on federal lakes and conceived the National Recreation Lakes Study Commission to review the current and anticipated demand for recreational opportunities on federally managed lakes and reservoirs. The National Recreation Lakes Study Commission was charged to ''review the current and anticipated demand for recreational opportunities at federally-managed man-made lakes and reservoirs'' and ''to develop alternatives for enhanced recreational use of such facilities.''

The Commission released its long-awaited report confirming the impact of recreation on federally-managed, man-made lakes in June of last year. The Commission also recognized that we are far from realizing their full potential. The study documented that these lakes are powerful tourist magnets, attracting some 900 million visitors annually and generating an estimated $44 billion in economic activity—mostly spent on privately-provided goods and services.

During the Energy and Natural Resources Committee's hearing last year on the Recreation Lakes Study, the Chairman and I spent some time discussing how children today do not take full advantage of the outdoor opportunities that are available to them. It is so important that we encourage our children to enjoy the great outdoors that often times is less than an hour's drive away.

As the mother of twin 4-year-old boys, I feel we need to encourage our children to be children, not to become adults too quickly, to learn how to enjoy the outdoors. The only way we can do that is by exposing them to it early and often.

In this nation we have nearly 1,800 federally-managed lakes and reservoirs. There are 38 in my home state of Arkansas. With so many federal lakes spread throughout the country, there's no reason why we shouldn't do all we can to promote recreation on our federal lakes. I know that in Arkansas, we don't think twice about getting away to the lake for the weekend to go boating or fishing, or to just get away from the day-to-day grind. And that doesn't even begin to get into the tremendous economic impact from recreation on our federal lakes.

Mr. President, this bill is not an attempt to completely rewrite how federal lakes in this country are managed

or to put recreation in front of all other authorized purposes at federal lakes.

The Recreation Lakes Act of 2000 will work with all current laws and regulations to ensure that recreation is merely given a seat at the table when the management decisions are made for our federal lakes.

Mr. President, this is a good bill. In everything from the creation of jobs to the money that tourists like myself spend at the marinas and local stores surrounding the lake—our Federal lakes and reservoirs have an immense recreational value that can and does bring revenues into our local economies. The best way to encourage and expand this aspect is to ensure that recreation is given a higher priority in the management of our federal lakes.

I encourage my colleagues to support this legislation and look forward to the debate on how we can promote recreation on our federal lakes.

By Mr. EDWARDS:

S. 3180. A bill to provide for the disclosure of the collection of information through computer software, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE SPYWARE CONTROL AND PRIVACY PROTECTION ACT

Mr. EDWARDS. Mr. President, how would you feel if someone was eavesdropping on your private phone conversations without your knowledge? Well, if it happened to me, I would be very disturbed. And I think that most Americans would be very disturbed to know that something similar may be happening every time they use their computers.

The shocking fact is that many software programs contain something called spyware. Spyware is computer code that surreptitiously uses our Internet connection to transmit information about things like our purchasing patterns and our health and financial status. This information is collected without our knowledge or explicit permission and the spyware programs run undetected while you surf the Internet.

Spyware has been found in Quicken software, which is manufactured by Intuit, Inc. So let me use this as an example. Imagine you purchase Quicken software or download it from the Internet. You install it on your computer to help you with your finances. However, unbeknownst to you, Quicken does more than install financial planning tools on your computer. It also installs a little piece of spyware. The spyware lies dormant until one day when you get on the Internet.

As you start surfing the Internet, the spyware sends back information to Intuit about what you buy and what you are interested in. And all of this happens without your knowledge. You could be on Amazon.com or researching health issues and at the very same time Intuit spyware is using your Internet connection, transmitting some of your most private data to someone you never heard of.

In the months since it was reported that Quicken contained spyware, the folks at Intuit may have decided to remove the spyware from Quicken. However, Quicken is not the only software program that may contain spyware. One computer expert recently found spyware programs in popular children's software that is designed to help them learn, such as Mattel Interactive's Reader Rabbit and Arthur's Thinking Games. And, according to another expert's assessment, spyware is present in four hundred software programs, including commonly used software such as RealNetworks RealDownload, Netscape/AOL Smart Download, and NetZip Download Demon. Spyware in these software programs can transmit information about every file you download from the Internet.

I rise today to introduce the Spyware Control and Privacy Protection Act of 2000. I believe that this legislation will help Americans regain some control over their personal information and will help stop the loss of their privacy and the privacy of their families.

My proposal is common-sense and simple. It incorporates all four fair information practices of notice, choice, access and security—practices that I believe are essential to effective computer privacy legislation.

First, the Act requires that any software that contains spyware must provide consumers with clear and conspicuous notice—at the time the software is installed—that the software contains spyware. The notice must also describe the information that the spyware will collect and indicate to whom it will be transmitted.

Another critical provision of my bill requires that software users must first give their affirmative consent before the spyware is enabled and allowed to start obtaining and sharing users' personal information with third parties. In other words, software users must ''opt-in'' to the collection and transmission of their information. My bill gives software users a choice whether they will allow the spyware to collect and share their information.

The Spyware Control and Privacy Protection Act allows for some common-sense exceptions to the notice and opt-in requirements. Under my proposal, software users would not have to receive notice and give their permission to enable the spyware if the software user's information is gathered in order to provide technical support for use of the software. In addition, users' information may be collected if it is necessary to determine if they are licensed users of the software. And finally, the legislation would not apply to situations where employers are using spyware to monitor Internet usage by their employees. I believe that this last issue is a serious one and deserves to be addressed in separate legislation.

Another important aspect of the Spyware Control and Privacy Protection Act is that it would incorporate the fair information practice known as ''access.'' What this means is that an individual software user would have the ability to find out what information has been collected about them, and would be given a reasonable chance to correct any errors.

And finally, the fourth fair information practice guaranteed by my bill is ''security.'' Anyone that uses spyware to collect information about software users must establish procedures to keep that information confidential and safe from hackers.

Spyware is a modern day Trojan horse. You install software on your computer thinking it's designed to help you, and it turns out that something else is hidden inside that may be quite harmful.

I have been closely following the privacy debate for some time now. And I am struck by how often I discover new ways in which our privacy is being eroded. Spyware is among the more startling examples of how this erosion is occurring.

Most people would agree that modern technology has been extraordinarily beneficial. It has enabled us to obtain information more quickly and easily than ever before. And companies have streamlined their processes for providing goods and services.

But these remarkable developments can have a startling downside. They have made it easier to track personal information such as medical and financial records, and buying habits. In turn, our ability to keep our personal information private is being eroded.

Even sophisticated computer software users are unlikely to be aware that information is being collected about their Internet surfing habits and is likely being fed into a growing personal profile maintained at a data warehouse. They don't know that companies can and do extract the information from the warehouse to create a so-called cyber-profile of what they are likely to buy, what the status of their health may be, what their family is like, and what their financial situation may be.

I believe that in the absence of government regulation, it is difficult, if not impossible for people to control the use of their own personal information. Consumers are not properly informed, and businesses are under no legal obligation to protect consumers' privacy.

I believe that the Spyware Control and Privacy Protection Act is a reasonable way to help Americans regain

some of their privacy. My legislation does not prevent software manufacturers from using their software to collect a consumer's online information. However, it gives back some control to the consumer by allowing him or her to decide whether their information may be gathered.

My bill protects consumer privacy, while enabling software companies and marketing firms to continue obtaining consumers' information if the consumer so chooses. Confidence in these companies will be enhanced if they are able to assure their customers that they will not collect their personal information without their permission.

Privacy protections should not stop with computer software. I am also proud to be a cosponsor of the Consumer Privacy Protection Act, a much-needed measure that would prevent Internet service providers, individual web sites, network advertisers, and other third parties from gathering information about our online surfing habits without our permission.

And last fall, I introduced the Telephone Call Privacy Act in order to prevent phone companies from disclosing consumers' private phone records without their permission. Although there are only a few weeks left in this congressional session, it is my hope that Congress will pass meaningful privacy legislation soon.

Increasingly, technology is impacting our lives and the lives of our families. I believe that while it is important to encourage technological growth, we must also balance new developments with our fundamental right to privacy. Otherwise, we may wake up one day and realize that our privacy has been so thoroughly eroded that it is impossible to recover.

I urge my colleagues to support the Spyware Control and Privacy Protection Act.

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

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

S. 3180

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 ''Spyware Control and Privacy Protection Act of 2000''.

SEC. 2. COLLECTION OF INFORMATION BY COMPUTER SOFTWARE.

(a) NOTICE AND CHOICE REQUIRED.—

(1) IN GENERAL.—Any computer software made available to the public, whether by sale or without charge, that includes a capability to collect information about the user of such computer software, the hardware on which such computer software is used, or the manner in which such computer software is used, and to disclose to such information to any person other than the user of such computer software, shall include—

(A) a clear and conspicuous written notice, on the first electronic page of the instructions for the installation of such computer software, that such computer software includes such capability;

(B) a description of the information subject to collection and the name and address of each person to whom such computer software will transmit or otherwise communicate such information; and

(C) a clear and conspicuous written electronic notice, in a manner reasonably calculated to provide the user of such computer software with easily understood instructions on how to disable such capability without affecting the performance or operation of such computer software for the purposes for which such computer software was intended.

(2) ENABLEMENT OF CAPABILITY.—A capability of computer software described in paragraph (1) may not be enabled unless the user of such computer software provides affirmative consent, in advance, to the enablement of the capability.

(3) EXCEPTION.—The requirements in paragraphs (1) and (2) shall not apply to any capability of computer software that is reasonably needed to—

(A) determine whether or not the user is a licensed or authorized user of such computer software;

(B) provide, upon request of the user, technical support of the use of such computer software by the user; or

(C) enable an employer to monitor computer usage by its employees while such employees are within the scope of employment as authorized by applicable Federal, State, or local law.

(4) USE OF INFORMATION COLLECTED THROUGH EXCEPTED CAPABILITY.—Any information collected through a capability described in paragraph (1) for a purpose referred to in paragraph (3) may be utilized only for the purpose for which such information is collected under paragraph (3).

(5) ACCESS TO INFORMATION COLLECTED THROUGH EXCEPTED CAPABILITY.—Any person collecting information about a user of computer software through a capability described in paragraph (1) shall—

(A) upon request of the user, provide reasonable access by user to information so collected;

(B) provide a reasonable opportunity for the user to correct, delete, or supplement such information; and

(C) make the correction or supplementary information a part of the information about the user for purposes of any future use of such information under this subsection.

(6) SECURITY OF INFORMATION COLLECTED THROUGH EXCEPTED CAPABILITY.—Any person collecting information through a capability described in paragraph (1) shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of such information.

(b) PREINSTALLATION.—In the case of computer software described in subsection (a)(1) that is installed on a computer by someone other than the user of such computer software, whether through preinstallation by the provider of such computer or computer software, by installation by someone before delivery of such computer to the user, or otherwise, the notice and instructions under that subsection shall be provided in electronic form to the user before the first use of such computer software by the user.

(c) VIOLATIONS.—A violation of subsection (a) or (b) shall be treated as an unfair or deceptive act or practice proscribed by section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(d) DISCLOSURE TO LAW ENFORCEMENT OR UNDER COURT ORDER.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, a computer software provider that collects information about users of the computer software may disclose information about a user of the computer software—

(A) to a law enforcement agency in response to a warrant issued under the Federal Rules of Criminal Procedure, an equivalent State warrant, or a court order issued in accordance with paragraph (3); or

(B) in response to a court order in a civil proceeding granted upon a showing of compelling need for the information that cannot be accommodated by any other means if—

(i) the user to whom the information relates is given reasonable notice by the person seeking the information of the court proceeding at which the order is requested; and

(ii) the user is afforded a reasonable opportunity to appear and contest the issuance of the requested order or to narrow its scope.

(2) SAFEGUARDS AGAINST FURTHER DISCLOSURE.—A court that issues an order described in paragraph (1) shall impose appropriate safeguards on the use of the information to protect against its unauthorized disclosure.

(3) COURT ORDERS.—A court order authorizing disclosure under paragraph (1)(A) may issue only with prior notice to the user and only if the law enforcement agency shows that there is probable cause to believe that the user has engaged, is engaging, or is about to engage in criminal activity and that the records or other information sought are material to the investigation of such activity. In the case of a State government authority, such a court order shall not issue if prohibited by the law of such State. A court issuing an order pursuant to this paragraph, on a motion made promptly by the computer software provider may quash or modify such order if the information or records requested are unreasonably voluminous in nature or if compliance with such order otherwise would cause an unreasonable burden on the provider.

(e) PRIVATE RIGHT OF ACTION.—

(1) ACTIONS AUTHORIZED.—A person may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate Federal court, if such laws or rules prohibit such actions, either or both of the actions as follows:

(A) An action based on a violation of subsection (a) or (b) to enjoin such violation.

(B) An action to recover actual monetary loss for a violation of subsection (a) or (b) in an amount equal to the greater of—

(i) the amount of such actual monetary loss; or

(ii) $2,500 for such violation, not to exceed a total amount of $500,000.

(2) ADDITIONAL REMEDY.—If the court in an action under paragraph (1) finds that the defendant willfully, knowingly, or repeatedly violated subsection (a) or (b), the court may, in its discretion, increase the amount of the award under paragraph (1)(B) to an amount not greater than three times the amount available under paragraph (1)(B)(ii).

(3) LITIGATION COSTS AND ATTORNEY FEES.—In any action under paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action and assess reasonable costs, including reasonable attorney fees, against the defendant.

(4) VENUE.—In addition to any contractual provision otherwise, venue for an action under paragraph (1) shall lie where the computer software concerned was installed or used or where the person alleged to have committed the violation concerned is found.

(5) PROTECTION OF TRADE SECRETS.—At the request of any party to an action under paragraph (1), or any other participant in such action, the court may, in its discretion, issue a protective order and conduct proceedings in such action so as to protect the secrecy and security of the computer, computer network, computer data, computer program, and computer software involved in order to—

(A) prevent possible recurrence of the same or a similar act by another person; or

(B) protect any trade secrets of such party or participant.

(f) DEFINITIONS.—In this section:

(1) COLLECT.—The term ''collect'' means the gathering of information about a computer or a user of computer software by any means, whether direct or indirect and whether active or passive.

(2) COMPUTER.—The term ''computer'' means a programmable electronic device that can store, retrieve, and process data.

(3) COMPUTER SOFTWARE.—(A) Except as provided in subparagraph (B), the term ''computer software'' means any program designed to cause a computer to perform a desired function or functions.

(B) The term does not include a text file, or cookie, placed on a person's computer system by an Internet service provider, interactive computer service, or commercial Internet website to return information to the Internet service provider, interactive computer service, commercial Internet website, or third party if the person subsequently uses the Internet service provider or interactive computer service, or accesses the commercial Internet website.

(4) INFORMATION.—The term ''information'' means information that personally identifies a user of computer software, including the following:

(A) A first and last name, whether given at birth or adoption, assumed, or legally changed.

(B) A home or other physical address including street name and name of a city or town.

(C) An electronic mail address.

(D) A telephone number.

(E) A social security number.

(F) A credit card number, any access code associated with the credit card, or both.

(G) A birth date, birth certificate number, or place of birth.

(H) Any other unique information identifying an individual that a computer software provider, Internet service provider, interactive computer service, or operator of a commercial Internet website collects and combines with information described in subparagraphs (A) through (G) of this paragraph.

(5) PERSON.—The term ''person'' has the meaning given that term in section 3(32) of the Communications Act of 1934 (47 U.S.C. 153(32)).

(6) USER.—The term ''user'' means an individual who acquires, through purchase or otherwise, computer software for purposes other than resale.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. DEWINE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 61, a bill to amend the Tariff Act of 1930 to eliminate disincentives to fair trade conditions.

S. 821

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 821, a bill to provide for the collection of data on traffic stops.

S. 1020

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1110

At the request of Mr. EDWARDS, his name was added as a cosponsor of S. 1110, a bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering.

S. 1197

At the request of Mr. ROTH, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1197, a bill to prohibit the importation of products made with dog or cat fur, to prohibit the sale, manufacture, offer for sale, transportation, and distribution of products made with dog or cat fur in the United States, and for other purposes.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from California (Mrs. BOXER), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Michigan (Mr. ABRAHAM), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Ohio (Mr. VOINOVICH), the Senator from Alabama (Mr. SESSIONS), the Senator from Tennessee (Mr. THOMPSON), the Senator from Nebraska (Mr. KERREY), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to modernize programs and services for older individuals, and for other purposes.

S. 2242

At the request of Mr. THOMAS, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 2242, a bill to amend the Federal Activities Inventory Reform Act of 1998 to improve the process for identifying the functions of the Federal Government that are not inherently governmental functions, for determining the appropriate organizations for the performance of such functions on the basis of competition, and for other purposes.

S. 2358

At the request of Mr. INHOFE, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2358, a bill to amend the Public Health Service Act with respect to the operation by the National Institutes of Health of an experimental program to stimulate competitive research.

S. 2609

At the request of Mr. CRAIG, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 2609, a bill to amend the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to States for fish and wildlife conservation projects, and to increase opportunities for recreational hunting, bow hunting, trapping, archery, and fishing, by eliminating chances for waste, fraud, abuse, maladministration, and unauthorized expenditures for administration and implementation of those Acts, and for other purposes.

S. 2725

At the request of Mr. SMITH of New Hampshire, the names of the Senator from New York (Mr. MOYNIHAN), the Senator from Delaware (Mr. ROTH), and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2725, a bill to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

S. 2967

At the request of Mr. ROBB, his name was added as a cosponsor of S. 2967, a bill to amend the Internal Revenue Code of 1986 to facilitate competition in the electric power industry.

S. 3045

At the request of Mr. SESSIONS, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 3045, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 3089

At the request of Mr. HAGEL, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 3089, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 3091

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 3091, a bill to implement the recommendations of the General Accounting Office on improving the administration of the Packers and Stockyards Act, 1921 by the Department of Agriculture.

S. 3106

At the request of Mr. JEFFORDS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3106, a bill to amend title XVIII of the Social Security Act to clarify the

definition of homebound under the medicare home health benefit.

S. 3116

At the request of Mr. BREAUX, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 3116, a bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

S. 3127

At the request of Mr. SANTORUM, the names of the Senator from Missouri (Mr. BOND) and the Senator from Michigan (Mr. ABRAHAM) were added as cosponsors of S. 3127, a bill to protect infants who are born alive.

S. 3137

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 3137, a bill to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

S. 3147

At the request of Mr. ROBB, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. 3147, a bill to authorize the establishment, on land of the Department of the Interior in the District of Columbia or its environs, of a memorial and gardens in honor and commemoration of Frederick Douglass.

S. 3152

At the request of Mr. ROTH, the names of the Senator from Minnesota (Mr. GRAMS) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 3152, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for distressed areas, and for other purposes.

S. 3173

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 3173, a bill to improve the implementation of the environmental streamlining provisions of the Transportation Equity Act for the 21st Century.

S. RES. 364

At the request of Mr. HATCH, the names of the Senator from Missouri (Mr. ASHCROFT), the Senator from Colorado (Mr. CAMPBELL), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. Res. 364, a resolution commending Sydney, New South Wales, Australia for its successful conduct of the 2000 Summer Olympic Games and congratulating the United States Olympic Team for its outstanding accomplishments at those Olympic Games.

SENATE CONCURRENT RESOLUTION 145—EXPRESSING THE SENSE OF CONGRESS ON THE PROPRIETY AND NEED FOR EXPEDITIOUS CONSTRUCTION OF THE NATIONAL WORLD WAR II MEMORIAL AT THE RAINBOW POOL ON THE NATIONAL MALL IN THE NATION'S CAPITAL

Mr. WARNER (for himself, Mr. INOUYE, Mr. THURMOND, and Mr. STEVENS) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 145

Whereas World War II is the defining event of the twentieth century for the United States and its wartime allies;

Whereas in World War II, more than 16,000,000 American men and women served in uniform in the Armed Forces, more than 400,000 of them gave their lives, and more than 670,000 of them were wounded;

Whereas many millions more on the home front in the United States organized and sacrificed to give unwavering support to those in uniform;

Whereas fewer than 6,000,000 World War II veterans are surviving at the end of the twentieth century, and the Nation mourns the passing of more than 1,200 veterans each day;

Whereas Congress, in Public Law 103–422 (108 Stat. 4356) enacted in 1994, approved the location of a memorial to this epic era in an area of the National Mall that includes the Rainbow Pool;

Whereas since 1995, the National World War II Memorial site and design have been the subject of 19 public hearings that have resulted in an endorsement from the State Historic Preservation Officer of the District of Columbia, three endorsements from the District of Columbia Historic Preservation Review Board, the endorsement of many Members of Congress, and, most significantly, four approvals from the Commission of Fine Arts and four approvals from the National Capital Planning Commission (including the approvals of those Commissions for the final architectural design);

Whereas on Veterans Day 1995, the President dedicated the approved site at the Rainbow Pool on the National Mall as the site for the National World War II Memorial; and

Whereas fundraising for the National World War II Memorial has been enormously successful, garnering enthusiastic support from half a million individual Americans, hundreds of corporations and foundations, dozens of civic, fraternal, and professional organizations, state legislatures, students in 1,100 schools, and more than 450 veterans groups representing 11,000,000 veterans: Now, therefore, be it

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

(1) it is appropriate for the United States to memorialize in the Nation's Capital the triumph of democracy over tyranny in World War II, the most important event of the twentieth century;

(2) the will of the American people to memorialize that triumph and all who labored to achieve it, and the decisions made on that memorialization by the appointed bodies charged by law with protecting the public's interests in the design, location, and construction of memorials on the National Mall in the Nation's Capital, should be fulfilled by the construction of the National World War II Memorial, as designed, at the approved and dedicated Rainbow Pool site on the National Mall; and

(3) it is imperative that expeditious action be taken to commence and complete the construction of the National World War II Memorial so that the completed memorial will be dedicated while Americans of the World War II generation are alive to receive the national tribute embodied in that memorial, which they earned with their sacrifice and achievement during the largest and most devastating war the world has known.

SENATE CONCURRENT RESOLUTION 146—A CONCURRENT RESOLUTION CONDEMNING THE ASSASSINATION OF FATHER JOHN KAISER AND OTHERS IN KENYA, AND CALLING FOR A THOROUGH INVESTIGATION TO BE CONDUCTED IN THOSE CASES, A REPORT ON THE PROGRESS MADE IN SUCH AN INVESTIGATION TO BE SUBMITTED TO CONGRESS BY DECEMBER 15, 2000, AND A FINAL REPORT ON SUCH AN INVESTIGATION TO BE MADE PUBLIC, AND FOR OTHER PURPOSES

Mr. WELLSTONE (for himself and Mr. GRAMS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 146

Whereas Father John Kaiser, a Catholic of the Order of the Mill Hill Missionaries and a native of Minnesota, who for 36 years served as a missionary in the Kisii and Ngong Dioceses in the Republic of Kenya and advocated the rights of all Kenyans, was shot dead on Wednesday, August 23, 2000;

Whereas Father Kaiser was a frequently outspoken advocate on issues of human rights and against the injustice of government corruption in Kenya;

Whereas fellow priests report that Father Kaiser spoke to them of his fear for his life on the night before his assassination;

Whereas the murders of Father Stallone, Father Graife, and Father Luigi Andeni, all of Marsabit Diocese in Kenya, the circumstances of the murder of Brother Larry Timors of Nakaru Diocese in Kenya, the murder of Father Martin Boyle of Eldoret Diocese, and the murders of other local human rights advocates in Kenya have not yet been fully explained, nor have the perpetrators of these murders been brought to justice;

Whereas the report of a Kenyan governmental commission, known as the Akiwumi Commission, on the government's investigation into tribal violence between 1992 and 1997 in Kenya's Great Rift Valley has not yet been released in spite of several requests by numerous church leaders and human rights organizations to have the Commission's findings released to the public;

Whereas, after Father Kaiser's assassination, documents were found on his body that he had intended to present to the Akiwumi Commission;

Whereas the nongovernmental Kenyan Human Rights Commission has expressed fear that the progress achieved in Kenya during the last few years in the struggle for democracy, the rule of law, respect for human rights, and meeting the basic needs of all Kenyans is jeopardized by the current Kenyan government; and

Whereas the 1999 Country Report on Human Rights released by the Bureau of Democracy, Human Rights, and Labor of the Department of State reports that the Kenyan Government's ''overall human rights record was generally poor, and serious problems remained in many areas; while there were some signs of improvement in a few areas, the situation worsened in others.'': Now, therefore, be it

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

(1) condemns the violent deaths of Father John Kaiser and others who have worked to promote human rights and justice in the Republic of Kenya and expresses its outrage at those deaths;

(2) calls for a thorough investigation of those deaths that includes other persons in addition to the Kenyan authorities;

(3) calls on the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor, to prepare and submit to Congress, by December 15, 2000, a report on the progress made on investigating these killings, including, particularly, a discussion of the actions taken by the Kenyan government to conduct an investigation as described in paragraph (2);

(4) calls on the President to support investigation of these killings through all diplomatic means; and

(5) calls for the final report of such an investigation to be made public.

Mr. WELLSTONE. Mr. President, colleagues, I rise to today to offer a resolution calling for thorough investigation into the murder of Father John Kaiser, a Catholic missionary from Minnesota who was brutally murdered in Kenya last month, and requiring the State Department to report to Congress on the progress of the investigation by December 15th, and to make public the final findings of the investigation.

For those of you who know little of Father John Kaiser, let me just say this: Father Kaiser was an amazing man. One of those rare individuals who found his calling early in life, he remained dedicated to that calling throughout his life. A catholic of the Order of the Mill Hill Missionaries, Father Kaiser served as a missionary in Kenya for 36 years. Born in Minnesota in 1932 to a German father and Irish mother, from 1954–1957, prior to being ordained, he had served his own country in the U.S. Army training paratroopers in the 82nd Airborne.

Those who knew Father Kaiser recall him as humble and soft-spoken with totally selfless zeal for the service of others. In Kenya Father Kaiser was an outspoken advocate on the issue of human rights and injustice, and advocated those rights on behalf of all Kenyans. In March of this year Father Kaiser was awarded the ''Award for Distinguished Service in the Support of Human Rights'' by the Law Society of Kenya. This is the highest award given by the Law Society and it is usually awarded to three people annually—this year Father Kaiser was the sole recipient. I have a copy of the speech given by the Law Society in honor of Father Kaiser and I will ask that this speech be inserted in the RECORD. I'd also like to note that earlier this week in St. Paul, Minnesota Father Kaiser was posthumously awarded the twin cities International Citizen Award.

Father Kaiser spoke frequently against the injustice of government corruption in Kenya and some believe this is what led to his death. In 1992 Father Kaiser was confronted for his political activism against corruption. At an inquiry into why tribal clashes killed hundred in the run-up to Kenya's first multiparty election in 1992, Kaiser had testified that two Cabinet ministers had encouraged the strife in a ploy to drive those in opposition off their land. After accusing high-level government officials of stealing land from the poor, he was arrested last year and threatened with deportation. His most recent confrontation with a powerful Kenyan involved Minister of State Julius Sunkuli, considered by many to be the current Kenya President's personal preference as a successor. Working with the Kenya chapter of the International Federation of Women Lawyers, Father Kaiser had been helping a female parishioner who claimed that Mr. Sunkuli raped her three years ago when she was 14 and fathered her child. Father Kaiser was killed one week before the court case was due to begin. A few days later, the young women dropped the charge.

Father Kaiser's death is a manifestation of the corruption and injustice rampant in Kenya today. In its annual survey issued two weeks ago, the Transparency International watchdog organization named Kenya the ninth-most corrupt country in the world, on par with Russia. In Kenya, church leaders bemoan the fact that they are told to stay out of politics. They argue that what the government calls politics—promoting human rights, social and economic justice—is part and parcel of their mission. Mr. President, colleagues, I believe the position of the leadership in Kenya is not unusual; religious persecution is up around the world because religious mandates such as promoting human rights, social and economic justice, are inherently political. We must speak up about this case not only to find the truth about Father Kaiser's death and to bring some relief to his family, but also to let Kenya and the world know that the United States does not condone Kenya's behavior.

An investigation is underway for the killer of Father Kaiser. The Kenyan Attorney General requested the help of the FBI in the investigation and today three FBI agents are in Kenya. The U.S. Ambassador has also met with the Kenyan Foreign Minister and the Kenyan Attorney General. This is a good start. I am hopeful that the State Department will continue to keep a close eye on this case. We must express our outrage at the violent death of Father John Kaiser, as well as the brutal murder of other activists fighting against injustice in Kenya. And we must demand a thorough investigation into their deaths. Prominent human rights groups and organizations like Transparency International, report that in Kenya corruption reaches to the highest level of government. It is for that reason that any investigation must include persons other than the Kenyan authorities and its final report must be made public. That is what I call for in the Resolution I am offering today with my colleague from Minnesota. I urge you to join us in your support, not only for the family of Father Kaiser and the others who lost their lives fighting injustice in Kenya but for the countless victims who have given their lives fighting injustice worldwide.

Mr. President, I ask unanimous consent that the Law Society speech honoring Father Kaiser be printed in the RECORD.

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

LAW SOCIETY OF KENYA—STATEMENT IN SUPPORT OF THE AWARD FOR DISTINGUISHED SERVICE IN THE PROMOTION OF HUMAN RIGHTS TO FATHER JOHN ANTHONY KAISER FOR THE YEAR 2000, MARCH 11, 2000

This year's Law Society of Kenya Awards ceremony is a rare departure from its young tradition in that we have only one recipient. But that man is rare, indeed, one of a kind. His name is Father John Anthony Kaiser. And it is a name we have all heard.

In conferring upon him the Society's award for Distinguished Service in the Promotion of human rights for the year 2000, we of the Society consider ourselves specially honored to have known and dealt with this man of God who, like the Biblical Elijah, is a voice of stern rebuke to all those that trouble the people and think it a little matter to deny sovereign citizens their God-given right to live, move and have. To them, he is a poisonous troublemaker, an unwelcome meddler and a pain in the flesh. But to us and to all those that love life and liberty, he is a stalwart defender of the defenseless and a man eminently deserving of honor.

In his life Father Kaiser has lived for and upheld two ideals namely the universality of human rights and the principle that Kenya citizenship appeals and protects all Kenyan in every part of the Republic of Kenya. In upholding these noble truths in the 1990s in Kenya Father Kaiser repeatedly found himself in trouble. Not that Father Kaiser is a man who goes out of his way to court trouble. To the contrary, he is a retiring, humble and soft-spoken ''Mzee.'' He is a simple man without pretensions. Seeing him on a normal day one could easily dismiss him for just another tired old man. Though a tall one.

Those who know him will say he has a totally selfless zeal for the service of others. But they will also tell you that he is a man of singular candour. He is honest and forthright in speech almost to a fault. He would speak that uncomfortable truth with a startling naivete that at once sets you thinking and charms you to a new respect for the man.

Born in Minnesota, United States of America in 1932 to a German father and Irish mother, the future Father Kaiser attended a one-roomed school for eight years before he went to a Benedictine secondary school.

After a two-year stint at a junior college where he studied Greek and Latin, he joined the U.S. Army for some three years. His true calling was elsewhere and he quit to join the St. Louis College where he studied theology and philosophy. This was to be followed by some four years across the Atlantic, studying to become a priest at St. Joseph's Mill Hill College. Father Kaiser was in 1964 posted to Kenya and specifically to the Kisii Catholic Diocese to which he dedicated 30 years of exemplary and emulable service mostly in the humble hills and valleys of Gusiiland, away from any sort of public limelight. Everywhere he went he exhibited the best missionary spirit of uplifting enlightening and supporting the poor. A strong man physically, he worked with joyful energy setting up churches wherever he went sometimes single-handedly. So thoroughly did he immerse himself in the daily living of the locals that he speaks Ekegussi with a fluency that would put most native speakers of the language to shame. He became in a real sense a much loved if not revered 'Omogaka' to the Abagusii among whom he lived and served.

Come 1993, Father Kaiser was sent to the Ngong Catholic Diocese his first appointment being to the fateful Maela Refugee Camp for the internally victims of the infamous Tribal Clashes. It was while at Maela that he witnessed at even closer hand some of the most dastardly and heinous acts of man's inhumanity to man. Freeborn Kenyans who had been violently and murderously driven out of homes they had lived in all their lives were reduced to the most abject and dehumanizing poverty. He saw disease, despair, hunger and the elements ravish men and women; the young and the aged alike whose only crime was the biological and historical accident of having been born into the 'wrong' tribes. Father Kaiser busied himself in trying to alleviate in what small ways he could the anguish of those unfortunate.

It was while *in situ* at Maela, and while lawfully engaged in Christian service quite in consonance with the oft repeated credo of being mindful of the welfare of fellow Kenyans that the fell foul of the ubiquitous and often tyrannical Provincial Administration.

The existence of the Maela Refugee Camp had become an acute embarrassment to the government which was not so keen on having the shocking truth of ethnic cleansing exposed to the watching world. The camp was an eyesore abominable and damning to the Government. Some evil genius in the administration hatched the plan to erase evidence of the very existence of the Camp. Thus, on the 27th of December 1994, those hapless Kenyans, once betrayed, raped, and dispossessed, were betrayed a second time. They were descended upon in a whirlwind government operation that broke up the camp and bundled its inhabitants into trucks that would dump them in stadiums, abandoned playing fields and roadsides in the Central Province. The same bright mind in government had now invented a new term with which these unfortunate victims were baptized: Land Speculators.

The Naivasha District Officer who spearheaded the Maela mop-up was livid that among those at the camp and who witnessed the wanton dehumanization of the refugees was Father Kaiser. For merely being there and not approving of what the officers of government were doing, Father Kaiser was violently assaulted by those agents of our government, handcuffed, as a common criminal would be removed from the scene. He was held under house arrest with armed men in guard. State-sponsored terrorism is no respecter of persons even when they are harmless parish priests. Shortly after Maela, Father Kiser was posted to Lologorian Parish in Trans Mara District. And trouble followed him there. It is an abiding if tragic fact of this country's sociopolitical landscape that no place is safe or tranquil for any honest man of pure convictions. Wherever such people are, the tyrants, sycophants, rapist and land grabbers that dot Kenya's public life will feel uneasy and attempt to make life unbearable for them.

True to his prophetic calling as a voice for the voiceless and defender of the defenseless among his flock, Father Kaiser found himself on a collision cause with those who had oppressed, displaced, dispossessed and marginalized whole clans of the Maasai in an orgy of systematic and avaricious land-grabbing. His consistent and conscientious stance against this and other evils and ills in Trans Mara was fast gaining a formidable horde of enemies at all levels of the power structure. No less than a powerful cabinet minister saw the hand of good Father Kaiser in allegations of rape or defilement leveled by young girls against the said minister. There is of course no question that it is in the nature of Father Kaiser to insist and demand that any man, no matter his rank, who proves to be a pestilential monster against nubile girls must face justice. It is a very Christian demand.

Father Kaiser's gift and burden has been his unshakable commitment to truth and justice. It is therefore not surprising that when the Commission appointed to investigate the causes of the ethnic cleansing under the Chairmanship of Court of Appeal Judge Akiwuni got down to business, he appeared to testify as to what he saw, experienced and heard.

In his painfully forthright way, the priest told the Commission the horrible things he had witnessed. He recounted tales heart rendering in their pain and outrageous that they should be true. Unquestionably, he was a witness of truth. His testimony was one of a man with a deep and abiding need to see the demons of our national shame exorcised, the ghosts of our innocent dead compatriots finally laid to rest and the tears of their beloved wiped dry at last.

Inevitably, he categorically and bluntly told the Commission that on the basis of the facts in his possession, responsibility for the horror that was the clashes lay at the highest echelons of state. Mincing no words, he fingered the very heart of State power as the first culprit in this crime against Kenya holding the Government and its trusted lieutenants responsible. Father Kaiser mentioned dates, names, places and times.

It is a monumental irony that detailed and useful as Father Kaiser's testimony was, the Commission thought it violated some in-house rules against mentioning the Head of State and promptly expunged the same from its record.

Whether offensive to the rules of the Commission or not, and shorn of all the trappings, technicalities and complexities of procedure, Father Kaiser's experiences and observations in his own words are admissible in the Tribunal of Truth and that of public opinion and, we trust, will some day find judicial admission when those who threatened to dismember Kenya are finally brought to book. His courage, boldness and candor in saying it as it really is cannot have been in vain.

It is in the aforegoing context that we view the attempt by the Kenya government to deport our hero in late 1999. A day after his testimony at the Commission, the agents of terror that he had named and shamed made a public threat that Father Kaiser would be deported from Kenya. Could what followed be related to these threats? Still smarting from the priest's insistent voice of conscience, someone suddenly remembered that this cleric who may pass for an Ompgusii, a Maasai, a Kalenjin or a Kikuyu and who had lived in Kenya for as long as we have been a republic, was not a Kenyan and, by reason of his inadvertent failure to renew his work permit was deserving of immediate deportation. Evidently our laws on citizenship are in urgent need of revision. For, if Father Kaiser does not qualify for citizenship, who does?

The move by the Government was amateurish, its sinister and vindictive motivation too transparent to miss. There was an immediate chorus of condemnation of the government's persecution of the priest from many quarters including Catholic Bishops, the Kenya Human Rights Commission and the American Embassy. We are happy to recall the Law Society of Kenya added its voice in demanding that his permit be renewed. We are happier to note with a certain satisfaction that, left with no choice, Government relented and, as you can see, Father Kaiser is still here with us.

The life and times of Father John Anthony Kaiser stand out as a study in courage, determination and sacrifice on behalf of the weak, oppressed and downtrodden. He has had the loftiness of ideals to speak out against social ills and defend the native rights and dignity of mankind in the face of callus and blood-chilling abuse. He has paid the price of his convictions in being beaten, arrested, insulted and hounded but has remained true to his conscience. He has stood up to tyrants big and petty and won many battles for which the humble men and women of Kenya for whom he has striven are the happier. And in all this he has retained his cool and has urged victims of violence not to retaliate in kind. Indeed, he is on record as still loving and still praying for his persecutors.

He does not consider himself a civil rights worker. He would not call himself a human rights activist let alone its champion. He would not admit to all his achievements, which have emboldened and inspired many to love truth, cherish liberty and fight for human rights. Father Kaiser says he is just a simple parish priest. We agree. And we honor him.

Mr. GRAMS. Mr. President, I rise today to introduce a resolution along with Senator WELLSTONE which addresses a very tragic event in Kenya involving a native son of Minnesota, Father John Kaiser.

Sixty-seven years ago, Father Kaiser was born in Perham, Minnesota and grew up in Maine Township near Fergus Falls. He attended St. John's Prep in Collegeville, along with former Senator Dave Durenberger, and St. John's University. He was ordained a Catholic priest in 1964 after attending St. Joseph's Seminary in England.

His thirty-six years in the East African country of Kenya was spent building schools and helping the people. He was a strong supporter of human rights and justice for the poor and oppressed. He was their spokesman and a highly

visible reminder to the Kenyan government of the injustices he sought to remedy. His courage in the face of death emboldened and strengthened the resolve of others in the human rights community to stand for principle—for law and order, decency and respect.

The cattle herders and farmers in the Great Rift Valley, the helpless young girls who may have suffered abuse at the hands of government officials and the dedicated members of Father Kaiser's Mill Hill Mission have lost a champion—but not the principles on which he stood—justice and equity and human rights for all.

I have addressed this issue at the highest level with Secretary of State Madeleine Albright during a recent Foreign Affairs Committee meeting. The resolution of this United States citizen's death is important to Kenya's credibility in the world community. We intend to see his assassins quickly brought to trial, and our Resolution reflects the desire of Congress to step-up the investigation into his death. I join Bishop John Njue, Chairman of the Kenyan Catholic Episcopal Conference in saying ''Do not be afraid''—we are with you.

SENATE RESOLUTION 368—RECOGNIZING THE IMPORTANCE OF RELOCATING AND RENOVATING THE HAMILTON GRANGE, NEW YORK

Mr. MOYNIHAN (for himself, Mr. BYRD, and Mr. SCHUMER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources.

S. RES. 368

Whereas Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

Whereas Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

Whereas after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

Whereas the only home Hamilton ever owned, commonly known as ''the Grange'', is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

Whereas the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

Whereas in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

Whereas the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

Whereas the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

Whereas no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting: Now, therefore, be it

Resolved, That—

(1) the Senate recognizes the immense contribution Alexander Hamilton made to the United States as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

Mr. MOYNIHAN. Mr. President, I rise to introduce a Sense of the Senate Resolution that calls on the National Park Service to relocate the Hamilton Grange, which is the home of Alexander Hamilton. As Washington's aide-de-camp during the Revolution, delegate to the Constitutional Convention, Secretary of the Treasury, and founder of the Bank of New York and the New York Post, Hamilton was instrumental in determining the direction of the nation in its early years. The only home he ever owned is in New York City. It sits on a block in Harlem, bounded on the north by an apartment house and on the south by a church. The apartment house is inches away, the church a few feet.

For some forty years the National Park Service has been contemplating the relocation of the Grange to a better site. The plan now is to go around the corner to St. Nicholas Park. The park was part of the original Hamilton estate and would be a far more appropriate location for the house. The necessary civic approvals are nearly set. It will soon be in the hands of the Park Service to get this done. The resolution simply states that the agency should do so expeditiously, and should then proceed with the restoration projects that have been on hold. Alexander Hamilton and those who come to see his home deserve as much. I ask my colleagues for their support.

AMENDMENTS SUBMITTED

COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 2000

JEFFORDS (AND KENNEDY) AMENDMENT NO. 4301

(Ordered to lie on the table.)

Mr. JEFFORDS (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill (H.R. 1102) to provide for pension reform, and for other purposes; as follows:

At the end of the bill, add the following:

TITLE IX—ERISA PROVISIONS

SEC. 901. MISSING PARTICIPANTS.

(a) IN GENERAL.—Section 4050 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1350) is amended by redesignating subsection (c) as subsection (e) and by inserting after subsection (b) the following new subsection:

''(c) MULTIEMPLOYER PLANS.—The corporation shall prescribe rules similar to the rules in subsection (a) for multiemployer plans covered by this title that terminate under section 4041A.

''(d) PLANS NOT OTHERWISE SUBJECT TO TITLE.—

''(1) TRANSFER TO CORPORATION.—The plan administrator of a plan described in paragraph (4) may elect to transfer a missing participant's benefits to the corporation upon termination of the plan.

''(2) INFORMATION TO THE CORPORATION.—To the extent provided in regulations, the plan administrator of a plan described in paragraph (4) shall, upon termination of the plan, provide the corporation information with respect to benefits of a missing participant if the plan transfers such benefits—

''(A) to the corporation, or

''(B) to an entity other than the corporation or a plan described in paragraph (4)(B)(ii).

''(3) PAYMENT BY THE CORPORATION.—If benefits of a missing participant were transferred to the corporation under paragraph (1), the corporation shall, upon location of the participant or beneficiary, pay to the participant or beneficiary the amount transferred (or the appropriate survivor benefit) either—

''(A) in a single sum (plus interest), or

''(B) in such other form as is specified in regulations of the corporation.

''(4) PLANS DESCRIBED.—A plan is described in this paragraph if—

''(A) the plan is a pension plan (within the meaning of section 3(2))—

''(i) to which the provisions of this section do not apply (without regard to this subsection), and

''(ii) which is not a plan described in paragraphs (2) through (11) of section 4021(b), and

''(B) at the time the assets are to be distributed upon termination, the plan—

''(i) has missing participants, and

''(ii) has not provided for the transfer of assets to pay the benefits of all missing participants to another pension plan (within the meaning of section 3(2)).

''(5) CERTAIN PROVISIONS NOT TO APPLY.—Subsections (a)(1) and (a)(3) shall not apply to a plan described in paragraph (4).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made after final regulations implementing subsections (c) and (d) of section 4050 of the Employee Retirement Income Security Act of 1974 (as added by subsection (a)), respectively, are prescribed.

SEC. 902. REDUCED PBGC PREMIUM FOR NEW PLANS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(A)) is amended—

(1) in clause (i), by inserting ''other than a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined),'' after ''single-employer plan,'',

(2) in clause (iii), by striking the period at the end and inserting ''; and'', and

(3) by adding at the end the following new clause:

''(iv) in the case of a new single-employer plan (as defined in subparagraph (F)) maintained by a small employer (as so defined) for the plan year, $5 for each individual who is a participant in such plan during the plan year.''.

(b) DEFINITION OF NEW SINGLE-EMPLOYER PLAN.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new subparagraph:

''(F)(i) For purposes of this paragraph, a single-employer plan maintained by a contributing sponsor shall be treated as a new single-employer plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of such plan, the sponsor or any member of such sponsor's controlled group (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new single-employer plan.

''(ii)(I) For purposes of this paragraph, the term 'small employer' means an employer which on the first day of any plan year has, in aggregation with all members of the controlled group of such employer, 100 or fewer employees.

''(II) In the case of a plan maintained by two or more contributing sponsors that are not part of the same controlled group, the employees of all contributing sponsors and controlled groups of such sponsors shall be aggregated for purposes of determining whether any contributing sponsor is a small employer.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plans established after December 31, 2000.

SEC. 903. REDUCTION OF ADDITIONAL PBGC PREMIUM FOR NEW AND SMALL PLANS.

(a) NEW PLANS.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)(E)) is amended by adding at the end the following new clause:

''(v) In the case of a new defined benefit plan, the amount determined under clause (ii) for any plan year shall be an amount equal to the product of the amount determined under clause (ii) and the applicable percentage. For purposes of this clause, the term 'applicable percentage' means—

''(I) 0 percent, for the first plan year.

''(II) 20 percent, for the second plan year.

''(III) 40 percent, for the third plan year.

''(IV) 60 percent, for the fourth plan year.

''(V) 80 percent, for the fifth plan year.

For purposes of this clause, a defined benefit plan (as defined in section 3(35)) maintained by a contributing sponsor shall be treated as a new defined benefit plan for each of its first 5 plan years if, during the 36-month period ending on the date of the adoption of the plan, the sponsor and each member of any controlled group including the sponsor (or any predecessor of either) did not establish or maintain a plan to which this title applies with respect to which benefits were accrued for substantially the same employees as are in the new plan.''.

(b) SMALL PLANS.—Paragraph (3) of section 4006(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)), as amended by section 902(b), is amended—

(1) by striking ''The'' in subparagraph (E)(i) and inserting ''Except as provided in subparagraph (G), the'', and

(2) by inserting after subparagraph (F) the following new subparagraph:

''(G)(i) In the case of an employer who has 25 or fewer employees on the first day of the plan year, the additional premium determined under subparagraph (E) for each participant shall not exceed $5 multiplied by the number of participants in the plan as of the close of the preceding plan year.

''(ii) For purposes of clause (i), whether an employer has 25 or fewer employees on the first day of the plan year is determined taking into consideration all of the employees of all members of the contributing sponsor's controlled group. In the case of a plan maintained by two or more contributing sponsors, the employees of all contributing sponsors and their controlled groups shall be aggregated for purposes of determining whether the 25-or-fewer-employees limitation has been satisfied.''.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (a).—The amendments made by subsection (a) shall apply to plans established after December 31, 2000.

(2) SUBSECTION (b).—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2000.

SEC. 904. AUTHORIZATION FOR PBGC TO PAY INTEREST ON PREMIUM OVERPAYMENT REFUNDS.

(a) IN GENERAL.—Section 4007(b) of the Employment Retirement Income Security Act of 1974 (29 U.S.C. 1307(b)) is amended—

(1) by striking ''(b)'' and inserting ''(b)(1)'', and

(2) by inserting at the end the following new paragraph:

''(2) The corporation is authorized to pay, subject to regulations prescribed by the corporation, interest on the amount of any overpayment of premium refunded to a designated payor. Interest under this paragraph shall be calculated at the same rate and in the same manner as interest is calculated for underpayments under paragraph (1).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to refunds made on or after the date of the enactment of this Act.

SEC. 905. SUBSTANTIAL OWNER BENEFITS IN TERMINATED PLANS.

(a) MODIFICATION OF PHASE-IN OF GUARANTEE.—Section 4022(b)(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)(5)) is amended to read as follows:

''(5)(A) For purposes of this paragraph, the term 'majority owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(i) owns the entire interest in an unincorporated trade or business,

''(ii) in the case of a partnership, is a partner who owns, directly or indirectly, 50 percent or more of either the capital interest or the profits interest in such partnership, or

''(iii) in the case of a corporation, owns, directly or indirectly, 50 percent or more in value of either the voting stock of that corporation or all the stock of that corporation. For purposes of clause (iii), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).

''(B) In the case of a participant who is a majority owner, the amount of benefits guaranteed under this section shall equal the product of—

''(i) a fraction (not to exceed 1) the numerator of which is the number of years from the later of the effective date or the adoption date of the plan to the termination date, and the denominator of which is 10, and

''(ii) the amount of benefits that would be guaranteed under this section if the participant were not a majority owner.''.

(b) MODIFICATION OF ALLOCATION OF ASSETS.—

(1) Section 4044(a)(4)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1344(a)(4)(B)) is amended by striking ''section 4022(b)(5)'' and inserting ''section 4022(b)(5)(B)''.

(2) Section 4044(b) of such Act (29 U.S.C. 1344(b)) is amended—

(A) by striking ''(5)'' in paragraph (2) and inserting ''(4), (5),'', and

(B) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively, and by inserting after paragraph (2) the following new paragraph:

''(3) If assets available for allocation under paragraph (4) of subsection (a) are insufficient to satisfy in full the benefits of all individuals who are described in that paragraph, the assets shall be allocated first to benefits described in subparagraph (A) of that paragraph. Any remaining assets shall then be allocated to benefits described in subparagraph (B) of that paragraph. If assets allocated to such subparagraph (B) are insufficient to satisfy in full the benefits described in that subparagraph, the assets shall be allocated pro rata among individuals on the basis of the present value (as of the termination date) of their respective benefits described in that subparagraph.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 4021 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1321) is amended—

(A) in subsection (b)(9), by striking ''as defined in section 4022(b)(6)'', and

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

''(d) For purposes of subsection (b)(9), the term 'substantial owner' means an individual who, at any time during the 60-month period ending on the date the determination is being made—

''(1) owns the entire interest in an unincorporated trade or business,

''(2) in the case of a partnership, is a partner who owns, directly or indirectly, more than 10 percent of either the capital interest or the profits interest in such partnership, or

''(3) in the case of a corporation, owns, directly or indirectly, more than 10 percent in value of either the voting stock of that corporation or all the stock of that corporation.

For purposes of paragraph (3), the constructive ownership rules of section 1563(e) of the Internal Revenue Code of 1986 shall apply (determined without regard to section 1563(e)(3)(C)).''.

(2) Section 4043(c)(7) of such Act (29 U.S.C. 1343(c)(7)) is amended by striking ''section 4022(b)(6)'' and inserting ''section 4021(d)''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to plan terminations—

(A) under section 4041(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341(c)) with respect to which notices of intent to terminate are provided under section 4041(a)(2) of such Act (29 U.S.C. 1341(a)(2)) after December 31, 2000, and

(B) under section 4042 of such Act (29 U.S.C. 1342) with respect to which proceedings are instituted by the corporation after such date.

(2) CONFORMING AMENDMENTS.—The amendments made by subsection (c) shall take effect on January 1, 2001.

SEC. 906. MULTIEMPLOYER PLAN BENEFITS GUARANTEE.

(a) IN GENERAL.—Section 4022A(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322A(c)) is amended—

(1) by striking ''$5'' each place it appears in paragraph (1) and inserting ''$11'',

(2) by striking ''$15'' in paragraph (1) and inserting ''$33'', and

(3) by striking paragraphs (2), (5), and (6) and by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(b) CONFORMING AMENDMENT.—Section 4244(e)(4) of such Act (29 U.S.C. 1424(e)(4)) is amended by striking ''and without regard to section 4022A(c)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to benefits payable after the date of the enactment of this Act, except that such amendments shall not apply to any multiemployer plan that has received financial assistance (within the meaning of section 4261 of the Employee Retirement Income Security Act of 1974) within the 1-year period ending on the date of the enactment of this Act.

SEC. 907. CIVIL PENALTIES FOR BREACH OF FIDUCIARY RESPONSIBILITY.

(a) IMPOSITION AND AMOUNT OF PENALTY MADE DISCRETIONARY.—Section 502(l)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)(1)) is amended—

(1) by striking ''shall'' and inserting ''may'', and

(2) by striking ''equal to'' and inserting ''not greater than''.

(b) APPLICABLE RECOVERY AMOUNT.—Section 502(l)(2) of such Act (29 U.S.C. 1132(l)(2)) is amended to read as follows:

''(2) For purposes of paragraph (1), the term 'applicable recovery amount' means any amount which is recovered from any fiduciary or other person (or from any other person on behalf of any such fiduciary or other person) with respect to a breach or violation described in paragraph (1) on or after the 30th day following receipt by such fiduciary or other person of written notice from the Secretary of the violation, whether paid voluntarily or by order of a court in a judicial proceeding instituted by the Secretary under subsection (a)(2) or (a)(5). The Secretary may, in the Secretary's sole discretion, extend the 30-day period described in the preceding sentence.''.

(c) OTHER RULES.—Section 502(l) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(l)) is amended by adding at the end the following new paragraph:

''(5) A person shall be jointly and severally liable for the penalty described in paragraph (1) to the same extent that such person is jointly and severally liable for the applicable recovery amount on which the penalty is based.

''(6) No penalty shall be assessed under this subsection unless the person against whom the penalty is assessed is given notice and opportunity for a hearing with respect to the violation and applicable recovery amount.''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to any breach of fiduciary responsibility or other violation of part 4 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 occurring on or after the date of enactment of this Act.

(2) TRANSITION RULE.—In applying the amendment made by subsection (b) (relating to applicable recovery amount), a breach or other violation occurring before the date of enactment of this Act which continues after the 180th day after such date (and which may have been discontinued at any time during its existence) shall be treated as having occurred after such date of enactment.

SEC. 908. BENEFIT SUSPENSION NOTICE.

(a) MODIFICATION OF REGULATION.—The Secretary of Labor shall modify the regulation under section 203(a)(3)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1053(a)(3)(B)) to provide that the notification required by such regulation—

(1) in the case of an employee who returns to work for a former employer after commencement of payment of benefits under the plan, shall, if a reduced rate of future benefit accruals could apply to the returning employee, include a statement that the rate of future benefit accruals may be reduced, and

(2) in the case of any other employee—

(A) may be included in the summary plan description for the plan furnished in accordance with section 104(b) of such Act (29 U.S.C. 1024(b)), rather than in a separate notice, and

(B) need not include a copy of the relevant plan provisions.

(b) EFFECTIVE DATE.—The modification made under this section shall apply to plan years beginning after December 31, 2000.

Mr. JEFFORDS. Mr. President, I rise today to file an amendment on behalf of myself, as chairman of the Committee on Health, Education, Labor, and Pensions, and Mr. KENNEDY, Ranking Member of the Committee to H.R. 1102, the Retirement Security and Savings Act of 2000, as reported by the Committee on Finance on September 12, 2000. Our amendment concerns pension issues within our jurisdiction. It would simplify and modify provisions of the Employee Retirement Income Security Act of 1974 relating to employer pension plans.

More specifically, the amendment would expand the Pension Benefit Guaranty Corporation's (PBGC) Missing Participants program; reduce PBGC premiums for new plans of small employers; authorize the PBGC to pay interest on premium overpayment refunds; simplify the substantial owner benefit rules for terminated defined benefit plans; increase the PBGC guarantee of benefits in multiemployer plans; allow the Secretary of Labor to reduce or waive civil penalties for breach of fiduciary responsibility; make parties that are jointly and severally liable for fiduciary violations also jointly and severally liable for the related penalty; and improve and better target notices of benefit suspension to pension plan participants.

Mr. President, I ask that our more detailed description of the amendment be entered into the RECORD.

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

DESCRIPTION OF AMENDMENT NO. 4301 TO THE ''RETIREMENT SECURITY AND SAVINGS ACT OF 2000'' (H.R. 1102)

1. EXTENSION OF PBGC MISSING PARTICIPANTS PROGRAM

Present law

The plan administrator of a defined benefit pension plan that is subject to Title IV of ERISA, is maintained by a single employer, and terminates under a standard termination is required to distribute the assets of the plan. With respect to a participant whom the plan administrator cannot locate after a diligent search, the plan administrator satisfies the distribution requirement only by purchasing irrevocable commitments from an insurer to provide all benefit liabilities under the plan or transferring the participant's designated benefit to the Pension Benefit Guaranty Corporation (''PBGC''), which holds the benefit of the missing participant as trustee until the PBGC locates the missing participant and distributes the benefit. The PBGC missing participant program is not available to multiemployer plans or defined contribution plans and other plans not covered by Title IV of ERISA.

Reason for change

Terminating multiemployer plans and terminating defined contribution plans face the same problems with missing participants as single-employer defined benefit plans. Allowing terminating multiemployer and defined contribution plans to transfer pension funds for missing participants to the PBGC would enable these plans to wind up their affairs and would increase the chances that missing participants will be able to locate their benefits.

Description of proposal

The proposal would direct the PBGC to prescribe for terminating multiemployer plans and terminating defined contribution plans (including plans under section 401(k) of the Internal Revenue Code) rules similar to the present-law missing participant rules applicable to terminating single-employer plans that are subject to Title IV of ERISA.

Effective date

The proposal would be effective for distributions from terminating plans that occur after the PBGC has adopted final regulations implementing the proposal.

2. REDUCE PBGC PREMIUMS FOR SMALL AND NEW PLANS

Present law

Under present law, the Pension Benefit Guaranty Corporation (''PBGC'') provides insurance protection for participants and beneficiaries under certain defined benefit pension plans by guaranteeing certain basic benefits under the plan in the event the plan is terminated with insufficient assets. The guaranteed benefits are funded in part by premium payments from employers who sponsor defined benefit plans.

The amount of the required annual PBGC premium for a single-employer plan is generally a flat rate premium of $19 per participant and an additional variable rate premium based on a charge of $9 per $1,000 of unfunded vested benefits. Unfunded vested benefits under a plan generally means (1) the unfunded current liability for vested benefits under the plan, over (2) the value of the plan's assets, reduced by any credit balance in the funding standard account. No variable rate premium is imposed for a year if contributions to the plan were at least equal to the full funding limit. The PBGC guarantee is phased in ratably in the case of plans that have been in effect for less than 5 years, and with respect to benefit increases from a plan amendment that was in effect for less than 5 years before termination of the plan.

Reason for change

The number of single-employer defined benefit plans covered by PBGC has declined dramatically in recent years—from 112,000 in 1985 to little over 39,000 in 1999. Most of the

decline is because of the termination of small plans. An employer incurs a number of one-time costs to establish a plan. The proposal is intended to remove the PBGC premium as a disincentive to small employers establishing defined benefit plans.

For very small employers, the variable-rate premium can be a disproportionately large and unpredictable cost and can discourage them from establishing or maintaining a defined benefit pension plan for their employees. Very small employers would be more likely to establish and keep defined benefit plans if they could be assured that the variable rate premium would be affordable.

While most of the decline in the number of defined benefit plans is because of the termination of small plans, many larger plans also have terminated. Further, larger employers that establish plans are not choosing defined benefit plans.

Incentives are needed to encourage establishment of defined benefit plans by larger employers. The PBGC variable rate premium can be a disincentive to some plans. The proposal would provide a limited break from the variable rate premium, keyed to PBGC's guarantee limits in the early years of a plan.

Description of proposal

a. Reduced flat-rate premiums for new plans of small employers

Under the proposal, for each of the first five plan years of a new single-employer plan of a small employer, the flat-rate PBGC premium would be $5 per plan participant. A small employer would be defined as a plan contributing sponsor that, together with other members of its controlled group, employs 100 or fewer employees on the first day of the plan year.

Under ERISA, the ''employer'' consists of a plan's ''contributing sponsor'' and all entities that are in ''common control'' with it under the tax code. The contributing sponsor together with the other entities in common control are also referred to as members of the ''controlled group.'' In the case of a plan to which more than one unrelated contributing sponsor contributes, employees of all contributing sponsors (and their controlled group members) would be taken into account in determining whether the plan is a plan of a small employer.)

A new plan would mean a defined benefit plan maintained by a contributing sponsor if, during the 36-month period ending on the date of adoption of the plan, such contributing sponsor (or controlled group member or a predecessor of either) did not establish or maintain a plan subject to PBGC coverage with respect to which benefits were accrued for substantially the same employees as are in the new plan.

b. Reduced variable PBGC premium for new and small employer plans

The proposal would provide that the variable premium is phased in for ''new defined benefit plans'' over a six-year period starting with the plan's first plan year. The amount of the variable premium would be a percentage of the variable premium otherwise due, as follows: 0 percent of the otherwise applicable variable premium in the first plan year; 20 percent in the second plan year; 40 percent in the third plan year; 60 percent in the fourth plan year; 80 percent in the fifth plan year; and 100 percent in the sixth plan year (and thereafter). A new defined benefit plan would be defined as under the flat-rate premium proposal relating to new small employer plans.

In addition, in the case of any plan (not just a new plan) of an employer with 25 or fewer employees, the per-participant variable-rate premium would be no more than $5 multiplied by the number of plan participants.

Effective date

The proposals relating to new plans would be effective for plans established after December 31, 2000. The proposal reducing the PBGC variable premium for small plans would be effective for years after December 31, 2000.

3. AUTHORIZATION FOR PBGC TO PAY INTEREST ON PREMIUM OVERPAYMENT REFUNDS

Present law

The PBGC currently charges interest on underpayments but is not authorized to pay interest to plan sponsors on refunds of premium overpayments.

Reason for change

Premium payors should receive interest on monies that are owed to them.

Description of proposal

The proposal would allow the PBGC to pay interest on overpayments made by premium payors. Interest paid on overpayments would be calculated at the same rate and in the same manner as interest is charged on premium underpayments.

Effective date

The proposal would be effective with respect to refunds made on or after the date of enactment of this Act.

4. RULES FOR SUBSTANTIAL OWNER BENEFITS IN TERMINATED PLANS

Present law

Under present law, the Pension Benefit Guaranty Corporation (''PBGC'') provides participants and beneficiaries in a defined benefit pension plan with certain minimal guarantees as to the receipt of benefits under the plan in case of plan termination. The employer sponsoring the defined benefit pension plan is required to pay premiums to the PBGC to provide insurance for the guaranteed benefits. In general, PBGC will guarantee all basic benefits which are payable in periodic installments for the life (or lives) of the participant and his or her beneficiaries and are non-forfeitable at the time of plan termination. The amount of the guaranteed benefit is subject to certain limitations. One limitation is that the plan (or an amendment to the plan which increases benefits) must be in effect for 60 months before termination for the PBGC to guarantee the full amount of basic benefits for a plan participant, other than a substantial owner. In the case of a substantial owner, the guaranteed basic benefit is phased in over 30 years beginning with participation in the plan. A substantial owner is one who owns, directly or indirectly, more than 10 percent of the voting stock of a corporation. Special rules restricting the amount of benefit guaranteed and the allocation of assets also apply to substantial owners.

Reason for change

The special substantial owner rules are inordinately complex and require plan documents going back as far as 30 years, which are difficult or impossible to obtain. The rules penalize owners in plans that started out with modest benefit levels and those with little control over plan decisions. Changes are needed in the guarantee and asset allocation rules to simplify determination of benefits and eliminate the unduly harsh treatment of owners under the current law. The proposed changes also will eliminate one of the reasons that small business owners give for not establishing defined benefit plans (i.e., the inadequacy of PBGC guarantees for owners).

Description of proposal

The proposal would provide that the 60-month phase-in of guaranteed benefits would apply to a substantial owner with less than 50 percent ownership interest. For a substantial owner with a 50 percent of more ownership interest (''majority owner''), the guarantee would depend on the number of years the plan has been in effect and would not be more than the amount guaranteed for other participants. Specifically, a majority owner's guarantee would be computed by multiplying the guarantee that would apply if the participant were not a substantial owner, by a fraction (not to exceed 1), the numerator of which is the number of years the plan was in effect, and the denominator of which is 10. The rules regarding allocation of assets would apply to substantial owners, other than majority owners, in the same manner as other participants.

Effective date

The proposal would be effective for plan terminations with respect to which notices of intent to terminate are provided, or for which proceedings for termination are instituted by the PBGC after December 31, 2000.

5. MULTIEMPLOYER PLAN BENEFITS GUARANTEED

Present law

The PBGC guarantees benefits of workers in multiemployer plans. The monthly guarantee is equal to the participant's years of service multiplied by the sum of (i) 100 percent of the first $5 of the monthly benefit accrual rate, and (ii) 75 percent of the next $15 of the accrual rate. The level of benefits guaranteed by the PBGC under the multiemployer program is modest and has not increased since 1980. For a retiree with 30 years of service, the maximum guaranteed annual benefit if $5,850. The maximum guarantee under the PBGC's single-employer program is adjusted each year to reflect changes in the social security wage index.

Reason for change

The level of benefits guaranteed by the PBGC under the multiemployer program is modest and has not increased since 1980.

Description of proposal

The proposal adjusts the amount guaranteed in multiemployer plans to account for changes in the social security wage index since 1980. Under the proposal, the PBGC would guarantee a monthly benefit equal to the participant's years of service multiplied by the sum of (i) 100 percent of the first $11 of the monthly benefit accrual rate, and (ii) 75 percent of the next $33 of the accrual rate. The proposed change would increase the maximum annual guarantee for a retiree with 30 years of service to $12,870.

Effective date

The proposal would be effective for benefits payable after the date of enactment of this Act, excluding benefits payable under a multiemployer plan that received assistance payments from the PBGC during the one-year period ending on the date of enactment of this Act.

6. CIVIL PENALTIES FOR BREACH OF FIDUCIARY RESPONSIBILITY

Current law

Section 502(1) was added to ERISA by the Omnibus Budget Reconciliation Act of 1989. In its current form, section 502(1) requires the Secretary of Labor to assess a civil penalty against a fiduciary who breaches a fiduciary responsibility under, or commits a violation of, Part 4 of Title I of ERISA, or any

other person who knowingly participates in such a breach or violation. The penalty is a flat 20 percent of the ''applicable recovery amount'' that is paid pursuant to a settlement agreement with the Secretary or that a court orders to be paid in a judicial proceeding brought by the Secretary to enforce ERISA's fiduciary responsibility provisions. The Secretary may waive or reduce the penalty only if the Secretary finds in writing that either (1) the violator acted reasonably and in good faith, or (2) it is reasonable to expect that the violator cannot restore all the losses without severe financial hardship unless the waiver or reduction is granted.

Reason for change

Since its enactment, the section 502(1) penalty provision has discouraged voluntary, prompt settlements of fiduciary violations with the Department of Labor. This is because the Secretary of Labor was given little authority to reduce or waive the penalty in order to encourage prompt settlements with violators. Moreover, administration of the provision often raises difficult questions concerning whether a particular payment to a plan was made pursuant to a settlement agreement.

Description of proposal

The proposal would remove the current disincentive to settlement and encourage parties to quickly settle claims of violations that the Department brings to their attention. The proposal would give the Secretary of Labor full discretion to reduce or waive the penalty, and no penalty would be assessed on any amount recovered by a plan or by a participant or beneficiary within 30 days after the violator receives written notice of the violation from the Department of Labor. The Secretary would be given authority to extend the 30-day grace period.

The proposal would make all persons who are jointly and severally liable for a violation also jointly and severally liable for the penalty. The proposal also would clarify that the term ''applicable recovery amount'' includes payments by third parties that are made on behalf of the violator. This change would prevent avoidance of the penalty by having an unrelated third party pay the recovery amount.

Finally, when a penalty is contested, the proposal would give Administrative Law Judges the authority to decide both the existence of the underlying violation and the applicable recovery amount. This provision would apply to any breach of fiduciary responsibility or other violation of Part 4 of Title I of ERISA occurring on or after enactment.

Effective date

(a) General effective date. The proposal would apply to any breach of fiduciary responsibility or other violation of part 4 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 occurring on or after the date of enactment of this Act.

(b) Transition rule. Fiduciaries would have six months from the date of enactment to undo continuing violations without application of the amendments. Thereafter, all such violations would be treated as having begun after the effective date of the amendments for purposes of determining the applicable recovery amount.

7. BENEFIT SUSPENSION NOTICE

Current law

Pension plans must provide a ''Benefit Suspension Notice'' to retirees who have been receiving a pension who then decide to return to work for that same employer. These same notices are sent to employees who continue to work past normal retirement age. The plan must provide this notice during the first calendar month or payroll period after the employee reaches normal retirement age or the plan risks losing its tax exempt status.

Reason for change

The loss of tax exempt status is an excessive penalty for failure to give a notice to employees reaching normal retirement age. These ''Benefit Suspension Notices'' are often regarded by employees who choose to continue to work past normal retirement age either as a sign that the employer is trying to force them into retirement or as a notice that somehow the pension plan is being suspended. In either case, for the employee who continues to work, and does not expect to receive a pension, these notices are often cause for alarm. The benefit ''suspension'' notice for benefit payments that have not yet begun is irrational and should be discontinued.

Benefit Suspension Notices sent to retirees who return to work for their previous employer do not currently alert these workers to reductions in the rate of benefit accruals that may now apply to them because they are working past normal retirement age, the plan has been amended or terminated, or for other reasons. As a result, these workers may not be prepared for these lower accrual rates (or no accruals in the case of a terminated plan).

Description of proposal

The proposal would require that ''Benefit Suspension Notices'' be sent only to those pension plan beneficiaries who return to the workforce. Benefit Suspension Notices sent to a retiree returning to work for a previous employer, must include a statement that the rate of future benefit accruals may be reduced, if a reduced accrual rate could apply to the returning worker.

Effective date

The proposal would apply to plan years beginning after December 31, 2000.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 1999

WYDEN (AND CRAIG) AMENDMENT NO. 4302

Mr HAGEL (for Mr. WYDEN (for himself and Mr. CRAIG)) proposed an amendment to the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Secure Rural Schools and Community Self-Determination Act of 2000''.

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Conforming amendment.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.
Sec. 102. Payments to States from National Forest Service lands for use by counties to benefit public education and transportation.
Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.
Sec. 202. General limitation on use of project funds.
Sec. 203. Submission of project proposals.
Sec. 204. Evaluation and approval of projects by Secretary concerned.
Sec. 205. Resource advisory committees.
Sec. 206. Use of project funds.
Sec. 207. Availability of project funds.
Sec. 208. Termination of authority.

TITLE III—COUNTY PROJECTS

Sec. 301. Definitions.
Sec. 302. Use of county funds.
Sec. 303. Termination of authority.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Regulations.
Sec. 404. Conforming amendments.

TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

Sec. 501. Short title.
Sec. 502. Findings.
Sec. 503. Amendment of the Mineral Leasing Act.

SEC. 2. FINDINGS AND PURPOSES.

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

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) These same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States

for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 75 percent of the revenues derived from the revested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds, of which 50 percent is to be used as other county funds.

(8) For several decades primarily due to the growth of the Federal timber sale program, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide funding for schools and road maintenance.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has affected educational funding and road maintenance for many counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the funding for schools and roads those revenues provide.

(13) There is a need to stabilize education and road maintenance funding through predictable payments to the affected counties, job creation in those counties, and other opportunities associated with restoration, maintenance, and stewardship of Federal lands.

(14) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are difficult to address through annual appropriations.

(15) There is a need to build new, and strengthen existing, relationships and to improve management of public lands and waters.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To stabilize payments to counties to provide funding for schools and roads that supplements other available funds.

(2) To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad-based support with objectives that may include, but are not limited to—

(A) road, trail, and infrastructure maintenance or obliteration;

(B) soil productivity improvement;

(C) improvements in forest ecosystem health;

(D) watershed restoration and maintenance;

(E) restoration, maintenance and improvement of wildlife and fish habitat;

(F) control of noxious and exotic weeds; and

(G) reestablishment of native species.

(3) To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LANDS.—The term ''Federal lands'' means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012); and

(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

(2) ELIGIBILITY PERIOD.—The term ''eligibility period'' means fiscal year 1986 through fiscal year 1999.

(3) ELIGIBLE COUNTY.—The term ''eligible county'' means a county that received 50-percent payments for one or more fiscal years of the eligibility period or a county that received a portion of an eligible State's 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county established after the date of the enactment of this Act so long as the county includes all or a portion of a county described in the preceding sentence.

(4) ELIGIBLE STATE.—The term ''eligible State'' means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) FULL PAYMENT AMOUNT.—The term ''full payment amount'' means the amount calculated for each eligible State and eligible county under section 101.

(6) 25-PERCENT PAYMENT.—The term ''25-percent payment'' means the payment to States required by the sixth paragraph under the heading of ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(7) 50-PERCENT PAYMENT.—The term ''50-percent payment'' means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

(8) SAFETY NET PAYMENTS.—The term ''safety net payments'' means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

SEC. 4. CONFORMING AMENDMENT.

Section 6903(a)(1)(C) of title 31, United States Code, is amended by inserting after ''(16 U.S.C. 500)'' the following: ''or the Secure Rural Schools and Community Self-Determination Act of 2000''.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.

(a) CALCULATION REQUIRED.—

(1) ELIGIBLE STATES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible State that received a 25-percent payment during the eligibility period an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for the fiscal years of the eligibility period.

(2) BUREAU OF LAND MANAGEMENT COUNTIES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for the fiscal years of the eligibility period.

(b) ANNUAL ADJUSTMENT.—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount for the previous fiscal year for each eligible State and eligible county to reflect 50 percent of the changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 2000.

SEC. 102. PAYMENTS TO STATES FROM NATIONAL FOREST SYSTEM LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.

(a) PAYMENT AMOUNTS.—The Secretary of the Treasury shall pay an eligible State the sum of the amounts elected under subsection (b) by each eligible county for either—

(1) the 25-percent payment under the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) the full payment amount in place of the 25-percent payment.

(b) ELECTION TO RECEIVE PAYMENT AMOUNT.—

(1) ELECTION; SUBMISSION OF RESULTS.—The election to receive either the full payment amount or the 25-percent payment shall be made at the discretion of each affected county and transmitted to the Secretary by the Governor of a State.

(2) DURATION OF ELECTION.—A county election to receive the 25-percent payment shall be effective for two fiscal years. When a county elects to receive the full payment amount, such election shall be effective for all the subsequent fiscal years through fiscal year 2006.

(3) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or special accounts, received by the Federal Government from activities by the Forest Service on the Federal lands described in section 3(1)(A) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

(1) DISTRIBUTION METHOD.—A State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State in accordance with the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to eligible counties shall be expended as required by the laws referred to in paragraph (1).

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 25-PERCENT PAYMENTS.—If an eligible county elects to receive its share of the full payment amount, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of Agriculture, without further appropriation, and shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

(3) ELECTION.—

(A) IN GENERAL.—An eligible county shall notify the Secretary of Agriculture of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds to be received under this section in the same manner in which the 25-percent payments are required to be expended, and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(B) COUNTIES WITH MINOR DISTRIBUTIONS.—Notwithstanding any adjustment made pursuant to section 101(b) in the case of each eligible county to which less than $100,000 is distributed for any fiscal year pursuant to subsection (c)(1), the eligible county may elect to expend all such funds in accordance with subsection (c)(2).

(e) TIME FOR PAYMENT.—The payment to an eligible State under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.

(a) PAYMENT.—The Secretary of the Treasury shall pay an eligible county either—

(1) the 50-percent payment under the Act of August 28, 1937 (43 U.S.C. 1181f), or the Act of May 24, 1939 (43 U.S.C. 1181f–1) as appropriate; or

(2) the full payment amount in place of the 50-percent payment.

(b) ELECTION TO RECEIVE FULL PAYMENT AMOUNT.—

(1) ELECTION; DURATION.—The election to receive the full payment amount shall be made at the discretion of the county. Once the election is made, it shall be effective for the fiscal year in which the election is made and all subsequent fiscal years through fiscal year 2006.

(2) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible county under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management on the Federal lands described in section 3(1)(B) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 50-PERCENT PAYMENTS.—Of the funds to be paid to an eligible county pursuant to subsection (a)(2), not less than 80 percent, but not more than 85 percent, of the funds distributed to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of the Interior, without further appropriation, and shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

(3) ELECTION.—An eligible county shall notify the Secretary of the Interior of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds received under subsection (a)(2) in the same manner in which the 50-percent payments are required to be expended and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(d) TIME FOR PAYMENT.—The payment to an eligible county under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

SEC. 201. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that elects under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) PROJECT FUNDS.—The term ''project funds'' means all funds an eligible county elects under sections 102(d)(1)(B)(i) and 103(c)(1)(B)(i) to reserve for expenditure in accordance with this title.

(3) RESOURCE ADVISORY COMMITTEE.—The term ''resource advisory committee'' means an advisory committee established by the Secretary concerned under section 205, or determined by the Secretary concerned to meet the requirements of section 205.

(4) RESOURCE MANAGEMENT PLAN.—The term ''resource management plan'' means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) or a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A); and

(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B).

SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

Project funds shall be expended solely on projects that meet the requirements of this title. Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this title on Federal land and on non-Federal land where projects would benefit these resources on Federal land.

SEC. 203. SUBMISSION OF PROJECT PROPOSALS.

(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30 for fiscal year 2001, and each September 30 thereafter for each succeeding fiscal year through fiscal year 2006, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

(2) PROJECTS FUNDED USING OTHER FUNDS.—A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

(3) JOINT PROJECTS.—Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 205.

(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information:

(1) The purpose of the project and a description of how the project will meet the purposes of this Act.

(2) The anticipated duration of the project.

(3) The anticipated cost of the project.

(4) The proposed source of funding for the project, whether project funds or other funds.

(5) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives, as well as an estimation of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

(6) A detailed monitoring plan, including funding needs and sources, that tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring. The monitoring plan shall include an assessment of the following: Whether or not the project met or exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate; and whether the project improved the use of, or added value to, any products removed from lands consistent with the purposes of this Act.

(7) An assessment that the project is to be in the public interest.

(c) AUTHORIZED PROJECTS.—Projects proposed under subsection (a) shall be consistent with section 2(b).

SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a resource advisory committee under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all applicable Federal laws and regulations.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the resource advisory committee in accordance with section 205, including the procedures issued under subsection (e) of such section.

(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 203.

(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

(b) ENVIRONMENTAL REVIEWS.—

(1) PAYMENT OF REVIEW COSTS.—

(A) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project. When such a payment is requested and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal law and regulations.

(B) EFFECT OF REFUSAL TO PAY.—If a resource advisory committee does not agree to the expenditure of funds under subparagraph (A), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(c).

(c) DECISIONS OF SECRETARY CONCERNED.—

(1) REJECTION OF PROJECTS.—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Notwithstanding any other provision of law, a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

(d) SOURCE AND CONDUCT OF PROJECT.—Once the Secretary concerned accepts a project for review under section 203, it shall be deemed a Federal action for all purposes.

(e) IMPLEMENTATION OF APPROVED PROJECTS.—

(1) COOPERATION.—Notwithstanding chapter 63 of title 31, United States Code, using project funds the Secretary concerned may enter into contracts, grants, and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(2) BEST VALUE CONTRACTING.—For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis. The Secretary concerned shall determine best value based on such factors as:

(A) The technical demands and complexity of the work to be done.

(B) The ecological objectives of the project and the sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The commitment of the contractor to hiring highly qualified workers and local residents.

(3) MERCHANTABLE MATERIAL CONTRACTING PILOT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable material using separate contracts for—

(i) the harvesting or collection of merchantable material; and

(ii) the sale of such material.

(B) ANNUAL PERCENTAGES.—Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale merchantable material are implemented using separate contracts:

(i) For fiscal year 2001, 15 percent.

(ii) For fiscal year 2002, 25 percent.

(iii) For fiscal year 2003, 25 percent.

(iv) For fiscal year 2004, 50 percent.

(v) For fiscal year 2005, 50 percent.

(vi) For fiscal year 2006, 50 percent.

(C) INCLUSION IN PILOT PROGRAM.—The decision whether to use separate contracts to implement a project involving the sale of merchantable material shall be made by the Secretary concerned after the approval of the project under this title.

(D) ASSISTANCE.—The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal lands to assist in the administration of projects conducted under the pilot program. The total amount obligated under this subparagraph may not exceed $1,000,000 for any fiscal year during which the pilot program is in effect.

(E) REVIEW AND REPORT.—Not later than September 30, 2003, the Comptroller General shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Resources of the House of Representatives a report assessing the pilot program. The Secretary concerned shall submit to such committees an annual report describing the results of the pilot program.

(f) REQUIREMENTS FOR PROJECT FUNDS.—The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

(1) to road maintenance, decommissioning, or obliteration; or

(2) to restoration of streams and watersheds.

SEC. 205. RESOURCE ADVISORY COMMITTEES.

(a) ESTABLISHMENT AND PURPOSE OF RESOURCE ADVISORY COMMITTEES.—

(1) ESTABLISHMENT.—The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

(2) PURPOSE.—The purpose of a resource advisory committee shall be to improve collaborative relationships and to provide advice and recommendations to the land management agencies consistent with the purposes of this Act.

(3) ACCESS TO RESOURCE ADVISORY COMMITTEES.—To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may, establish resource advisory committees for part of, or one or more, units of Federal lands.

(4) EXISTING ADVISORY COMMITTEES.—Existing advisory committees meeting the requirements of this section may be deemed by the Secretary concerned, as a resource advisory committee for the purposes of this title. The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this title.

(b) DUTIES.—A resource advisory committee shall—

(1) review projects proposed under this title by participating counties and other persons;

(2) propose projects and funding to the Secretary concerned under section 203;

(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this Act under this title; and

(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning

at the early stages of the project development process under this title.

(c) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary concerned, shall appoint the members of resource advisory committees for a term of 3 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 3-year terms.

(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretary concerned shall make initial appointments to the resource advisory committees not later than 180 days after the date of the enactment of this Act.

(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any resource advisory committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the resource advisory committees shall not receive any compensation.

(d) COMPOSITION OF ADVISORY COMMITTEE.—

(1) NUMBER.—Each resource advisory committee shall be comprised of 15 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Committee members shall be representative of the interests of the following three categories:

(A) 5 persons who—

(i) represent organized labor;

(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

(iii) represent energy and mineral development interests;

(iv) represent the commercial timber industry; or

(v) hold Federal grazing permits, or other land use permits within the area for which the committee is organized.

(B) 5 persons representing—

(i) nationally recognized environmental organizations;

(ii) regionally or locally recognized environmental organizations;

(iii) dispersed recreational activities;

(iv) archaeological and historical interests; or

(v) nationally or regionally recognized wild horse and burro interest groups.

(C) 5 persons who—

(i) hold State elected office or their designee;

(ii) hold county or local elected office;

(iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;

(iv) are school officials or teachers; or

(v) represent the affected public at large.

(3) BALANCED REPRESENTATION.—In appointing committee members from the three categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

(5) CHAIRPERSON.—A majority on each resource advisory committee shall select the chairperson of the committee.

(e) APPROVAL PROCEDURES.—(1) Subject to paragraph (2), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this title. A quorum must be present to constitute an official meeting of the committee.

(2) A project may be proposed by a resource advisory committee to the Secretary concerned under section 203(a), if it has been approved by a majority of members of the committee from each of the three categories in subsection (d)(2).

(f) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of a resource advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

SEC. 206. USE OF PROJECT FUNDS.

(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

(1) AGREEMENT BETWEEN PARTIES.—The Secretary concerned may carry out a project submitted by a resource advisory committee under section 203(a) using project funds or other funds described in section 203(a)(2), if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for failure of the Secretary concerned to comply with the terms of the agreement consistent with current Federal law.

(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) TRANSFER OF PROJECT FUNDS.—

(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, or other funds described in section 203(a)(2), the Secretary concerned shall transfer to the applicable unit of National Forest System lands or BLM District an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2); or

(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2) for the first fiscal year.

(2) CONDITION ON PROJECT COMMENCEMENT.—The unit of National Forest System lands or BLM District concerned, shall not commence a project until the project funds, or other funds described in section 203(a)(2) required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

(3) SUBSEQUENT TRANSFERS FOR MULTIYEAR PROJECTS.—For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System lands or BLM District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a). The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

SEC. 207. AVAILABILITY OF PROJECT FUNDS.

(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By September 30 of each fiscal year through fiscal year 2006, a resource advisory committee shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

(b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—Subject to section 208, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

(c) EFFECT OF REJECTION OF PROJECTS.—Subject to section 208, any project funds reserved by a participating county in the preceding fiscal year that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for use as part of the project submissions in the next fiscal year.

(d) EFFECT OF COURT ORDERS.—If an approved project under this Act is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to that project to the participating county or counties that reserved the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i), whichever applies to the funds involved.

SEC. 208. TERMINATION OF AUTHORITY.

The authority to initiate projects under this title shall terminate on September 30, 2006. Any project funds not obligated by September 30, 2007, shall be deposited in the Treasury of the United States.

TITLE III—COUNTY PROJECTS

SEC. 301. DEFINITIONS.

In this title:

(1) PARTICIPATING COUNTY.—The term ''participating county'' means an eligible county that elects under section 102(d)(1)(B)(ii) or 103(c)(1)(B)(ii) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) COUNTY FUNDS.—The term ''county funds'' means all funds an eligible county elects under sections 102(d)(1)(B)(ii) and 103(c)(1)(B)(ii) to reserve for expenditure in accordance with this title.

SEC. 302. USE OF COUNTY FUNDS.

(a) LIMITATION ON COUNTY FUND USE.—County funds shall be expended solely on projects that meet the requirements of this title. A project under this title shall be approved by the participating county only following a 45-day public comment period, at the beginning of which the county shall—

(1) publish a description of the proposed project in the publications of local record; and

(2) send the proposed project to the appropriate resource advisory committee established under section 205, if one exists for the county.

(b) AUTHORIZED USES.—

(1) SEARCH, RESCUE, AND EMERGENCY SERVICES.—An eligible county or applicable sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

(2) COMMUNITY SERVICE WORK CAMPS.—An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

(3) EASEMENT PURCHASES.—An eligible county may use these funds to acquire—

(A) easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes;

(B) conservation easements; or

(C) both.

(4) FOREST RELATED EDUCATIONAL OPPORTUNITIES.—A county may use these funds to establish and conduct forest-related after school programs.

(5) FIRE PREVENTION AND COUNTY PLANNING.—A county may use these funds for—

(A) efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and

(B) planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

(6) COMMUNITY FORESTRY.—A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

SEC. 303. TERMINATION OF AUTHORITY.

The authority to initiate projects under this title shall terminate on September 30, 2006. Any county funds not obligated by September 30, 2007 shall be available to be expended by the county for the uses identified in section 302(b).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act for fiscal years 2001 through 2006.

SEC. 402. TREATMENT OF FUNDS AND REVENUES.

(a) RELATION TO OTHER APPROPRIATIONS.—Funds appropriated pursuant to the authorization of appropriations in section 401 and funds made available to a Secretary concerned under section 206 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

(b) DEPOSIT OF REVENUES AND OTHER FUNDS.—All revenues generated from projects pursuant to title II, any funds remitted by counties pursuant to section 102(d)(1)(B)(iii) or section 103(c)(1)(B)(iii), and any interest accrued from such funds shall be deposited in the Treasury of the United States.

SEC. 403. REGULATIONS.

The Secretaries concerned may jointly issue regulations to carry out the purposes of this Act.

SEC. 404. CONFORMING AMENDMENTS.

Sections 13982 and 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note) are repealed.

TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

SEC. 501. SHORT TITLE.

This title may be cited as the ''Mineral Revenue Payments Clarification Act of 2000''.

SEC. 502. FINDINGS.

The Congress finds the following:

(1) Section 10201 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 107 Stat. 407) amended section 35 of the Mineral Leasing Act (30 U.S.C. 191) to change the sharing of onshore mineral revenues and revenues from geothermal steam from a 50:50 split between the Federal Government and the States to a complicated formula that entailed deducting from the State share of leasing revenues ''50 percent of the portion of the enacted appropriations of the Department of the Interior and any other agency during the preceding fiscal year allocable to the administration of all laws providing for the leasing of any onshore lands or interest in land owned by the United States for the production of the same types of minerals leasable under this Act or of geothermal steam, and to enforcement of such laws . . .''.

(2) There is no legislative record to suggest a sound public policy rationale for deducting prior-year administrative expenses from the sharing of current-year receipts, indicating that this change was made primarily for budget scoring reasons.

(3) The system put in place by this change in law has proved difficult to administer and has given rise to disputes between the Federal Government and the States as to the nature of allocable expenses. Federal accounting systems have proven to be poorly suited to breaking down administrative costs in the manner required by the law. Different Federal agencies implementing this law have used varying methodologies to identify allocable costs, resulting in an inequitable distribution of costs during fiscal years 1994 through 1996. In November 1997, the Inspector General of the Department of the Interior found that ''the congressionally approved method for cost sharing deductions effective in fiscal year 1997 may not accurately compute the deductions''.

(4) Given the lack of a substantive rationale for the 1993 change in law and the complexity and administrative burden involved, a return to the sharing formula prior to the enactment of the Omnibus Budget Reconciliation Act of 1993 is justified.

SEC. 503. AMENDMENT OF THE MINERAL LEASING ACT.

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows:

''(b) In determining the amount of payments to the States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States.''.

TITLE VI—COMMUNITY FOREST RESTORATION

SECTION 601. SHORT TITLE.

This title may be cited as the ''Community Forest Restoration Act''.

SEC. 602. FINDINGS.

The Congress finds the following:

(1) A century of fire suppression, logging, and livestock grazing has altered the ecological balance of New Mexico's forests.

(2) Some forest lands in New Mexico contain an unnaturally high number of small diameter trees that are subject to large, high intensity wildfires that can endanger human lives, livelihoods, and ecological stability.

(3) Forest lands that contain an unnaturally high number of small diameter trees have reduced biodiversity and provide fewer benefits to human communities, wildlife, and watersheds.

(4) Healthy and productive watersheds minimize the threat of large, high intensity wildfires, provide abundant and diverse wildlife habitat, and produce a variety of timber and non-timber products including better quality water and increased water flows.

(5) Restoration efforts are more successful when there is involvement from neighboring communities and better stewardship will evolve from more diverse involvement.

(6) Designing demonstration restoration projects through a collaborative approach may—

(A) lead to the development of cost effective restoration activities;

(B) empower diverse organizations to implement activities which value local and traditional knowledge;

(c) build ownership and civil pride; and

(D) ensure healthy, diverse, and productive forests and watersheds.

SEC. 603. PURPOSES.

The purposes of this title are—

(1) to promote healthy watersheds and reduced the threat of large, high intensity wildfires, insect infestation, and disease in the forests in New Mexico;

(2) to improve the functioning of forest ecosystems and enhance plant and wildlife biodiversity by reducing the unnaturally high number and density of small diameter trees on Federal, Tribal, State, County, and Municipal, forest lands;

(3) to improve communication and joint problem solving among individuals and groups who are interested in restoring the diversity and productivity of forested watersheds in New Mexico;

(4) to improve the use of, or add value to, small diameter trees;

(5) to encourage sustainable communities and sustainable forests through collaborative partnerships whose objectives are forest restoration; and

(6) to develop, demonstrate, and evaluate ecologically sound forest restoration techniques.

SEC. 604. DEFINITIONS.

As used in this title—

(1) the term 'Secretary' means the Secretary of Agriculture acting through the Chief of the Forest Service; and

(2) the term 'stakeholder' includes: tribal governments, educational institutions, landowners, and other interested public and private entities.

SEC. 605. ESTABLISHMENT OF PROGRAM.

(a) The Secretary shall establish a cooperative forest restoration program in New Mexico in order to provide cost-share grants to stakeholders for experimental forest restoration projects that are designed through a collaborative process (hereinafter referred to as the 'Collaborative Forest Restoration Program'). The projects may be entirely on, or on any combination of, Federal, Tribal, State, County, or Municipal forest lands. The Federal share of an individual project cost shall not exceed eighty percent of the total costs. The twenty percent matching may be in the form of cash or in-kind contribution.

(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive funding under this title, a project shall—

(1) address the following objectives—

(A) reduce the threat of large, high intensity wildfires and the negative effects of excessive competition between trees by restoring ecosystem functions, structures, and species composition, including the reduction of non-native species populations;

(B) re-establish fire regimes approximating those that shaped forest ecosystems prior to fire suppression;

(C) preserve old and large trees;

(D) replant trees in deforested areas if they exist in the proposed project area; and

(E) improve the use of, or add value to, small diameter trees;

(2) comply with all Federal and State environmental laws;

(3) include a diverse and balanced group of stakeholders as well as appropriate Federal, Tribal, State County, and Municipal government representatives in the design, implemention, and monitoring of the project;

(4) incorporate current scientific forest restoration information; and

(5) include a multi-party assessment to—

(A) identify both the existing ecological condition of the proposed project area and the desired future condition; and

(B) report, upon project completion, on the positive or negative impact and effectiveness of the project including improvements in local management skills and on the ground results;

(6) create local employment or training opportunities within the context of accomplishing restoration objectives, that are consistent with the purposes of this title, including summer youth jobs programs such as the Youth Conservation Corps where appropriate;

(7) not exceed four years in length;

(8) not exceed a total annual cost of $150,000, with the Federal portion not exceeding $120,000 annually, nor exceed a total cost of $450,000 for the project, with the Federal portion of the total cost not exceeding $360,000;

(9) leverage Federal funding through in-kind or matching contributions; and

(10) include an agreement by each stakeholder to attend an annual workshop with other stakeholders for the purpose of discussing the cooperative forest restoration program and projects implemented under this title. The Secretary shall coordinate and fund the annual workshop. Stakeholders may use funding for projects authorized under this title to pay for their travel and per diem expenses to attend the workshop.

SEC. 606. SELECTION PROCESS.

(a) After consulting with the technical advisory panel established in subsection (b), the Secretary shall select the proposals that will receive funding through the Collaborative Forest Restoration Program.

(b) The Secretary shall convene a technical advisory panel to evaluate the proposals for forest restoration grants and provide recommendations regarding which proposals would best meet the objectives of the Collaborative Forest Restoration Program. The technical advisory panel shall consider eligibility criteria established in section 605, the effect on long term management, and seek to use a consensus-based decision making process to develop such recommendations. The panel shall be composed of 12 to 15 members, to be appointed by the Secretary as follows:

(1) A State Natural Resource official from the State of New Mexico.

(2) At least two representatives from Federal land management agencies.

(3) At least one tribal or pueblo representative.

(4) At least two independent scientists with experience in forest ecosystem restoration.

(5) Equal representation from—

(A) conservation interests;

(B) local communities; and

(C) commodity interests.

SEC. 607. MONITORING AND EVALUATION.

The Secretary shall establish a multiparty monitoring and evaluation process in order to assess the cumulative accomplishments or adverse impacts of the Collaborative Forest Restoration Program. The Secretary shall include any interested individual or organization in the monitoring and evaluation process. The Secretary also shall conduct a monitoring program to assess the short and long term ecological effects of the restoration treatments, if any, or a minimum of 15 years.

SEC. 608. REPORT.

No later than five years after the first fiscal year in which funding is made available for this program, the Secretary shall submit a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The report shall include an assessment on whether, and to what extent, the projects funded pursuant to this title are meeting the purposes of the Collaborative Forest Restoration Program.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $5,000,000 annually to carry out this title.

COLORADO UTE SETTLEMENT ACT OF 2000

CAMPBELL (AND ALLARD) AMENDMENT NO. 4303

(Ordered to lie on the table.)

Mr. CAMPBELL (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by them to the bill (S. 2508) to amend the Colorado Ute Indian Water Rights Settlement Act of 1988 to provide for a final settlement of the claims of the Colorado Ute Indian Tribes, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; FINDINGS; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Colorado Ute Settlement Act Amendments of 2000''.

(b) FINDINGS.—Congress makes the following findings:

(1) In order to provide for a full and final settlement of the claims of the Colorado Ute Indian Tribes on the Animas and La Plata Rivers, the Tribes, the State of Colorado, and certain of the non-Indian parties to the Agreement have proposed certain modifications to the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(2) The claims of the Colorado Ute Indian Tribes on all rivers in Colorado other than the Animas and La Plata Rivers have been settled in accordance with the provisions of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(3) The Indian and non-Indian communities of southwest Colorado and northwest New Mexico will be benefited by a settlement of the tribal claims on the Animas and La Plata Rivers that provides the Tribes with a firm water supply without taking water away from existing uses.

(4) The Agreement contemplated a specific timetable for the delivery of irrigation and municipal and industrial water and other benefits to the Tribes from the Animas-La Plata Project, which timetable has not been met. The provision of irrigation water can not presently be satisfied under the current implementation of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(5) In order to meet the requirements of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and in particular the various biological opinions issued by the Fish and Wildlife Service, the amendments made by this Act are needed to provide for a significant reduction in the facilities and water supply contemplated under the Agreement.

(6) The substitute benefits provided to the Tribes under the amendments made by this Act, including the waiver of capital costs and the provisions of funds for natural resource enhancement, result in a settlement that provides the Tribes with benefits that are equivalent to those that the Tribes would have received under the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(7) The requirement that the Secretary of the Interior comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other national environmental laws before implementing the proposed settlement will ensure that the satisfaction of the tribal water rights is accomplished in an environmentally responsible fashion.

(8) In considering the full range of alternatives for satisfying the water rights claims of the Southern Ute Indian Tribe and Ute Mountain Ute Indian Tribe, Congress has held numerous legislative hearings and deliberations, and reviewed the considerable record including the following documents:

(A) The Final EIS No. INT–FES–80–18, dated July 1, 1980.

(B) The Draft Supplement to the FES No. INT–DES–92–41, dated October 13, 1992.

(C) The Final Supplemental to the FES No. 96–23, dated April 26, 1996;

(D) The Draft Supplemental EIS, dated January 14, 2000.

(E) The Final Supplemental EIS, dated July 2000.

(F) The Record of Decision for the Settlement of the Colorado Ute Indian Waters, September 25, 2000.

(9) In the Record of Decision referred to in paragraph (8)(F), the Secretary determined that the preferred alternative could only proceed if Congress amended the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973) so as to satisfy the Tribal water rights claim through the construction of the features authorized by this Act. The amendments to the Colorado Ute Indian Water Rights Settlement Act of 1988 set forth in this Act will provide the Ute Tribes with substitute benefits equivalent to those that the Tribes would have received under the Colorado Ute Indian Water Rights Settlement Act of 1988, in a manner consistent with paragraph (8) and the Federal Government's trust obligation.

(10) Based upon paragraph (8), it is the intent of Congress to enact legislation that implements the Record of Decision referred to in paragraph (8)(F).

(c) DEFINITIONS.—In this Act:

(1) AGREEMENT.—The term ''Agreement'' has the meaning given that term in section 3(1) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(2) ANIMAS-LA PLATA PROJECT.—The term ''Animas-La Plata Project'' has the meaning given that term in section 3(2) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973).

(3) DOLORES PROJECT.—The term ''Dolores Project'' has the meaning given that term in section 3(3) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2974).

(4) TRIBE; TRIBES.—The term ''Tribe'' or ''Tribes'' has the meaning given that term in section 3(6) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2974).

SEC. 2. AMENDMENTS TO SECTION 6 OF THE COLORADO UTE INDIAN WATER RIGHTS SETTLEMENT ACT OF 1988.

Subsection (a) of section 6 of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2975) is amended to read as follows:

''(a) RESERVOIR; MUNICIPAL AND INDUSTRIAL WATER.—

''(1) FACILITIES.—

''(A) IN GENERAL.—After the date of enactment of this subsection, but prior to January 1, 2005, or the date established in the Amended Final Decree described in section 18(c), the Secretary, in order to settle the outstanding claims of the Tribes on the Animas and La Plata Rivers, acting through the Bureau of Reclamation, is specifically authorized to—

''(i) complete construction of, and operate and maintain, a reservoir, a pumping plant, a reservoir inlet conduit, and appurtenant facilities with sufficient capacity to divert and store water from the Animas River to provide for an average annual depletion of 57,100 acre-feet of water to be used for a municipal and industrial water supply, which facilities shall—

''(I) be designed and operated in accordance with the hydrologic regime necessary for the recovery of the endangered fish of the San Juan River as determined by the San Juan River Recovery Implementation Program;

''(II) be operated in accordance with the Animas-La Plata Project Compact as approved by Congress in Public Law 90-537;

''(III) include an inactive pool of an appropriate size to be determined by the Secretary following the completion of required environmental compliance activities; and

''(IV) include those recreation facilities determined to be appropriate by agreement between the State of Colorado and the Secretary that shall address the payment of any of the costs of such facilities by the State of Colorado in addition to the costs described in paragraph (3); and

''(ii) deliver, through the use of the project components referred to in clause (i), municipal and industrial water allocations—

''(I) with an average annual depletion not to exceed 16,525 acre-feet of water, to the Southern Ute Indian Tribe for its present and future needs;

''(II) with an average annual depletion not to exceed 16,525 acre-feet of water, to the Ute Mountain Ute Indian Tribe for its present and future needs;

''(III) with an average annual depletion not to exceed 2,340 acre-feet of water, to the Navajo Nation for its present and future needs;

''(IV) with an average annual depletion not to exceed 10,400 acre-feet of water, to the San Juan Water Commission for its present and future needs;

''(V) with an average annual depletion of an amount not to exceed 2,600 acre-feet of water, to the Animas-La Plata Conservancy District for its present and future needs;

''(VI) with an average annual depletion of an amount not to exceed 5,230 acre-feet of water, to the State of Colorado for its present and future needs; and

''(VII) with an average annual depletion of an amount not to exceed 780 acre-feet of water, to the La Plata Conservancy District of New Mexico for its present and future needs.

''(B) APPLICABILITY OF OTHER FEDERAL LAW.—The responsibilities of the Secretary described in subparagraph (A) are subject to the requirements of Federal laws related to the protection of the environment and otherwise applicable to the construction of the proposed facilities, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Clean Water Act (42 U.S.C. 7401 et seq.), and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). Nothing in this Act shall be construed to predetermine or otherwise affect the outcome of any analysis conducted by the Secretary or any other Federal official under applicable laws.

''(C) LIMITATION.—

''(i) IN GENERAL.—If constructed, the facilities described in subparagraph (A) shall constitute the Animas-La Plata Project. Construction of any other project features authorized by Public Law 90-537 shall not be commenced without further express authorization from Congress.

''(ii) CONTINGENCY IN APPLICATION.—If the facilities described in subparagraph (A) are not constructed and operated, clause (i) shall not take effect.

''(2) TRIBAL CONSTRUCTION COSTS.—Construction costs allocable to the facilities that are required to deliver the municipal and industrial water allocations described in subclauses (I), (II) and (III) of paragraph (1)(A)(ii) shall be nonreimbursable to the United States.

''(3) NONTRIBAL WATER CAPITAL OBLIGATIONS.—

''(A) IN GENERAL.—Under the provisions of section 9 of the Act of August 4, 1939 (43 U.S.C. 485h), the nontribal municipal and industrial water capital repayment obligations for the facilities described in paragraph (1)(A)(i) may be satisfied upon the payment in full of the nontribal water capital obligations prior to the initiation of construction. The amount of the obligations described in the preceding sentence shall be determined by agreement between the Secretary of the Interior and the entity responsible for such repayment as to the appropriate reimbursable share of the construction costs allocated to that entity's municipal water storage. Such repayment shall be consistent with Federal reclamation law, including the Colorado River Storage Project Act of 1956 (43 U.S.C. 620 et seq.). Such agreement shall take into account the fact that the construction of certain project facilities, including those facilities required to provide irrigation water supplies from the Animas-La Plata Project, is not authorized under paragraph (1)(A)(i) and no costs associated with the design or development of such facilities, including costs associated with environmental compliance, shall be allocable to the municipal and industrial users of the facilities authorized under such paragraph.

''(B) NONTRIBAL REPAYMENT OBLIGATION SUBJECT TO FINAL COST ALLOCATION.—The nontribal repayment obligation set forth in subparagraph (A) shall be subject to a final cost allocation by the Secretary upon project completion. In the event that the final cost allocation indicates that additional repayment is warranted based on the applicable entity's share of project water storage and determination of overall reimbursable cost, that entity may elect to enter into a new agreement to make the additional payment necessary to secure the full water supply identified in paragraph (1)(A)(ii). If the repayment entity elects not to enter into a new agreement, the portion of project storage relinquished by such election shall be available to the Secretary for allocation to other project purposes. Additional repayment shall only be warranted for reasonable and unforeseen costs associated with project construction as determined by the Secretary in consultation with the relevant repayment entities.

''(C) REPORT.—Not later than April 1, 2001, the Secretary shall report to Congress on the status of the cost-share agreements contemplated in subparagraph (A). In the event that no agreement is reached with either the Animas-La Plata Conservancy District or the State of Colorado for the water allocations set forth in subclauses (V) and (VI) of paragraph (1)(A)(ii), those allocations shall be reallocated equally to the Colorado Ute Tribes.

''(4) TRIBAL WATER ALLOCATIONS.—

''(A) IN GENERAL.—With respect to municipal and industrial water allocated to a Tribe from the Animas-La Plata Project or the Dolores Project, until that water is first used by a Tribe or used pursuant to a water use contract with the Tribe, the Secretary shall pay the annual operation, maintenance, and replacement costs allocable to that municipal and industrial water allocation of the Tribe.

''(B) TREATMENT OF COSTS.—A Tribe shall not be required to reimburse the Secretary for the payment of any cost referred to in subparagraph (A).

''(5) REPAYMENT OF PRO RATA SHARE.—Upon a Tribe's first use of an increment of a municipal and industrial water allocation described in paragraph (4), or the Tribe's first use of such water pursuant to the terms of a water use contract—

''(A) repayment of that increment's pro rata share of those allocable construction costs for the Dolores Project shall be made by the Tribe; and

''(B) the Tribe shall bear a pro rata share of the allocable annual operation, maintenance, and replacement costs of the increment as referred to in paragraph (4).''.

SEC. 3. MISCELLANEOUS.

The Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100–585; 102 Stat. 2973) is amended by adding at the end the following:

''SEC. 15. NEW MEXICO AND NAVAJO NATION WATER MATTERS.

''(a) ASSIGNMENT OF WATER PERMIT.—Upon the request of the State Engineer of the State of New Mexico, the Secretary shall, as soon as practicable, in a manner consistent with applicable law, assign, without consideration, to the New Mexico Animas-La Plata Project beneficiaries or to the New Mexico Interstate Stream Commission in accordance with the request of the State Engineer, the Department of the Interior's interest in New

Mexico State Engineer Permit Number 2883, dated May 1, 1956, in order to fulfill the New Mexico non-Navajo purposes of the Animas-La Plata Project, so long as the permit assignment does not affect the application of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to the use of the water involved.

''(b) NAVAJO NATION MUNICIPAL PIPELINE.—The Secretary is specifically authorized to construct a water line to augment the existing system that conveys the municipal water supplies, in an amount not less than 4,680 acre-feet per year, to the Navajo Indian Reservation at or near Shiprock, New Mexico. The Secretary shall comply with all applicable environmental laws with respect to such water line. Construction costs allocated to the Navajo Nation for such water line shall be nonreimbursable to the United States.

''(c) PROTECTION OF NAVAJO WATER CLAIMS.—Nothing in this Act, including the permit assignment authorized by subsection (a), shall be construed to quantify or otherwise adversely affect the water rights and the claims of entitlement to water of the Navajo Nation.

''SEC. 16. RESOURCE FUNDS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $8,000,000 for each of fiscal years 2002 through 2006. Not later than 60 days after amounts are appropriated and available to the Secretary for a fiscal year under this paragraph, the Secretary shall make a payment to each of the Tribal Resource Funds established under subsection (b). Each such payment shall be equal to 50 percent of the amount appropriated for the fiscal year involved.

''(b) FUNDS.—The Secretary shall establish a—

''(1) Southern Ute Tribal Resource Fund; and

''(2) Ute Mountain Ute Tribal Resource Fund.

''(c) TRIBAL DEVELOPMENT.—

''(1) INVESTMENT.—The Secretary shall, in the absence of an approved tribal investment plan provided for under paragraph (2), invest the amount in each Tribal Resource Fund established under subsection (b) in accordance with the Act entitled, 'An Act to authorize the deposit and investment of Indian funds' approved June 24, 1938 (25 U.S.C. 162a). With the exception of the funds referred to in paragraph (3)(B)(i), the Secretary shall disburse, at the request of a Tribe, the principal and income in its Resource Fund, or any part thereof, in accordance with a resource acquisition and enhancement plan approved under paragraph (3).

''(2) INVESTMENT PLAN.—

''(A) IN GENERAL.—In lieu of the investment provided for in paragraph (1), a Tribe may submit a tribal investment plan applicable to all or part of the Tribe's Tribal Resource Fund, except with respect to the funds referred to in paragraph (3)(B)(i).

''(B) APPROVAL.—Not later than 60 days after the date on which an investment plan is submitted under subparagraph (A), the Secretary shall approve such investment plan if the Secretary finds that the plan is reasonable and sound. If the Secretary does not approve such investment plan, the Secretary shall set forth in writing and with particularity the reasons for such disapproval. If such investment plan is approved by the Secretary, the Tribal Resource Fund involved shall be disbursed to the Tribe to be invested by the Tribe in accordance with the approved investment plan, subject to subsection (d).

''(C) COMPLIANCE.—The Secretary may take such steps as the Secretary determines to be necessary to monitor the compliance of a Tribe with an investment plan approved under subparagraph (B). The United States shall not be responsible for the review, approval, or audit of any individual investment under the plan. The United States shall not be directly or indirectly liable with respect to any such investment, including any act or omission of the Tribe in managing or investing such funds.

''(D) ECONOMIC DEVELOPMENT PLAN.—The principal and income derived from tribal investments under an investment plan approved under subparagraph (B) shall be subject to the provisions of this section and shall be expended only in accordance with an economic development plan approved under paragraph (3)(B).

''(3) ECONOMIC DEVELOPMENT PLAN.—

''(A) IN GENERAL.—Each Tribe shall submit to the Secretary a resource acquisition and enhancement plan for all or any portion of its Tribal Resource Fund.

''(B) APPROVAL.—Not later than 60 days after the date on which a plan is submitted under subparagraph (A), the Secretary shall approve such plan if it is consistent with the following requirements:

''(i) With respect to at least ¾ of the funds appropriated pursuant to this section and consistent with the long-standing practice of the Tribes and other local entities and communities to work together to use their respective water rights and resources for mutual benefit, at least ¾ of the funds appropriated pursuant to this section shall be utilized to enhance, restore, and utilize the Tribes' natural resources in partnership with adjacent non-Indian communities or entities in the area.

''(ii) The plan must be reasonably related to the protection, acquisition, enhancement, or development of natural resources for the benefit of the Tribe and its members.

''(iii) Notwithstanding any other provision of law and in order to ensure that the Federal Government fulfills the objectives of the Record of Decision referred to in section 1(b)(8)(F) of the Colorado Ute Settlement Act Amendments of 2000 by requiring that the funds referred to in clause (i) are expended directly by employees of the Federal Government, the Secretary acting through the Bureau of Reclamation shall expend not less than ⅓ of the funds referred to in clause (i) for municipal or rural water development and not less than ⅔ of the funds referred to such clause for resource acquisition and enhancement.

''(C) MODIFICATION.—Subject to the provisions of this Act and the approval of the Secretary, each Tribe may modify a plan approved under subparagraph (B).

''(D) LIABILITY.—The United States shall not be directly or indirectly liable for any claim or cause of action arising from the approval of a plan under this paragraph, or from the use and expenditure by the Tribe of the principal or interest of the Funds.

''(d) LIMITATION ON PER CAPITA DISTRIBUTIONS.—No part of the principal contained in the Tribal Resource Fund, or of the income accruing to such funds, or the revenue from any water use contract, shall be distributed to any member of either Tribe on a per capita basis.

''(e) LIMITATION ON SETTING ASIDE FINAL CONSENT DECREE.—Neither the Tribes nor the United States shall have the right to set aside the final consent decree solely because the requirements of subsection (c) are not complied with or implemented.

''(f) LIMITATION ON DISBURSEMENT OF TRIBAL RESOURCE FUNDS.—Any funds appropriated under this section shall be placed into the Southern Ute Tribal Resource Fund and the Ute Mountain Ute Tribal Resource Fund in the Treasury of the United States but shall not be available for disbursement under this section until the final settlement of the tribal claims as provided in section 18. The Secretary of the Interior may, in the Secretary's sole discretion, authorize the disbursement of funds prior to the final settlement in the event that the Secretary determines that substantial portions of the settlement have been completed. In the event that the funds are not disbursed under the terms of this section by December 31, 2012, such funds shall be deposited in the general fund of the Treasury.

''SEC. 17. COLORADO UTE SETTLEMENT FUND.

''(a) ESTABLISHMENT OF FUND.—There is hereby established within the Treasury of the United States a fund to be known as the 'Colorado Ute Settlement Fund'.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Colorado Ute Settlement Fund such funds as are necessary to complete the construction of the facilities described in sections 6(a)(1)(A) and 15(b) within 7 years of the date of enactment of this section. Such funds are authorized to be appropriated for each of the first 5 fiscal years beginning with the first full fiscal year following the date of enactment of this section.

''SEC. 18. FINAL SETTLEMENT.

''(a) IN GENERAL.—The construction of the facilities described in section 6(a)(1)(A), the allocation of the water supply from those facilities to the Tribes as described in that section, and the provision of funds to the Tribes in accordance with section 16 and the issuance of an amended final consent decree as contemplated in subsection (c) shall constitute final settlement of the tribal claims to water rights on the Animas and La Plata Rivers in the State of Colorado.

''(b) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect the right of the Tribes to water rights on the streams and rivers described in the Agreement, other than the Animas and La Plata Rivers, to receive the amounts of water dedicated to tribal use under the Agreement, or to acquire water rights under the laws of the State of Colorado.

''(c) ACTION BY THE ATTORNEY GENERAL.—The Attorney General shall file with the District Court, Water Division Number 7, of the State of Colorado, such instruments as may be necessary to request the court to amend the final consent decree to provide for the amendments made to this Act under the Colorado Ute Indian Water Rights Settlement Act Amendments of 2000. The amended final consent decree shall specify terms and conditions to provide for an extension of the current January 1, 2005, deadline for the Tribes to commence litigation of their reserved rights claims on the Animas and La Plata Rivers.

''SEC. 19. STATUTORY CONSTRUCTION; TREATMENT OF CERTAIN FUNDS.

''(a) IN GENERAL.—Nothing in the amendments made by the Colorado Ute Settlement Act Amendments of 2000 shall be construed to affect the applicability of any provision of this Act.

''(b) TREATMENT OF UNCOMMITTED PORTION OF COST-SHARING OBLIGATION.—The uncommitted portion of the cost-sharing obligation of the State of Colorado referred to in section 6(a)(3) shall be made available, upon the request of the State of Colorado, to the State of Colorado after the date on which payment is made of the amount specified in that section.''.

• Mr. CAMPBELL. Mr. President, today I am submitting an amendment which supercedes S. 2508, legislation I introduced earlier this year to provide for the final settlement of the Colorado Ute Indians Water Rights Settlement Act of 1988. I am proud to have my colleague Senator WAYNE ALLARD as an original cosponsor of this legislation.

These amendments come after prolonged negotiations with officials of the Department of Interior, the Tribes and other parties to this agreement. It is our last opportunity to fulfill our treaty obligations and prevent the Tribes from suing the federal government for the water they were promised more than 12 years ago.

I am aware of the precious little time we have left in this session and the huge legislative task we have with the remaining important legislation which remains on our calendar. Unfortunately, the Secretary of the Interior waited until September 25, 2000 to sign a Record of Decision supporting these amendments, amendments his staff helped negotiate. It was my intent to move forward long before this.

However, I am compelled to introduce this amended legislation now, because by law, the Tribes already have the ability to sue the federal government to have their treaty obligations for water fulfilled. And, I believe the Tribes will undoubtedly prevail and the damages awarded them could far exceed what it will cost us to do what is already prescribed by law and federal treaty.

The record, the law and our moral obligation in this matter are clear. I believe the Administration and my colleagues agree with me, the time to put this matter behind us has come. We teach our children that our country was built on honesty, respect for the law and integrity. But, we cannot hold up our respect for treaties we have entered into with American Indians, because we have never honored any of those treaties we have signed. It is time to do what is right and to make water available to the Ute Tribes. This legislation does so in a manner that minimizes the environmental impacts and the burden on the American taxpayers.

I urge my colleagues to support passage of this legislation before Congress adjourns for the year.•

NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 1999

On October 5, 2000, the Senate amended and passed S. 1756, as follows:

S. 1756

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 ''National Laboratories Partnership Improvement Act of 2000''.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term ''Department'' means the Department of Energy;

(2) the term ''departmental mission'' means any of the functions vested in the Secretary of Energy by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) or other law;

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a));

(4) the term ''National Laboratory'' means any of the following institutions owned by the Department of Energy—

(A) Argonne National Laboratory;

(B) Brookhaven National Laboratory;

(C) Idaho National Engineering and Environmental Laboratory;

(D) Lawrence Berkeley National Laboratory;

(E) Lawrence Livermore National Laboratory;

(F) Los Alamos National Laboratory;

(G) National Renewable Energy Laboratory;

(H) Oak Ridge National Laboratory;

(I) Pacific Northwest National Laboratory; or

(J) Sandia National Laboratory;

(5) the term ''facility'' means any of the following institutions owned by the Department of Energy—

(A) Ames Laboratory;

(B) East Tennessee Technology Park;

(C) Environmental Measurement Laboratory;

(D) Fermi National Accelerator Laboratory;

(E) Kansas City Plant;

(F) National Energy Technology Laboratory;

(G) Nevada Test Site;

(H) Princeton Plasma Physics Laboratory;

(I) Savannah River Technology Center;

(J) Stanford Linear Accelerator Center;

(K) Thomas Jefferson National Accelerator Facility;

(L) Waste Isolation Pilot Plant;

(M) Y–12 facility at Oak Ridge National Laboratory; or

(N) other similar organization of the Department designated by the Secretary that engages in technology transfer, partnering, or licensing activities;

(6) the term ''nonprofit institution'' has the meaning given such term in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703(5));

(7) the term ''Secretary'' means the Secretary of Energy;

(8) the term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632);

(9) the term ''technology-related business concern'' means a for-profit corporation, company, association, firm, partnership, or small business concern that—

(A) conducts scientific or engineering research,

(B) develops new technologies,

(C) manufacturers products based on new technologies, or

(D) performs technological services;

(10) the term ''technology cluster'' means a concentration of—

(A) technology-related business concerns;

(B) institutions of higher education; or

(C) other nonprofit institutions,

that reinforce each other's performance through formal or informal relationships;

(11) the term ''socially and economically disadvantaged small business concerns'' has the meaning given such term in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)); and

(12) the term ''NNSA'' means the National Nuclear Security Administration established by title XXXII of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

SEC. 3. TECHNOLOGY INFRASTRUCTURE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary, through the appropriate officials of the Department, shall establish a Technology Infrastructure Pilot Program in accordance with this section.

(b) PURPOSE.—The purpose of the program shall be to improve the ability of National Laboratories or facilities to support departmental missions by—

(1) stimulating the development of technology clusters that can support the missions of the National Laboratories or facilities;

(2) improving the ability of National Laboratories or facilities to leverage and benefit from commercial research, technology, products, processes, and services; and

(3) encouraging the exchange of scientific and technological expertise between National Laboratories or facilities and—

(A) institutions of higher education,

(B) technology-related business concerns,

(C) nonprofit institutions, and

(D) agencies of State, tribal, or local governments, that can support the missions of the National Laboratories and facilities.

(c) PILOT PROGRAM.—In each of the first three fiscal years after the date of enactment of this section, the Secretary may provide no more than $10,000,000, divided equally, among no more than ten National Laboratories or facilities selected by the Secretary to conduct Technology Infrastructure Program Pilot Programs.

(d) PROJECTS.—The Secretary shall authorize the Director of each National Laboratory or facility designated under subsection (c) to implement the Technology Infrastructure Pilot Program at such National Laboratory or facility through projects that meet the requirements of subsections (e) and (f).

(e) PROGRAM REQUIREMENTS.—Each project funded under this section shall meet the following requirements:

(1) MINIMUM PARTICIPANTS.—Each project shall at a minimum include—

(A) a National Laboratory or facility; and

(B) one of the following entities—

(i) a business,

(ii) an institution of higher education,

(iii) a nonprofit institution, or

(iv) an agency of a State, local, or tribal government.

(2) COST SHARING.—

(A) MINIMUM AMOUNT.—Not less than 50 percent of the costs of each project funded under this section shall be provided from non-Federal sources.

(B) QUALIFIED FUNDING AND RESOURCES.—

(i) The calculation of costs paid by the non-Federal sources to a project shall include cash, personnel, services, equipment, and other resources expended on the project.

(ii) Independent research and development expenses of government contractors that qualify for reimbursement under section 31–205–18(e) of the Federal Acquisition Regulations issued pursuant to section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1)) may be credited towards costs paid by non-Federal sources to a project, if the expenses meet the other requirements of this section.

(iii) No funds or other resources expended either before the start of a project under this

section or outside the project's scope of work shall be credited toward the costs paid by the non-Federal sources to the project.

(3) COMPETITIVE SELECTION.—All projects where a party other than the Department or a National Laboratory or facility receives funding under this section shall, to the extent practicable, be competitively selected by the National Laboratory or facility using procedures determined to be appropriate by the Secretary or his designee.

(4) ACCOUNTING STANDARDS.—Any participant receiving funding under this section, other than a National Laboratory or facility, may use generally accepted accounting principles for maintaining accounts, books, and records relating to the project.

(5) LIMITATIONS.—No Federal funds shall be made available under this section for—

(A) construction; or

(B) any project for more than five years.

(f) SELECTION CRITERIA.—

(1) THRESHOLD FUNDING CRITERIA.—The Secretary shall authorize the provision of Federal funds for projects under this section only when the Director of the National Laboratory or facility managing such a project determines that the project is likely to improve the participating National Laboratory or facility's ability to achieve technical success in meeting departmental missions.

(2) ADDITIONAL CRITERIA.—The Secretary shall also require the Director of the National Laboratory or facility managing a project under this section to consider the following criteria in selecting a project to receive Federal funds—

(A) the potential of the project to succeed, based on its technical merit, team members, management approach, resources, and project plan;

(B) the potential of the project to promote the development of a commercially sustainable technology cluster, one that will derive most of the demand for its products or services from the private sector, that can support the missions of the participating National Laboratory or facility;

(C) the potential of the project to promote the use of commercial research, technology, products, processes, and services by the participating National Laboratory or facility to achieve its departmental mission or the commercial development of technological innovations made at the participating National Laboratory or facility;

(D) the commitment shown by non-Federal organizations to the project, based primarily on the nature and amount of the financial and other resources they will risk on the project;

(E) the extent to which the project involves a wide variety and number of institutions of higher education, nonprofit institutions, and technology-related business concerns that can support the missions of the participating National Laboratory or facility and that will make substantive contributions to achieving the goals of the project;

(F) the extent of participation in the project by agencies of State, tribal, or local governments that will make substantive contributions to achieving the goals of the project; and

(G) the extent to which the project focuses on promoting the development of technology-related business concerns that are small business concerns or involves such small business concerns substantively in the project.

(3) SAVINGS CLAUSE.—Nothing in this subsection shall limit the Secretary from requiring the consideration of other criteria, as appropriate, in determining whether projects should be funded under this section.

(g) REPORT TO CONGRESS ON FULL IMPLEMENTATION.—Not later than 120 days after the start of the third fiscal year after the date of enactment of this section, the Secretary shall report to Congress on whether the Technology Infrastructure Program should be continued beyond the pilot stage, and, if so, how the fully implemented program should be managed. This report shall take into consideration the results of the pilot program to date and the views of the relevant Directors of the National laboratories and facilities. The report shall include any proposals for legislation considered necessary by the Secretary to fully implement the program.

SEC. 4. SMALL BUSINESS ADVOCACY AND ASSISTANCE.

(a) ADVOCACY FUNCTION.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to establish a small business advocacy function that is organizationally independent of the procurement function at the National Laboratory or facility. The person or office vested with the small business advocacy function shall—

(1) work to increase the participation of small business concerns, including socially and economically disadvantaged small business concerns, in procurements, collaborative research, technology licensing, and technology transfer activities conducted by the National Laboratory or facility;

(2) report to the Director of the National Laboratory or facility on the actual participation of small business concerns in procurements and collaborative research along with recommendations, if appropriate, on how to improve participation;

(3) make available to small business concerns training, mentoring, and clear, up-to-date information on how to participate in the procurements and collaborative research, including how to submit effective proposals;

(4) increase the awareness inside the National Laboratory or facility of the capabilities and opportunities presented by small business concerns; and

(5) establish guidelines for the program under subsection (b) and report on the effectiveness of such program to the Director of the National Laboratory or facility.

(b) ESTABLISHMENT OF SMALL BUSINESS ASSISTANCE PROGRAM.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to establish a program to provide small business concerns—

(1) assistance directed at making them more effective and efficient subcontractors or suppliers to the National Laboratory or facility; or

(2) general technical assistance, the cost of which shall not exceed $10,000 per instance of assistance, to improve the small business concern's products or services.

(c) USE OF FUNDS.—None of the funds expended under subsection (b) may be used for direct grants to the small business concerns.

SEC. 5. TECHNOLOGY PARTNERSHIPS OMBUDSMAN.

(a) APPOINTMENT OF OMBUDSMAN.—The Secretary shall direct the Director of each National Laboratory, and may direct the Director of each facility the Secretary determines to be appropriate, to appoint a technology partnership ombudsman to hear and help resolve complaints from outside organizations regarding each laboratory's policies and actions with respect to technology partnerships (including cooperative research and development agreements), patents, and technology licensing. Each ombudsman shall—

(1) be a senior official of the National Laboratory or facility who is not involved in day-to-day technology partnerships, patents, or technology licensing, or, if appointed from outside the laboratory, function as such a senior official; and

(2) have direct access to the Director of the National Laboratory or facility.

(b) DUTIES.—Each ombudsman shall—

(1) serve as the focal point for assisting the public and industry in resolving complaints and disputes with the laboratory regarding technology partnerships, patents, and technology licensing;

(2) promote the use of collaborative alternative dispute resolution techniques such as mediation to facilitate the speedy and low-cost resolution of complaints and disputes, when appropriate; and

(3) report, through the Director of the National Laboratory or facility, to the Department annually on the number and nature of complaints and disputes raised, along with the ombudsman's assessment of their resolution, consistent with the protection of confidential and sensitive information.

(c) DUAL APPOINTMENT.—A person vested with the small business advocacy function of section 4 may also serve as the technology partnership ombudsman.

SEC. 6. STUDIES RELATED TO IMPROVING MISSION EFFECTIVENESS, PARTNERSHIPS, AND TECHNOLOGY TRANSFER AT NATIONAL LABORATORIES.

(a) STUDIES.—The Secretary shall direct the Laboratory Operations Board to study and report to him, not later than one year after the date of enactment of this section, on the following topics—

(1) the possible benefits from and need for policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among National Laboratories and facilities; and

(2) the possible benefits from and need for changes in—

(A) the indemnification requirements for patents or other intellectual property licensed from a National Laboratory or facility;

(B) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a National Laboratory or facility;

(C) the licensing procedures and requirements for patents and other intellectual property;

(D) the rights given to a small business concern that has licensed a patent or other intellectual property from a National Laboratory or facility to bring suit against third parties infringing such intellectual property;

(E) the advance funding requirements for a small business concern funding a project at a National Laboratory or facility through a Funds-In-Agreement;

(F) the intellectual property rights allocated to a business when it is funding a project at a National Laboratory or facility through a Funds-In-Agreement; and

(G) policies on royalty payments to inventors employed by a contractor-operated National Laboratory or facility, including those for inventions made under a Funds-In-Agreement.

(b) DEFINITION.—For the purposes of this section, the term ''Funds-In-Agreement'' means a contract between the Department and a non-Federal organization where that organization pays the Department to provide

a service or material not otherwise available in the domestic private sector.

(c) REPORT TO CONGRESS.—Not later than one month after receiving the report under subsection (a), the Secretary shall transmit the report, along with his recommendations for action and proposals for legislation to implement the recommendations, to Congress.

SEC. 7. OTHER TRANSACTIONS AUTHORITY.

(a) NEW AUTHORITY.—Section 646 of the Department of Energy Organization Act (42 U.S.C. 7256) is amended by adding at the end the following new subsection:

''(g) OTHER TRANSACTIONS AUTHORITY.—(1) In addition to other authorities granted to the Secretary to enter into procurement contracts, leases, cooperative agreements, grants, and other similar arrangements, the Secretary may enter into other transactions with public agencies, private organizations, or persons on such terms as the Secretary may deem appropriate in furtherance of basic, applied, and advanced research functions now or hereafter vested in the Secretary. Such other transactions shall not be subject to the provisions of section 9 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5908).

''(2)(A) The Secretary of Energy shall ensure that—

''(i) to the maximum extent practicable, no transaction entered into under paragraph (1) provides for research that duplicates research being conducted under existing programs carried out by the Department of Energy; and

''(ii) to the extent that the Secretary determines practicable, the funds provided by the Government under a transaction authorized by paragraph (1) do not exceed the total amount provided by other parties to the transaction.

''(B) A transaction authorized by paragraph (1) may be used for a research project when the use of a standard contract, grant, or cooperative agreement for such project is not feasible or appropriate.

''(3)(A) The Secretary shall not disclose any trade secret or commercial or financial information submitted by a non-Federal entity under paragraph (1) that is privileged and confidential.

''(B) The Secretary shall not disclose, for five years after the date the information is received, any other information submitted by a non-Federal entity under paragraph (1), including any proposal, proposal abstract, document supporting a proposal, business plan, or technical information that is privileged and confidential.

''(C) The Secretary may protect from disclosure, for up to five years, any information developed pursuant to a transaction under paragraph (1) that would be protected from disclosure under section 552(b)(4) of title 5, United States Code, if obtained from a person other than a Federal agency.''.

(b) IMPLEMENTATION.—Not later than six months after the date of enactment of this section, the Department shall establish guidelines for the use of other transactions. Other transactions shall be made available, if needed, in order to implement projects funded under section 3.

SEC. 8. CONFORMANCE WITH NNSA ORGANIZATIONAL STRUCTURE.

All actions taken by the Secretary in carrying out this Act with respect to National Laboratories and facilities that are part of the NNSA shall be through the Administrator for Nuclear Security in accordance with the requirements of title XXXII of the National Defense Authorization Act for Fiscal Year 2000.

SEC. 9. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS FOR GOVERNMENT-OWNED, CONTRACTOR-OPERATED LABORATORIES.

(a) STRATEGIC PLANS.—Subsection (a) of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended by striking ''joint work statement,'' and inserting ''joint work statement or, if permitted by the agency, in an agency-approved annual strategic plan,''.

(b) EXPERIMENTAL FEDERAL WAIVERS.—Subsection (b) of that section is amended by adding at the end the following new paragraph:

''(6)(A) In the case of a Department of Energy laboratory, a designated official of the Department of Energy may waive any license retained by the Government under paragraph (1)(A), (2), or (3)(D), in whole or in part and according to negotiated terms and conditions, if the designated official finds that the retention of the license by the Department of Energy would substantially inhibit the commercialization of an invention that would otherwise serve an important Federal mission.

''(B) The authority to grant a waiver under subparagraph (A) shall expire on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2001.

''(C) The expiration under subparagraph (B) of authority to grant a waiver under subparagraph (A) shall not effect any waiver granted under subparagraph (A) before the expiration of such authority.''.

(c) TIME REQUIRED FOR APPROVAL.—Subsection (c)(5) of that section is amended—

(1) by striking subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C) as so redesignated—

(A) in clause (i)—

(i) by striking ''with a small business firm''; and

(ii) by inserting ''if'' after ''statement''; and

(B) by adding at the end the following new clauses:

''(iv) Any agency that has contracted with a non-Federal entity to operate a laboratory may develop and provide to such laboratory one or more model cooperative research and development agreements, for the purposes of standardizing practices and procedures, resolving common legal issues, and enabling review of cooperative research and development agreements to be carried out in a routine and prompt manner.

''(v) A Federal agency may waive the requirements of clause (i) or (ii) under such circumstances as the agency considers appropriate. However, the agency may not take longer than 30 days to review and approve, request modifications to, or disapprove any proposed agreement or joint work statement that it elects to receive.''.

SEC. 10. COOPERATIVE RESEARCH AND DEVELOPMENT OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) OBJECTIVE FOR OBLIGATION OF FUNDS.—It shall be an objective of the Administrator of the National Nuclear Security Administration to obligate funds for cooperative research and development agreements (as that term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))), or similar cooperative, cost-shared research partnerships with non-Federal organizations, in a fiscal year covered by subsection (b) in an amount at least equal to the percentage of the total amount appropriated for the Administration for such fiscal year that is specified for such fiscal year under subsection (b).

(b) FISCAL YEAR PERCENTAGES.—The percentages of funds appropriated for the National Nuclear Security Administration that are obligated in accordance with the objective under subsection (a) are as follows:

(1) In each of fiscal years 2001 and 2002, 0.5 percent.

(2) In any fiscal year after fiscal year 2002, the percentage recommended by the Administrator for each such fiscal year in the report under subsection (c).

(c) RECOMMENDTIONS FOR PERCENTAGES IN LATER FISCAL YEARS.—Not later than one year after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a report setting forth the Administrator's recommendations for appropriate percentages of funds appropriated for the National Nuclear Security Administration to be obligated for agreements described in subsection (a) during each fiscal year covered by the report.

(d) CONSISTENCY OF AGREEMENTS.—Any agreement entered into under this section shall be consistent with and in support of the mission of the National Nuclear Security Administration.

(e) REPORTS ON ACHIEVEMENT OF OBJECTIVE.—(1) Not later than March 30, 2002, and each year thereafter, the Administrator shall submit to the congressional defense committees a report on whether funds of the National Nuclear Security Administration were obligated in the fiscal year ending in the preceding year in accordance with the objective for such fiscal year under this section.

(2) If funds were not obligated in a fiscal year in accordance with the objective under this section for such fiscal year, the report under paragraph (1) shall—

(A) describe the actions the Administrator proposes to take to ensure that the objective under this section for the current fiscal year and future fiscal years will be met; and

(B) include any recommendations for legislation required to achieve such actions.

GREAT SAND DUNES NATIONAL PARK ACT OF 2000

On October 5, 2000, the Senate amended and passed S. 2547, as follows:

S. 2547

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 ''Great Sand Dunes National Park and Preserve Act of 2000''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Great Sand Dunes National Monument in the State of Colorado was established by Presidential proclamation in 1932 to preserve Federal land containing spectacular and unique sand dunes and additional features of scenic, scientific, and educational interest for the benefit and enjoyment of future generations;

(2) the Great Sand Dunes, together with the associated sand sheet and adjacent wetland and upland, contain a variety of rare ecological, geological, paleontological, archaeological, scenic, historical, and wildlife components, which—

(A) include the unique pulse flow characteristics of Sand Creek and Medano Creek that are integral to the existence of the dunes system;

(B) interact to sustain the unique Great Sand Dunes system beyond the boundaries of the existing National Monument;

(C) are enhanced by the serenity and rural western setting of the area; and

(D) comprise a setting of irreplaceable national significance;

(3) the Great Sand Dunes and adjacent land within the Great Sand Dunes National Monument—

(A) provide extensive opportunities for educational activities, ecological research, and recreational activities; and

(B) are publicly used for hiking, camping, and fishing, and for wilderness value (including solitude);

(4) other public and private land adjacent to the Great Sand Dunes National Monument—

(A) offers additional unique geological, hydrological, paleontological, scenic, scientific, educational, wildlife, and recreational resources; and

(B) contributes to the protection of—

(i) the sand sheet associated with the dune mass;

(ii) the surface and ground water systems that are necessary to the preservation of the dunes and the adjacent wetland; and

(iii) the wildlife, viewshed, and scenic qualities of the Great Sand Dunes National Monument;

(5) some of the private land described in paragraph (4) contains important portions of the sand dune mass, the associated sand sheet, and unique alpine environments, which would be threatened by future development pressures;

(6) the designation of a Great Sand Dunes National Park, which would encompass the existing Great Sand Dunes National Monument and additional land, would provide—

(A) greater long-term protection of the geological, hydrological, paleontological, scenic, scientific, educational, wildlife, and recreational resources of the area (including the sand sheet associated with the dune mass and the ground water system on which the sand dune and wetland systems depend); and

(B) expanded visitor use opportunities;

(7) land in and adjacent to the Great Sand Dunes National Monument is—

(A) recognized for the culturally diverse nature of the historical settlement of the area;

(B) recognized for offering natural, ecological, wildlife, cultural, scenic, paleontological, wilderness, and recreational resources; and

(C) recognized as being a fragile and irreplaceable ecological system that could be destroyed if not carefully protected; and

(8) preservation of this diversity of resources would ensure the perpetuation of the entire ecosystem for the enjoyment of future generations.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term ''Advisory Council'' means the Great Sand Dunes National Park Advisory Council established under section 8(a).

(2) LUIS MARIA BACA GRANT NO. 4.—The term ''Luis Maria Baca Grant No. 4'' means those lands as described in the patent dated February 20, 1900, from the United States to the heirs of Luis Maria Baca recorded in book 86, page 20, of the records of the Clerk and Recorder of Saguache County, Colorado.

(3) MAP.—The term ''map'' means the map entitled ''Great Sand Dunes National Park and Preserve'', numbered 140/80,032 and dated September 19, 2000.

(4) NATIONAL MONUMENT.—The term ''national monument'' means the Great Sand Dunes National Monument, including lands added to the monument pursuant to this Act.

(5) NATIONAL PARK.—The term ''national park'' means the Great Sand Dunes National Park established in section 4.

(6) NATIONAL WILDLIFE REFUGE.—The term ''wildlife refuge'' means the Baca National Wildlife Refuge established in section 6.

(7) PRESERVE.—The term ''preserve'' means the Great Sand Dunes National Preserve established in section 5.

(8) RESOURCES.—The term ''resources'' means the resources described in section 2.

(9) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(10) USES.—The term ''uses'' means the uses described in section 2.

SEC. 4. GREAT SAND DUNES NATIONAL PARK, COLORADO.

(a) ESTABLISHMENT.—When the Secretary determines that sufficient land having a sufficient diversity of resources has been acquired to warrant designation of the land as a national park, the Secretary shall establish the Great Sand Dunes National Park in the State of Colorado, as generally depicted on the map, as a unit of the National Park System. Such establishment shall be effective upon publication of a notice of the Secretary's determination in the Federal Register.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) NOTIFICATION.—Until the date on which the national park is established, the Secretary shall annually notify the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives of—

(1) the estimate of the Secretary of the lands necessary to achieve a sufficient diversity of resources to warrant designation of the national park; and

(2) the progress of the Secretary in acquiring the necessary lands.

(d) ABOLISHMENT OF NATIONAL MONUMENT.—(1) On the date of establishment of the national park pursuant to subsection (a), the Great Sand Dunes National Monument shall be abolished, and any funds made available for the purposes of the national monument shall be available for the purposes of the national park.

(2) Any reference in any law (other than this Act), regulation, document, record, map, or other paper of the United States to ''Great Sand Dunes National Monument'' shall be considered a reference to ''Great Sand Dunes National Park''.

(e) TRANSFER OF JURISDICTION.—Administrative jurisdiction is transferred to the National Park Service over any land under the jurisdiction of the Department of the Interior that—

(1) is depicted on the map as being within the boundaries of the national park or the preserve; and

(2) is not under the administrative jurisdiction of the National Park Service on the date of enactment of this Act.

SEC. 5. GREAT SAND DUNES NATIONAL PRESERVE, COLORADO.

(a) ESTABLISHMENT OF GREAT SAND DUNES NATIONAL PRESERVE.—(1) There is hereby established the Great Sand Dunes National Preserve in the State of Colorado, as generally depicted on the map, as a unit of the National Park System.

(2) Administrative jurisdiction of lands and interests therein administered by the Secretary of Agriculture within the boundaries of the preserve is transferred to the Secretary of the Interior, to be administered as part of the preserve. The Secretary of Agriculture shall modify the boundaries of the Rio Grande National Forest to exclude the transferred lands from the forest boundaries.

(3) Any lands within the preserve boundaries which were designated as wilderness prior to the date of enactment of this Act shall remain subject to the Wilderness Act (16 U.S.C. 1131 et seq.) and the Colorado Wilderness Act of 1993 (Public Law 103–767; 16 U.S.C. 539i note).

(b) MAP AND LEGAL DESCRIPTION.—(1) As soon as practicable after the establishment of the national park and the preserve, the Secretary shall file maps and a legal description of the national park and the preserve with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and maps.

(3) The map and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) BOUNDARY SURVEY.—As soon as practicable after the establishment of the national park and preserve and subject to the availability of funds, the Secretary shall complete an official boundary survey.

SEC. 6. BACA NATIONAL WILDLIFE REFUGE, COLORADO.

(a) ESTABLISHMENT.—(1) When the Secretary determines that sufficient land has been acquired to constitute an area that can be efficiently managed as a National Wildlife Refuge, the Secretary shall establish the Baca National Wildlife Refuge, as generally depicted on the map.

(2) Such establishment shall be effective upon publication of a notice of the Secretary's determination in the Federal Register.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the United States Fish and Wildlife Service.

(c) ADMINISTRATION.—The Secretary shall administer all lands and interests therein acquired within the boundaries of the national wildlife refuge in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and the Act of September 28, 1962 (16 U.S.C. 460k et seq.) (commonly known as the Refuge Recreation Act).

(d) PROTECTION OF WATER RESOURCES.—In administering water resources for the national wildlife refuge, the Secretary shall—

(1) protect and maintain irrigation water rights necessary for the protection of monument, park, preserve, and refuge resources and uses; and

(2) minimize, to the extent consistent with the protection of national wildlife refuge resources, adverse impacts on other water users.

SEC. 7. ADMINISTRATION OF NATIONAL PARK AND PRESERVE.

(a) IN GENERAL.—The Secretary shall administer the national park and the preserve in accordance with—

(1) this Act; and

(2) all laws generally applicable to units of the National Park System, including—

(A) the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1, 2–4) and

(B) the Act entitled ''An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes'', approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) GRAZING.—

(1) ACQUIRED STATE OR PRIVATE LAND.—With respect to former State or private land on which grazing is authorized to occur on the date of enactment of this Act and which is acquired for the national monument, or the national park and preserve, or the wildlife refuge, the Secretary, in consultation with the lessee, may permit the continuation of grazing on the land by the lessee at the time of acquisition, subject to applicable law (including regulations).

(2) FEDERAL LAND.—Where grazing is permitted on land that is Federal land as of the date of enactment of this Act and that is located within the boundaries of the national monument or the national park and preserve, the Secretary is authorized to permit the continuation of such grazing activities unless the Secretary determines that grazing would harm the resources or values of the national park or the preserve.

(3) TERMINATION OF LEASES.—Nothing in this subsection shall prohibit the Secretary from accepting the voluntary termination of leases or permits for grazing within the national monument or the national park or the preserve.

(c) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall permit hunting, fishing, and trapping on land and water within the preserve in accordance with applicable Federal and State laws.

(2) ADMINISTRATIVE EXCEPTIONS.—The Secretary may designate areas where, and establish limited periods when, no hunting, fishing, or trapping shall be permitted under paragraph (1) for reasons of public safety, administration, or compliance with applicable law.

(3) AGENCY AGREEMENT.—Except in an emergency, regulations closing areas within the preserve to hunting, fishing, or trapping under this subsection shall be made in consultation with the appropriate agency of the State of Colorado having responsibility for fish and wildlife administration.

(4) SAVINGS CLAUSE.—Nothing in this Act affects any jurisdiction or responsibility of the State of Colorado with respect to fish and wildlife on Federal land and water covered by this Act.

(d) CLOSED BASIN DIVISION, SAN LUIS VALLEY PROJECT.—Any feature of the Closed Basin Division, San Luis Valley Project, located within the boundaries of the national monument, national park or the national wildlife refuge, including any well, pump, road, easement, pipeline, canal, ditch, power line, power supply facility, or any other project facility, and the operation, maintenance, repair, and replacement of such a feature—

(1) shall not be affected by this Act; and

(2) shall continue to be the responsibility of, and be operated by, the Bureau of Reclamation in accordance with title I of the Reclamation Project Authorization Act of 1972 (43 U.S.C. 615aaa et seq.).

(e) WITHDRAWAL—(1) On the date of enactment of this Act, subject to valid existing rights, all Federal land depicted on the map as being located within Zone A, or within the boundaries of the national monument, the national park or the preserve is withdrawn from—

(A) all forms of entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing.

(2) The provisions of this subsection also shall apply to any lands—

(A) acquired under this Act; or

(B) transferred from any Federal agency after the date of enactment of this Act for the national monument, the national park or preserve, or the national wildlife refuge.

(f) WILDNERNESS PROTECTION.—(1) Nothing in this Act alters the Wilderness designation of any land within the national monument, the national park, or the preserve.

(2) All areas designated as Wilderness that are transferred to the administrative jurisdiction of the National Park Service shall remain subject to the Wilderness Act (16 U.S.C. 1131 et seq.) and the Colorado Wilderness Act of 1993 (Public Law 103–77; 16 U.S.C. 539i note). If any part of this Act conflicts with the provisions of the Wilderness Act or the Colorado Wilderness Act of 1993 with respect to the wilderness areas within the preserve boundaries, the provisions of those Acts shall control.

SEC. 8. ACQUISITION OF PROPERTY AND BOUNDARY ADJUSTMENTS

(a) ACQUISITION AUTHORITY.—(1) Within the area depicted on the map as the ''Acquisition Area'' or the national monument, the Secretary may acquire lands and interests therein by purchase, donation, transfer from another Federal agency, or exchange: *Provided,* That lands or interests therein may only be acquired with the consent of the owner thereof.

(2) Lands or interests therein owned by the State of Colorado, or a political subdivision thereof, may only be acquired by donation or exchange.

(b) BOUNDARY ADJUSTMENT.—As soon as practicable after the acquisition of any land or interest under this section, the Secretary shall modify the boundary of the unit to which the land is transferred pursuant to subsection (b) to include any land or interest acquired.

(c) ADMINISTRATION OF ACQUIRED LANDS.—

(1) GENERAL AUTHORITY.—Upon acquisition of lands under subsection (a), the Secretary shall, as appropriate—

(A) transfer administrative jurisdiction of the lands of the National Park Service—

(i) for addition to and management as part of the Great Sand Dunes National Monument, or

(ii) for addition to and management as part of the Great Sand Dunes National Park (after designation of the Park) or the Great Sand Dunes National Preserve; or

(B) transfer administrative jurisdiction of the lands to the United States Fish and Wildlife Service for addition to and administration as part of the Baca National Wildlife Refuge.

(2) FOREST SERVICE ADMINISTRATION.—(A) Any lands acquired within the area depicted on the map as being located within Zone B shall be transferred to the Secretary of Agriculture and shall be added to and managed as part of the Rio Grande National Forest.

(B) For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of the Rio Grande National Forest, as revised by the transfer of land under paragraph (A), shall be considered to be the boundaries of the national forest.

SEC. 9. WATER RIGHTS.

(a) SAN LUIS VALLEY PROTECTION, COLORADO.—Section 1501(a) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4663) is amended by striking paragraph (3) and inserting the following:

''(3) adversely affect the purposes of—

''(A) the Great Sand Dunes National Monument;

''(B) the Great Sands Dunes National Park (including purposes relating to all water, water rights, and water-dependent resources within the park);

''(C) the Great Sand Dunes National Preserve (including purposes relating to all water, water rights, and water-dependent resources within the preserve);

''(D) the Baca National Wildlife Refuge (including purposes relating to all water, water rights, and water-dependent resources within the national wildlife refuge); and

''(E) any Federal land adjacent to any area described in subparagraph (A), (B), (C), or (D).''.

(b) EFFECT ON WATER RIGHTS.—

(1) IN GENERAL.—Subject to the amendment made by subsection (a), nothing in this Act affects—

(A) the use, allocation, ownership, or control, in existence on the date of enactment of this Act, of any water, water right, or any other valid existing right;

(B) any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) any interstate water compact in existence on the date of enactment of this Act; or

(D) subject to the provisions of paragraph (2), State jurisdiction over any water law.

(2) WATER RIGHTS FOR NATIONAL PARK AND NATIONAL PRESERVE.—In carrying out this Act, the Secretary shall obtain and exercise any water rights required to fulfill the purposes of the national park and the national preserve in accordance with the following provisions:

(A) Such water rights shall be appropriated, adjudicated, changed, and administered pursuant to the procedural requirements and priority system of the laws of the State of Colorado.

(B) The purposes and other substantive characteristics of such water rights shall be established pursuant to State law, except that the Secretary is specifically authorized to appropriate water under this Act exclusively for the purpose of maintaining ground water levels, surface water levels, and stream flows on, across, and under the national park and national preserve, in order to accomplish the purposes of the national park and the national preserve and to protect park resources and park uses.

(C) Such water rights shall be established and used without interfering with—

(i) any exercise of a water right in existence on the date of enactment of this Act for a non-Federal purpose in the San Luis Valley, Colorado; and

(ii) the Closed Basin Division, San Luis Valley Project.

(D) Except as provided in subsections (c) and (d), no Federal reservation of water may be claimed or established for the national park or the national preserve.

(c) NATIONAL FOREST WATER RIGHTS.—To the extent that a water right is established or acquired by the United States for the Rio Grande National Forest, the water right shall—

(1) be considered to be of equal use and value for the national preserve; and

(2) retain its priority and purpose when included in the national preserve.

(d) NATIONAL MONUMENT WATER RIGHTS.—To the extent that a water right has been established or acquired by the United States

for the Great Sand Dunes National Monument, the water right shall—

(1) be considered to be of equal use and value for the national park; and

(2) retain its priority and purpose when included in the national park.

(e) ACQUIRED WATER RIGHTS AND WATER RESOURCES.—

(1) IN GENERAL.—(A) If, and to the extent that, the Luis Maria Baca Grant No. 4 is acquired, all water rights and water resources associated with the Luis Maria Baca Grant No. 4 shall be restricted for use only within—

(i) the national park;

(ii) the preserve;

(iii) the national wildlife refuge; or

(iv) the immediately surrounding areas of Alamosa or Saguache Counties, Colorado.

(B) USE.—Except as provided in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LC, and Baca Grande Water and Sanitation District, dated August 28, 1997, water rights and water resources described in subparagraph (A) shall be restricted for use in—

(i) the protection of resources and values for the national monument, the national park, the preserve, or the wildlife refuge;

(ii) fish and wildlife management and protection; or

(iii) irrigation necessary to protect water resources.

(2) STATE AUTHORITY.—If, and to the extent that, water rights associated with the Luis Maria Baca Grant No. 4 are acquired, the use of those water rights shall be changed only in accordance with the laws of the State of Colorado.

(f) DISPOSAL.—The Secretary is authorized to sell the water resources and related appurtenances and fixtures as the Secretary deems necessary to obtain the termination of obligations specified in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LLC and the Baca Grande Water and Sanitation District, dated August 28, 1997. Prior to the sale, the Secretary shall determine that the sale is not detrimental to the protection of the resources of Great Sand Dunes National Monument, Great Sand Dunes National Park, and Great Sand Dunes National Preserve, and the Baca National Wildlife Refuge, and that appropriate measures to provide for such protection are included in the sale.

SEC. 10. ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The Secretary shall establish an advisory council to be known as the ''Great Sand Dunes National Park Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of a management plan for the national park and the preserve.

(c) MEMBERS.—The Advisory Council shall consist of 10 members, to be appointed by the Secretary, as follows:

(1) One member of, or nominated by, the Alamosa County Commission.

(2) One member of, or nominated by, the Saguache County Commission.

(3) One member of, or nominated by, the Friends of the Dunes Organization.

(4) Four members residing in, or within reasonable proximity to, the San Luis Valley and 3 of the general public, all of whom have recognized backgrounds reflecting—

(A) the purposes for which the national park and the preserve are established; and

(B) the interests of persons that will be affected by the planning and management of the national park and the preserve.

(d) APPLICABLE LAW.—The Advisory Council shall function in accordance with the Federal Advisory Committee Act (5 U.S.C. App.) and other applicable laws.

(e) VACANCY.—A vacancy on the Advisory Council shall be filled in the same manner as the original appointment.

(f) CHAIRPERSON.—The Advisory Council shall elect a chairperson and shall establish such rules and procedures as it deems necessary or desirable.

(g) NO COMPENSATION.—Members of the Advisory Council shall serve without compensation.

(h) TERMINATION.—The Advisory Council shall terminate upon the completion of the management plan for the national park and preserve.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

THE CALENDAR

Mr. HAGEL. Mr. President, on behalf of the leader, I ask unanimous consent that the Senate now proceed to the consideration en bloc of the following reported by the Governmental Affairs Committee: Calendar No. 864, H.R. 2302; Calendar No. 865, H.R. 3030; Calendar No. 866, H.R. 3454; Calendar No. 867, H.R. 3909; Calendar No. 868, H.R. 3985; Calendar No. 869, H.R. 4157; Calendar No. 870, H.R. 4169; Calendar No. 871, H.R. 4447; Calendar No. 872, H.R. 4448; Calendar No. 873, H.R. 4534; Calendar No. 874, H.R. 4449; Calendar No. 875, H.R. 4484; Calendar No. 876, H.R. 4517; Calendar No. 877, H.R. 4554; Calendar No. 878, H.R. 4615; Calendar No. 879, H.R. 4658; Calendar No. 880, H.R. 4884; Calendar No. 881, S. 2804.

Mr. President, I ask unanimous consent the bills be read a third time and passed, the motions to reconsider be laid upon the table, and any statements relating to any of these bills be printed, with the above occurring en bloc.

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

JAMES W. MCCABE, SR. POST OFFICE BUILDING

A bill (H.R. 2302) to designate the building located at 307 Main Street in Johnson City, New York as the ''James W. McCabe, Sr. Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

MATTHEW F. MCHUGH POST OFFICE

A bill (H.R. 3030) to designate the building located at 757 Warren Road in Ithaca, New York as the ''Matthew F. McHugh Post Office'' was considered, ordered to a third reading, read the third time, and passed.

HENRY MCNEAL TURNER POST OFFICE

A bill (H.R. 3454) to designate the building located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office'' was considered, ordered to a third reading, read the third time, and passed.

HENRY W. MCGEE POST OFFICE BUILDING

A bill (H.R. 3909) to designate the building located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

VICKI COCEANO POST OFFICE BUILDING

A bill (H.R. 3985) to designate the building located at 14900 Southwest 30th Street in Miramar, Florida, as the ''Vicki Coceano Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

MATTHEW ''MACK'' ROBINSON POST OFFICE BUILDING

A bill (H.R. 4157) to designate the building located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew ''Mack'' Robinson Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

BARBARA F. VUCANOVICH POST OFFICE BUILDING

A bill (H.R. 4169) to designate the building located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

SAMUEL H. LACY, SR. POST OFFICE BUILDING

A bill (H.R. 4447) to designate the building located at 919 West 34th Street in Baltimore, Maryland as the ''Samuel H. Lacy, Sr. Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

JUDGE ROBERT BERNARD WATTS, SR. POST OFFICE BUILDING

A bill (H.R. 4448) to designate the building located at 3500 Dolfield Avenue in Baltimore, Maryland as the ''Judge Robert Bernard Watts, Sr. Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

JAMES T. BROYHILL POST OFFICE BUILDING

A bill (H.R. 4534) to designate the building located at 114 Ridge Street in Lenoir, North Carolina, as the ''James

T. Broyhill Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

DR. FLOSSIE McCLAIN DEDMOND POST OFFICE BUILDING

A bill (H.R. 4449) to designate the building located at 1908 North Ellamont Street in Baltimore, Maryland as the ''Dr. Flossie McClain Dedmond Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

EVERETT ALVAREZ, JR. POST OFFICE BUILDING

A bill (H.R. 4484) to designate the building located at 500 North Washington Street in Rockville, Maryland as the ''Everett Alvarez, Jr. Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

ALAN B. SHEPARD, JR. POST OFFICE BUILDING

A bill (H.R. 4517) to designate the building located at 24 Tsienneto Road in Derry, New Hampshire as the ''Alan B. Shepard, Jr. Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

JOSEPH F. SMITH POST OFFICE BUILDING

A bill (H.R. 4554) to designate the building located at 1602 Frankford Avenue in Philadelphia, Pennsylvania as the ''Joseph F. Smith Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

REVEREND J.C. WADE POST OFFICE

A bill (H.R. 4615) to designate the building located at 3030 Meredith Avenue in Omaha, Nebraska as the ''Reverend J.C. Wade Post Office'' was considered, ordered to a third reading, read the third time, and passed.

J.L. DAWKINS POST OFFICE BUILDING

A bill (H.R. 4658) to designate the building located at 301 Green Street in Fayetteville, North Carolina as the ''J.L. Dawkins Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

WILLIAM S. BROOMFIELD POST OFFICE BUILDING

A bill (H.R. 4884) to designate the building located at 200 West 2nd Street in Royal Oak, Michigan as the ''William S. Broomfield Post Office Building'' was considered, ordered to a third reading, read the third time, and passed.

JOHN BRADEMAS POST OFFICE

A bill (S. 2804) to designate the building located at 424 South Michigan Street in South Bend, Indiana as the ''John Brademas Post Office'' was considered, ordered to a third reading, read the third time, and passed, as follows:

S. 2804

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

SECTION 1. DESIGNATION OF JOHN BRADEMAS POST OFFICE.

(a) IN GENERAL.—The facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, shall be known and designated as the ''John Brademas Post Office''.

(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 ''John Brademas Post Office''.

FRANK R. LAUTENBERG POST OFFICE AND COURTHOUSE

Mr. HAGEL. I ask unanimous consent the Senate proceed to the consideration of H.R. 4975, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4975) to designate the post office and courthouse located at 2 Federal Square, Newark, New Jersey, as the ''Frank R. LAUTENBERG Post Office and Courthouse''.

Without objection, the Senate proceeded to consider the bill.

Mr. HAGEL. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 4975) was read the third time and passed.

JOHN BRADEMAS POST OFFICE

Mr. HAGEL. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 2938 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2938) to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office.''

There being no objection, the Senate proceeded to consider the bill.

Mr. HAGEL. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The bill (H.R. 2938) was read the third time and passed.

COUNTY SCHOOLS FUNDING REVITALIZATION ACT OF 1999

Mr. HAGEL. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of H.R. 2389 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 4302

Mr. HAGEL. Mr. President, Senators WYDEN and CRAIG have a substitute amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mr. HAGEL], for Mr. WYDEN, for himself and Mr. CRAIG, proposes an amendment numbered 4302.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. HAGEL. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 4302) was agreed to.

The bill (H.R. 2389), as amended, was read the third time and passed.

REDUCED RATE MAIL

Mr. HAGEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 917, S. 2686.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2686) to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HAGEL. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2686) was read the third time and passed, as follows:

S. 2686

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

SECTION 1. SPECIAL RATEMAKING PROVISIONS.

(a) ESTABLISHMENT OF REGULAR RATES FOR MAIL CLASSES WITH CERTAIN PREFERRED SUBCLASSES.—Section 3622 of title 39, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) Regular rates for each class or subclass of mail that includes 1 or more special rate categories for mail under former section 4358 (d) or (e), 4452 (b) or (c), or 4554 (b) or (c) of this title shall be established by applying the policies of this title, including the factors of section 3622(b) of this title, to the costs attributable to the regular rate mail in each class or subclass combined with the mail in the corresponding special rate categories authorized by former section 4358 (d) or (e), 4452 (b) or (c), or 4554 (b) or (c) of this title.''.

(b) RESIDUAL RULE FOR PREFERRED PERIODICAL MAIL.—Section 3626(a)(3)(A) of title 39, United States Code, is amended to read as follows:

''(3)(A) Except as provided in paragraph (4) or (5), rates of postage for a class of mail or kind of mailer under former section 4358 of this title shall be established in a manner such that the estimated revenues to be received by the Postal Service from such class of mail or kind of mailer shall be equal to the sum of—

''(i) the estimated costs attributable to such class of mail or kind of mailer; and

''(ii) the product derived by multiplying the estimated costs referred to in clause (i) by the applicable percentage under subparagraph (B).''.

(c) SPECIAL RULE FOR NONPROFIT AND CLASSROOM PERIODICALS.—Section 3626(a)(4) of title 39, United States Code, is amended to read as follows:

''(4)(A) Except as specified in subparagraph (B), rates of postage for a class of mail or kind of mailer under former section 4358 (d) or (e) of this title shall be established so that postage on each mailing of such mail shall be as nearly as practicable 5 percent lower than the postage for a corresponding regular-rate category mailing.

''(B) With respect to the postage for the advertising pound portion of any mail matter under former section 4358 (d) or (e) of this title, the 5-percent discount specified in subparagraph (A) shall not apply if the advertising portion exceeds 10 percent of the publication involved.''.

(d) SPECIAL RULE FOR NONPROFIT STANDARD (A) MAIL.—Section 3626(a) of title 39, United States Code, is amended by adding at the end the following:

''(6) The rates for mail matter under former sections 4452 (b) and (c) of this title shall be established as follows:

''(A) The estimated average revenue per piece to be received by the Postal Service from each subclass of mail under former sections 4452 (b) and (c) of this title shall be equal, as nearly as practicable, to 60 percent of the estimated average revenue per piece to be received from the most closely corresponding regular-rate subclass of mail.

''(B) For purposes of subparagraph (A), the estimated average revenue per piece of each regular-rate subclass shall be calculated on the basis of expected volumes and mix of mail for such subclass at current rates in the test year of the proceeding.

''(C) Rate differentials within each subclass of mail matter under former sections 4452 (b) and (c) shall reflect the policies of this title, including the factors set forth in section 3622(b) of this title.''.

(e) SPECIAL RULE FOR LIBRARY AND EDUCATIONAL MATTER.—Section 3626(a) of title 39, United States Code, as amended by subsection (d) of this section, is amended by adding at the end the following:

''(7) The rates for mail matter under former sections 4554 (b) and (c) of this title shall be established so that postage on each mailing of such mail shall be as nearly as practicable 5 percent lower than the postage for a corresponding regular-rate mailing.''.

SEC. 2. TRANSITIONAL AND TECHNICAL PROVISIONS.

(a) TRANSITIONAL PROVISION FOR NONPROFIT STANDARD (A) MAIL.—In any proceeding in which rates are to be established under chapter 36 of title 39, United States Code, for mail matter under former sections 4452 (b) and (c) of that title, pending as of the date of enactment of section 1 of this Act, the estimated reduction in postal revenue from such mail matter caused by the enactment of section 3626(a)(6)(A) of that title, if any, shall be treated as a reasonably assignable cost of the Postal Service under section 3622(b)(3) of that title.

(b) TECHNICAL AMENDMENT.—Section 3626(a)(1) of title 39, United States Code, is amended by striking ''4454(b), or 4454(c)'' and inserting ''4554(b), or 4554(c)''.

DISTRICT OF COLUMBIA PERFORMANCE ACCOUNTABILITY PLAN

Mr. HAGEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 918, S. 3062.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3062) to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HAGEL. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill be printed in the RECORD.

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

The bill (S. 3062) was read the third time and passed, as follows:

S. 3062

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

SECTION 1. DISTRICT OF COLUMBIA PERFORMANCE ACCOUNTABILITY PLAN.

Section 456 of the District of Columbia Home Rule Act (section 47–231 et seq. of the District of Columbia Code) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''Not later than March 1 of each year (beginning with 1998)'' and inserting ''Concurrent with the submission of the District of Columbia budget to Congress each year (beginning with 2001)''; and

(B) in paragraph (2)(A) by striking ''that describe an acceptable level of performance by the government and a superior level of performance by the government''; and

(2) in subsection (b)—

(A) in paragraph (1) by striking ''1999'' and inserting ''2001''; and

(B) in paragraph (2)(A) by striking ''for an acceptable level of performance by the government and a superior level of performance by the government''.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. HAGEL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations reported by the Armed Services Committee, Nos. 717 through 755, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy. I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John D. Hopper, Jr., 0000

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Grig. Gen. Paul W. Essex, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John H. Campbell, 0000

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Lloyd J. Austin III, 0000
Col. Vincent E. Boles, 0000

Col. Gary L. Border, 0000
Col. Thomas P. Bostick, 0000
Col. Howard B. Bromberg, 0000
Col. James A. Coggin, 0000
Col. Michael L. Combest, 0000
Col. William C. David, 0000
Col. Martin E. Dempsey, 0000
Col. Joseph F. Fil, Jr., 0000
Col. Benjamin C. Freakley, 0000
Col. John D. Gardner, 0000
Col. Brian I. Geehan, 0000
Col. Richard V. Geraci, 0000
Col. Gary L. Harrell, 0000
Col. Janet E. A. Hicks, 0000
Col. Jay W. Hood, 0000
Col. Kenneth W. Hunzeker, 0000
Col. Charles H. Jacoby, Jr., 0000
Col. Gary M. Jones, 0000
Col. Jason K. Kamiya, 0000
Col. James A. Kelley, 0000
Col. Ricky Lynch, 0000
Col. Bernardo C. Negrete, 0000
Col. Patricia L. Nilo, 0000
Col. F. Joseph Prasek, 0000
Col. David C. Ralston, 0000
Col. Don T. Riley, 0000
Col. David M. Rodriguez, 0000
Col. Donald F. Schenk, 0000
Col. Steven P. Schook, 0000
Col. Gratton O. Sealock II, 0000
Col. Stephen M. Seay, 0000
Col. Jeffrey A. Sorenson, 0000
Col. Guy C. Swan III, 0000
Col. David P. Valcourt, 0000
Col. Robert M. Williams, 0000
Col. W. Montague Winfield, 0000
Col. Richard P. Zahner, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., Section 624:

To be major general

Brig. Gen. Lawrence R. Adair, 0000
Brig. Gen. Buford C. Blount III, 0000
Brig. Gen. Steven W. Boutelle, 0000
Brig. Gen. James D. Bryan, 0000
Brig. Gen. Eddie Cain, 0000
Brig. Gen. John P. Cavanaugh, 0000
Brig. Gen. Bantz J. Craddock, 0000
Brig. Gen. Keith W. Dayton, 0000
Brig. Gen. Kathryn G. Frost, 0000
Brig. Gen. Larry D. Gottardi, 0000
Brig. Gen. Stanley E. Green, 0000
Brig. Gen. Criag D. Hackett, 0000
Brig. Gen. Franklin L. Hagenbeck, 0000
Brig. Gen. Hubert L. Hartsell, 0000
Brig. Gen. George A. Higgins, 0000
Brig. Gen. William J. Leszczynski, 0000
Brig. Gen. Michael D. Maples, 0000
Brig. Gen. Thomas F. Metz, 0000
Brig. Gen. Daniel G. Mongeon, 0000
Brig. Gen. William E. Mortensen, 0000
Brig. Gen. Eric T. Olson, 0000
Brig. Gen. Richard J. Quirk III, 0000
Brig. Gen. Ricardo S. Sanchez, 0000
Brig. Gen. Gary D. Speer, 0000
Brig. Gen. Mitchell H. Stevenson, 0000
Brig. Gen. Charles H. Swannack, Jr., 0000
Brig. Gen. Terry L. Tucker, 0000
Brig. Gen. John R. Wood, 0000

The following named officer for appointment as the Chief of Engineers, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and 3036:

To be lieutenant general

Maj. Gen. Robert B. Flowers, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Charles S. Mahan, Jr., 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. H. Steven Blum, 0000

The following army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. William T. Nesbitt, 0000

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. David P. Rataczak, 0000

To be brigadier general

Col. George J. Robinson, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. George F. Bowman, 0000
Brig. Gen. Lloyd D. Burtch, 0000
Brig. Gen. Alfonsa Gilley, 0000
Brig. Gen. James R. Helmly, 0000
Brig. Gen. Dennis E. Klein, 0000

To be brigadier general

Col. James A. Cheatham, 0000
Col. George R. Fay, 0000
Col. Charles E. Gorton, 0000
Col. John H. Kern, 0000
Col. Charles E. McCartney, 0000
Col. Jack S. Stultz, Jr., 0000
Col. Stephen D. Tom, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Bradford C. Brightman, 0000

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10 U.S.C., section 12203:

To be major general

Brig. Gen. H. Douglas Robertson, 0000

To be major general

Brig. Gen. Willie A. Alexander, 0000

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10 U.S.C., section 12203:

To be brigadier general

Col. Carole A. Briscoe, 0000

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. David J. Kaucheck, 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Daniel F. Perugini, 0000

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. John E. Stevens, 0000

To be brigadier general

Col. Rick Baccus, 0000
Col. Abner C. Blalock, Jr., 0000
Col. John M. Braun, 0000
Brig. Gen. George A. Buskirk, Jr., 0000
Col. James R. Carpenter, 0000
Col. Craig N. Christensen, 0000
Col. Paul D. Costilow, 0000
Col. James P. Daley, 0000
Col. Charles E. Gibson, 0000
Col. Michael A. Gorman, 0000
Col. John F. Holechek, Jr., 0000
Col. Mitchell R. LeClaire, 0000
Col. Richard G. Maxon, 0000
Col. Gary A. Pappas, 0000
Col. Donald H. Polk, 0000
Col. Robley S. Rigdon, 0000
Col. Charles T. Robbs, 0000
Col. Bruce D. Schrimpf, 0000
Col. Thomas J. Sullivan, 0000
Col. Brian L. Tarbet, 0000
Col. Gordon D. Toney, 0000
Col. Antonio J. Vicens-Gonzalez, 0000
Col. William L. Waller, Jr., 0000
Col. Charles R. Webb, 0000
Col. William D. Wofford, 0000
Col. Kenneth F. Wondrack, 0000
Col. Ronald D. Young, 0000

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. William J. Davies, 0000
Brig. Gen. George T. Garrett, 0000
Brig. Gen. Dennis A. Kamimura, 0000
Brig. Gen. Bruce M. Lawlor, 0000
Brig. Gen. Timothy E. Neel, 0000
Brig. Gen. Larry W. Shellito, 0000
Brig. Gen. Darwin H. Simpson, 0000
Brig. Gen. Edwin H. Wright, 0000

To be brigadier general

Col. George A. Alexander, 0000
Col. Terry F. Barker, 0000
Col. John P. Basilica, Jr., 0000
Col. Wesley E. Craig, Jr., 0000
Col. James J. Dougherty, Jr., 0000
Col. Ronald B. Kalkofen, 0000
Col. Edward G. Klein, 0000
Col. Thomas P. Luczynski, 0000
Col. James R. Mason, 0000
Col. Glen I. Sakagawa, 0000
Col. Joseph J. Taluto, 0000
Col. Thomas S. Walker, 0000
Col. George W. Wilson, 0000
Col. Ireneusz J. Zembrzuski, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Herbert L. Altshuler, 0000
Brig. Gen. Richard E. Coleman, 0000
Brig. Gen. B. Sue Dueitt, 0000
Brig. Gen. Michael R. Mayo, 0000
Brig. Gen. Robert S. Silverthorn, Jr., 0000
Brig. Gen. Charles E. Wilson, 0000

To be brigadier general

Col. Michael G. Corrigan, 0000
Col. John R. Hawkins III, 0000
Col. Gregory J. Hunt, 0000
Col. Michael K. Jelinsky, 0000
Col. Robert R. Jordan, 0000
Col. David E. Kratzer, 0000
Col. Michael A. Kuehr, 0000
Col. Bruce D. Moore, 0000
Col. Conrad W. Ponder, Jr., 0000
Col. Jerry W. Reshetar, 0000
Col. Bruce E. Robinson, 0000

Col. James R. Sholar, 0000
Col. Edwin E. Spain, 0000
Col. Stephen B. Thompson, 0000
Col. George W. Wells, Jr., 0000

The following named officers for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Kevin P. Byrnes, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Kerry G. Denson, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. William W. Goodwin, 0000

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Jack A. Davis, 0000

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. James R. Battaglini, 0000
Brig. Gen. James E. Cartwright, 0000
Brig. Gen. Christopher Cortez, 0000
Brig. Gen. Gary H. Hughey, 0000
Brig. Gen. Thomas S. Jones, 0000
Brig. Gen. Richard L. Kelly, 0000
Brig. Gen. John F. Sattler, 0000
Brig. Gen. William A. Whitlow, 0000

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. John F. Goodman, 0000

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Thomas A. Benes, 0000
Col. Christian B. Cowdrey, 0000
Col. Michael E. Ennis, 0000
Col. Walter E. Gaskin, Sr., 0000
Col. Michael R. Lehnert, 0000
Col. Joseph J. McMenamin, 0000
Col. Duane D. Thiessen, 0000
Col. George J. Trautman III, 0000
Col. Willie J. Williams, 0000
Col. Richard C. Zilmer, 0000

The following named officers for appointment in the United States Marine Corps reserve to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Andrew B. Davis, 0000
Col. Harold J. Fruchtnicht, 0000

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gregory S. Newbold, 0000

IN THE NAVY

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) John G. Cotton, 0000
Rear Adm. (lh) Henry F. White, Jr., 0000

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. William V. Alford, 0000
Capt. John P. Debbout, 0000
Capt. Roger T. Nolan, 0000
Capt. Stephen S. Oswald, 0000
Capt. Robert O. Passmore, 0000
Capt. Gregory J. Slavonic, 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Michael R. Johnson, 0000
Rear Adm. (lh) Charles R. Kubic, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Rodrigo C. Melendez, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Richard W. Mayo, 0000

The following named officer for appointment as Vice Chief of Naval Operations, United States Navy, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

To be admiral

Vice Adm. William J. Fallon, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Toney M. Bucchi, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Timothy J. Keating, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Martin J. Mayer, 0000

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Dennis V. McGinn, 0000

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1166 Air Force nominations (9) beginning Donna L. Kennedy, and ending Michael D. Prazak, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2000.

PN1167 Air Force nominations (106) beginning Franklin C. Albright, and ending Lewis F. Wolf, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2000.

PN1209 Air Force nomination of Warren S. Silberman, which was received by the Senate and appeared in the Congressional Record of September 6, 2000.

PN1243 Air Force nomination OF James C. Seaman, which was received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1288 Air Force nominations (680) beginning George M. Abernathy, and ending Richard M. Zink, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2000.

PN1330 Air Force nominations (2) beginning Douglas N. Barlow, and ending Gregory E. Seely, which nominations were received by the Senate and appeared in the Congressional Record of September 28, 2000.

PN1337 Air Force nominations (2) beginning John B. Stetson, and ending Christine E. Tholen, which nominations were received by the Senate and appeared in the Congressional Record of October 2, 2000.

IN THE ARMY

PN1135 Army nominations (28) beginning John W. Alexander, Jr. and ending Donald L. Wilson, which nominations were received by the Senate and appeared in the Congressional Record OF JULY 10, 2000.

PN1168 Army nominations (158) beginning Bruce D. Adams, and ending Vikram P. Zadoo, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2000.

PN1196 Army nominations (1314) beginning Daniel G. Aaron, and ending X2457, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2000.

PN1210 Army nomination of Merritt M. Smith, which was received by the Senate and appeared in the Congressional Record of September 6, 2000.

PN1211 Army nominations (4) beginning James M. Davis, and ending Lanneau H. Siegling, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2000.

PN1212 Army nomination of John Espinosa, which was received by the Senate and appeared in the Congressional Record of September 6, 2000.

PN1222 Army nomination of Albert L. Lewis, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1223 Army nominations (2) beginning Philip C. Caccese, and ending Donald E. McLean, which nominations were received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1224 Army nominations (3) beginning Richard W.J. Cacini, and ending Carlos A. Trejo, which nominations were received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1225 Army nominations (4) beginning Melvin Lawrence Kaplan, and ending George Raymond Ripplinger, which nominations were received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1226 Army nomination of *Michael Walker, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1244 Army nominations (13) beginning Eddie L. Cole, and ending Christopher A. White, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1245 Army nominations (19) beginning Jeanne J. Blaes, and ending Janelle S. Weyn, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1246 Army nominations (43) beginning *Patrick N. Bailey, and ending *Jeffrey L. Zust, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1247 Army nominations (1747) beginning Timothy F. Abbott, and ending *X4076, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

IN THE MARINE CORPS

PN1197 Marine Corps nominations (73) beginning Jack G. Abate, and ending Jeffrey G. Young, which nominations were received by the Senate and appeared in the Congressional Record of July 27, 2000.

PN1227 Marine Corps nomination of Gerald A. Cummings, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1259 Marine Corps nomination of David L. Ladouceur, which was received by the Senate and appeared in the Congressional Record of September 13, 2000.

IN THE NAVY

PN1040 Navy nomination of Bradley S. Russell, which was received by the Senate and appeared in the Congressional Record of May 11, 2000.

PN1169 Navy nomination of Douglas M. Larratt, which was received by the Senate and appeared in the Congressional Record of July 25, 2000.

PN1170 Navy nominations (11) beginning Felix R. Tormes, and ending Christopher F. Beaubien, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2000.

PN1171 Navy nominations (387) beginning Ava C. Abney, and ending Michael E. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record of July 25, 2000.

PN1188 Navy nominations (217) beginning William B. Acker III, and ending John Zarem, which nominations were received by the Senate and appeared in the Congressional Record of July 26, 2000.

PN1198 Navy nomination of Keith R. Belau, which was received by the Senate and appeared in the Congressional Record of July 27, 2000.

PN1213 Navy nomination of Randall J. Bigelow, which was received by the Senate and appeared in the Congressional Record of September 6, 2000.

PN1228 Navy nomination of Robert G. Butler, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1229 Navy nomination of Vito W. Jimenez, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1230 Navy nomination of Michael P. Tillotson, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1231 Navy nomination of Michael W. Altiser, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1232 Navy nomination of Melvin J. Hendricks, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1233 Navy nomination of Glenn A. Jett, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1234 Navy nomination of Joseph T. Mahachek, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1235 Navy nomination of Robert J. Werner, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1236 Navy nomination of Marian L. Celli, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1237 Navy nomination of Stephen M. Trafton, which was received by the Senate and appeared in the Congressional Record of September 7, 2000.

PN1248 Navy nominations (821) beginning Eric M. Aaby, and ending Anthony E. Zerangue, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1249 Navy nominations (1446) beginning William S. Abrams II, and ending Michael Ziv, which nominations were received by the Senate and appeared in the Congressional Record of September 12, 2000.

PN1260 Navy nomination of Jeffrey N. Rocker, which was received by the Senate and appeared in the Congressional Record of September 13, 2000.

PN1261 Navy nominations (224) beginning Jerry C. Mazanowski, and ending Douglas S. Velvel, which nominations were received by the Senate and appeared in the Congressional Record of September 13, 2000.

PN1289 Navy nominations (32) beginning Michael W. Bastian, and ending Steven C. Wurgler, which nominations were received by the Senate and appeared in the Congressional Record of September 21, 2000.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR TUESDAY, OCTOBER 10, 2000

Mr. HAGEL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 2 p.m. on Tuesday, October 10. I further ask consent that on Tuesday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period of morning business for up to 2 hours, with the time controlled in the following fashion: the first hour under the control of Senator DURBIN or his designee, with 30 minutes under the control of Senator GRAHAM of Florida; the second hour under the control of Senator THOMAS or his designee.

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

PROGRAM

Mr. HAGEL. Mr. President, for the information of all Senators, the Senate will be in session on Tuesday for morning business and possible consideration of an appropriations conference report. On Wednesday, there will be up to 7 hours of debate on the conference report to accompany trafficking victims. Senator THOMPSON will make the point of order against the report and a vote is expected relative to appealing the ruling of the Chair and adoption of the conference report, both of which will occur late afternoon on Wednesday.

The Senator from Virginia is recognized.

EXPRESSING THE SENSE OF THE CONGRESS ON THE NEED FOR CONSTRUCTION OF THE WORLD WAR II MEMORIAL ON THE CAPITAL MALL

Mr. WARNER. Mr. President, on behalf of myself, Mr. INOUYE, Mr. STEVENS, and Mr. THURMOND, I send to the desk a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 145) expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capital.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. WARNER. Mr. President, our former distinguished majority leader, Mr. Dole, has headed up, together with others, an effort across America, and indeed from abroad, to raise the funds and otherwise provide for a memorial to be erected in the Nation's Capital in memory of those who served in World War II, and indeed those who were not in uniform but here on the homefront who, in every other respect, supported that heroic effort during that period from the day beginning December 7, 1941, to and including the surrender of Japan in August of 1945.

Mr. President, as we all know, World War II was the defining event of the 20th century for the United States and its wartime allies with more than 16,000,000 American men and women serving in uniform in the Armed Forces. Over 400,000 Americans gave their lives for our nation and more than 600,000 were wounded. In addition, countless Americans back home in the United States organized and sacrificed to give their unwavering support to those in uniform.

Today, there are less than 6,000,000 surviving World War II veterans and we mourn the passing of greater than 1,200 veterans each day.

Mr. President, this is why the construction of the National World War II Memorial must follow an expeditious and critical path to completion. In

1994, legislation was enacted which approved the location of a memorial to this epic era in an area of the National Mall that includes the Rainbow Pool.

Since July 1995, the National World War II Memorial site and design have been subject to 19 public hearings that have resulted in an endorsement from the State Historic Preservation Officer of the District of Columbia, three endorsements from the District of Columbia Historic Preservation Review Board, and most significantly, four approvals from the Commission of Fine Arts and four approvals from the National Capital Planning Commission. In July of this year, the Commission of Fine Arts approved the design of the memorial followed by final architectural design approval by the National Capital Planning Commission on September 21, 2000.

Mr. President, it is my feeling that construction of this magnificent memorial, which has received a thorough review and given final approval by all jurisdictional authorities, should begin without delay. It is imperative that this fitting tribute to those brave and patriotic Americans be completed and dedicated while surviving veterans are still alive.

I ask my Senate colleagues to support this resolution and allow our World War II veterans, veterans of the most devastating war the world has known, to see and be a part of the memorial they so fiercely deserve.

Mr. President, I sought to get the cosponsorship of all those in this body who served in World War II. The ability to do this, time-wise, precluded that, but I am certain that almost all would have joined. Therefore, it is a particular privilege for me to submit this to the Senate. Congressman STUMP will introduce the identical measure in the House of Representatives.

Mr. President, I ask that we take action on this resolution.

The PRESIDING OFFICER. Is there further debate on the concurrent resolution?

The concurrent resolution (S. Con. Res. 145) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 145

Whereas World War II is the defining event of the twentieth century for the United States and its wartime allies;

Whereas in World War II, more than 16,000,000 American men and women served in uniform in the Armed Forces, more than 400,000 of them gave their lives, and more than 670,000 of them were wounded;

Whereas many millions more on the home front in the United States organized and sacrificed to give unwavering support to those in uniform;

Whereas fewer than 6,000,000 World War II veterans are surviving at the end of the twentieth century, and the Nation mourns the passing of more than 1,200 veterans each day;

Whereas Congress, in Public Law 103–422 (108 Stat. 4356) enacted in 1994, approved the location of a memorial to this epic era in an area of the National Mall that includes the Rainbow Pool;

Whereas since 1995, the National World War II Memorial site and design have been the subject of 19 public hearings that have resulted in an endorsement from the State Historic Preservation Officer of the District of Columbia, three endorsements from the District of Columbia Historic Preservation Review Board, the endorsement of many Members of Congress, and, most significantly, four approvals from the Commission of Fine Arts and four approvals from the National Capital Planning Commission (including the approvals of those Commissions for the final architectural design);

Whereas on Veterans Day 1995, the President dedicated the approved site at the Rainbow Pool on the National Mall as the site for the National World War II Memorial; and

Whereas fundraising for the National World War II Memorial has been enormously successful, garnering enthusiastic support from half a million individual Americans, hundreds of corporations and foundations, dozens of civic, fraternal, and professional organizations, state legislatures, students in 1,100 schools, and more than 450 veterans groups representing 11,000,000 veterans: Now, therefore, be it

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

(1) it is appropriate for the United States to memorialize in the Nation's Capitol the triumph of democracy over tyranny in World War II, the most important event of the twentieth century;

(2) the will of the American people to memorialize that triumph and all who labored to achieve it, and the decisions made on that memorialization by the appointed bodies charged by law with protecting the public's interests in the design, location, and construction of memorials on the National Mall in the Nation's Capitol, should be fulfilled by the construction of the National World War II Memorial, as designed, at the approved and dedicated Rainbow Pool site on the National Mall; and

(3) it is imperative that expeditious action be taken to commence and complete the construction of the National World War II Memorial so that the completed memorial will be dedicated while Americans of the World War II generation are alive to receive the national tribute embodied in that memorial, which they earned with their sacrifice and achievement during the largest and most devastating war the world has known.

Mr. WARNER. Mr. President, I thank the Chair, the floor staff, and the staffs of many Senators who were able to clear this resolution. I appreciate that.

I note the presence of another colleague on the floor. I would like to consult the Republican floor staff before I address the Senate further.

Mr. President, I understand our distinguished colleague wishes to address the Senate for a period of time. How much time will he require?

Mr. WYDEN. Five minutes will be plenty.

ORDER FOR RECESS

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, following the remarks of Mr. WYDEN for not to exceed 5 minutes, I ask unanimous consent that the Senate stand in recess under the previous order.

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

The Senator from Oregon is recognized.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

Mr. WYDEN. Mr. President, twenty-two days ago I was here on the Senate floor helping to secure the support of 100 Senators in passing the Secure Rural Schools and Community Self-Determination Act of 2000. It was a good day for rural Americans when the Senate adopted S. 1608 unanimously.

Today is even better for rural Americans. A few minutes ago, the Senate passed legislation that now reflects an agreement among all stakeholders—the schools, the counties, the House and Senate and the Administration—that assures House and Senate passage and the President's signature. This bill is the winning formula for everyone concerned about rural communities.

The bill the Senate has passed is fundamentally unchanged from S. 1608. The basics are the same: the purposes, the funding formula, and the flexibility for counties to choose how to spend a portion of the payment. The bill will provide stable payments for education and roads in more than 750 timber-dependent counties across this country and real opportunities for environmental restoration on our national forests.

The bill will make sure our rural communities do not become economic sacrifice zones. It will help people in forest communities adapt to changing national forest management policies by creating a funding formula alternative to timber receipts.

Policy changes in Washington, D.C. affecting logging on national forests across this country have caused timber receipts to fall an average of 70 percent over the last 15 years, and by as much as 90 percent in some areas. As timber receipts disappeared, roads fell deeper into disrepair, school programs were cut to the bone, and some schools even had to close their doors at least one day a week.

This legislation will give rural communities a more predictable payment formula than the current roller coaster system based on timber receipts. The amount going toward schools and roads would represent 80–85 percent of the three-year average of the highest payment years from fiscal years 1986 to 1999. The amount would be calculated on a state-by-state, three-high-year basis, but would be distributed among the counties on a county-by-county, three-high-year calculation. Unlike today's system, a county will receive its

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The bill before us today retains and improves upon a key element of S. 1608: that counties decide for themselves, in conjunction with other stakeholders, how they want to invest the remaining 15-to-20 percent of the average payment. This bill clarifies and underscores county flexibility to use the funds other than those designated for schools and roads in any combination a county chooses for: fire prevention and fighting wildfires; forest-related education; easement purchases; emergency services reimbursement; stewardship projects; maintenance of existing forest infrastructure; ecosystem restoration; and improvement of land and water quality on national forest lands.

There is no doubt about it. This legislation will change the traditional dynamic between logging and Federal payments to schools and counties. But altering the link between timber harvest and county payments does not mean we seek to sever the ties between people and land. This bill will strengthen the bond between communities and neighboring Federal forests. The authorized projects are a way for the Federal government to recognize—without relaxing or compromising our environmental commitments—that timber towns grow not just trees, but people, too.

S. 1608 is supported by thousands of groups, hundreds of counties, labor organizations and school groups including the National Education Association, National Association of Counties, the American Federation of State, County and Municipal Employees, as well as the AFL–CIO.

I particularly want to thank Senator CRAIG, Chairman of the Forests and Public Lands Subcommittee, for helping to bring us to where we are today. He has been tireless in his efforts. I also want to recognize the outstanding commitment of Senator BINGAMAN, the ranking member on the Energy Committee, and the incredible work of Senator BAUCUS, who brought additional attention to non-federal land county projects, including wildfire prevention.

I would also like to acknowledge the work of the staff on this legislation. In particular, Josh Kardon, my Chief of Staff, and Sarah Bittleman, my Natural Resources Counsel, have done yeoman's work on this legislation. Carole Grunberg, my Legislative Director, was always there with support and encouragement. And Jeff Gagne, my Education advisor, also contributed to the effort by figuring out the maze of Oregon education spending. Special thanks also goes to David Dye, Counsel to the Senate Energy Committee and to Mark Rey of the Energy Committee staff, whose steady hand and creativity helped resolve so many problems successfully; to Bob Simon and Kira Finkler, of the Energy Committee Democratic staff; and to Brian Kuehl with Senator BAUCUS, Sara Barth with Senator BOXER, and Peter Hanson with Senator DASCHLE.

RECESS UNTIL 2 P.M. TUESDAY, OCTOBER 10, 2000

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m. Tuesday, October 10, 2000.

Thereupon, the Senate, at 3:51 p.m., recessed until Tuesday, October 10, 2000, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate October 6, 2000:

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED: CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

AVIS T. BOHLEN, OF THE DISTRICT OF COLUMBIA
RICHARD A. BOUCHER, OF MARYLAND
JOSEPH GERARD SULLIVAN, OF MASSACHUSETTS
WILLIAM H. TWADDELL, OF RHODE ISLAND
ALEXANDER RUSSELL VERSHBOW, OF THE DISTRICT OF COLUMBIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MICHAEL HUGH ANDERSON, OF MINNESOTA
ANNA ANDERSON LEHEL BORG, OF THE DISTRICT OF COLUMBIA
MARK M. BOULWARE, OF TEXAS
WILLIAM RIVINGTON BROWNFIELD, OF TEXAS
STEVEN A. BROWNING, OF TEXAS
JOHN PATRICK CAULFIELD, JR., OF NEW JERSEY
GENE BURL CHRISTY, OF TEXAS
GWEN C. CLARE, OF CONNECTICUT
JOHN ALBERT CLOUD, JR., OF VIRGINIA
STEVEN JAMES COFFEY, OF VIRGINIA
PAMELA COREY-ARCHER, OF CALIFORNIA
ARNOLD JACKSON CRODDY, JR., OF MARYLAND
GLYN TOWNSEND DAVIES, OF WYOMING
JOHN SHIELDS DICKSON, OF NEW HAMPSHIRE
JOHN R. DINGER, OF IOWA
GEORGE S. DRAGNICH, OF VIRGINIA
KENNETH ALAN DUNCAN, OF CONNECTICUT
WILLIAM A. EATON, OF VIRGINIA
GREGORY WILLIAM ENGLE, OF VIRGINIA
RICHARD W. ERDMAN, OF MARYLAND
BEN FLOYD FAIRFAX, OF VIRGINIA
DANIEL TED FANTOZZI, OF VIRGINIA
BRIAN M. FLORA, OF FLORIDA
MICHAEL E. GUEST, OF SOUTH CAROLINA
JOHN DAVIS HAMILL, OF OHIO
RENO LEON HARNISH III, OF VIRGINIA
DOUGLAS ALAN HARTWICK, OF WASHINGTON
JOHN E. HERBST, OF VIRGINIA
HEATHER M. HODGES, OF VIRGINIA
CAROLYN RUTH HUGGINS, OF FLORIDA
WILLIAM IMBRIE III, OF MARYLAND
JAMES FRANKLIN JEFFREY, OF MASSACHUSETTS
LAURA-ELIZABETH KENNEDY, OF VIRGINIA
KRISTIE ANNE KENNEY, OF VIRGINIA
FREDERIC M. KRUG, OF NEW JERSEY
JAMES V. LEDESMA, OF CALIFORNIA
MICHAEL CRAIG LEMMON, OF FLORIDA
DAVID C. LITT, OF FLORIDA
WAYNE K. LOGSDON, OF WASHINGTON
THOMAS A. LYNCH, JR., OF VIRGINIA
FREDERIC WILLIAM MAERKLE III, OF CALIFORNIA
MICHAEL E. MALINOWSKI, OF ILLINOIS
STEVEN R. MANN, OF PENNSYLVANIA
EDWARD MCKEON, OF THE DISTRICT OF COLUMBIA
BRIAN J. MOHLER, OF VIRGINIA
JAMES F. MORIARTY, OF MASSACHUSETTS
LAUREN MORIARTY, OF HAWAII
GRETA N. MORRIS, OF CALIFORNIA
MICHAEL NESEMANN, M.D., OF VIRGINIA
EDWARD B. O'DONNELL, JR., OF TEXAS
MICHAEL ELEAZAR PARMLY, OF FLORIDA
MILDRED ANNE PATTERSON, OF VIRGINIA
MARGARET C. PEARSON, OF CALIFORNIA
VICTOR MANUEL ROCHA, OF CALIFORNIA

ANTHONY FRANCIS ROCK, OF NEW HAMPSHIRE
LAWRENCE GEORGE ROSSIN, OF CALIFORNIA
ARTHUR F. SALVATERRA, OF PENNSYLVANIA
DAVID MICHAEL SATTERFIELD, OF VIRGINIA
BRENDA BROWN SCHOONOVER, OF CALIFORNIA
CHARLES S. SHAPIRO, OF GEORGIA
DANIEL SREEBNY, OF VIRGINIA
GEORGE MC DADE STAPLES, OF KENTUCKY
JAIME SUAREZ, M.D., OF LOUISIANA
THOMAS C. TIGHE, OF FLORIDA
HOWARD C. WIENER III, OF VIRGINIA
ROSS LEE WILSON, OF MARYLAND
THOMAS W. YUN, M.D., OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

BETSY LYNN ANDERSON, OF VIRGINIA
JOHN RICHARD ARNDT, OF FLORIDA
LEWIS R. ATHERTON, OF THE DISTRICT OF COLUMBIA
SHELDON E. AUSTIN, OF FLORIDA
DAVID LEE BALLARD, OF TEXAS
DOUGLAS MALCOLM BARNES, OF COLORADO
WILLIAM MICHAEL BARTLETT, OF FLORIDA
JOHN ROSS BEYRLE, OF VIRGINIA
STANTON R. BIGELOW, OF WISCONSIN
MICHELE THOREN BOND, OF NEW JERSEY
GAYLEATHA BEATRICE BROWN, OF NEW JERSEY
HERBERT RENARD BROWN, OF FLORIDA
DAVID M. BUSS, OF TEXAS
PATRICIA A. BUTENIS, OF NEW JERSEY
JORGE CINTRON, OF PUERTO RICO
SCOTT H. DELISI, OF VIRGINIA
ALICE AMELIA DRESS, OF TENNESSEE
CLIFTON W. FLOWERS, OF VIRGINIA
JAMES BRENDAN FOLEY, OF NEW YORK
PHILIP CHARLES FRENCH, OF CALIFORNIA
GEORGE ALLEN GLASS, OF NEW JERSEY
JAN HARTMAN, OF FLORIDA
WILLIAM JAMES HAUGH, OF CALIFORNIA
LLEWELLYN H. HEDGBETH, OF CALIFORNIA
DOUGLAS C. HENGEL, OF NEW YORK
ROBYN E. HINSON-JONES, OF NEW YORK
J. ANTHONY HOLMES, OF CALIFORNIA
LEE JAMES IRWIN, OF WISCONSIN
JEANINE JACKSON, OF WYOMING
KENNETH H. JARRETT, OF NEW YORK
PAUL WAYNE JONES, OF NEW YORK
CRAIG ALLEN KELLY, OF CALIFORNIA
HANS GEORGE KLEMM, OF INDIANA
ANDREW C. KOSS, OF MAINE
DAVID KURAKANE, OF CALIFORNIA
BARRY JAY LEVIN, OF MISSOURI
SALLY MATHIASEN LIGHT, OF WASHINGTON
DENNIS M. LINSKEY, OF NEW YORK
MARY BLAND MARSHALL, OF VIRGINIA
GAIL DENNISE THOMAS MATHIEU, OF NEW JERSEY
GARY H. MAYBARDUK, OF MINNESOTA
DEBORAH ANN MC CARTHY, OF CALIFORNIA
TERENCE PATRICK MC CULLEY, OF OREGON
JACKSON C. MC DONALD, OF FLORIDA
KEVIN CORT MILAS, OF CALIFORNIA
DAVID B. MONK, OF MASSACHUSETTS
PATRICK S. MOON, OF OKLAHOMA
JAMES ROBERT MOORE, OF CONNECTICUT
JEFFREY C. MURRAY, OF MARYLAND
JAMES DINNEEN NEALON, JR., OF NEW HAMPSHIRE
LOUIS JOHN NIGRO, OF FLORIDA
THEODORE ARTHUR NIST, OF SOUTH DAKOTA
ROGER CHRISTOPHER NOTTINGHAM, OF INDIANA
ANNE H. O'LEARY, OF CALIFORNIA
STEPHEN R. PATTISON, OF TEXAS
DAVID D. PEARCE, OF MAINE
ROGER DWAYNE PIERCE, OF THE DISTRICT OF COLUMBIA
EUNICE SHARON REDDICK, OF NEW YORK
J. PAUL REID, OF CALIFORNIA
RONALD SINCLAIR ROBINSON, OF VIRGINIA
JOSIAH BLUMENTHAL ROSENBLATT, OF CONNECTICUT
PAUL EDWARD ROWE, OF VIRGINIA
MARLENE J. SAKAUE, OF CALIFORNIA
JOHN FREDERICK SAMMIS, OF VIRGINIA
JOHN RICHARD SCHMIDT, OF WISCONSIN
STEPHEN A. SECHE, OF MASSACHUSETTS
ANGUS TAYLOR SIMMONS, OF CALIFORNIA
MICHELE J. SISON, OF MARYLAND
DOUGLAS GORDON SPELMAN, OF OHIO
MADELYN ELIZABETH SPIRNAK, OF THE DISTRICT OF COLUMBIA
ADRIENNE M. STEFAN, OF FLORIDA
CRAIG J. STROMME, OF NEW YORK
JUDITH ANNE STROTZ, OF VIRGINIA
PAUL A. TRIVELLI, OF CONNECTICUT
J. PATRICK TRUHN, OF THE DISTRICT OF COLUMBIA
MOOSA A. VALLI, OF CALIFORNIA
LUCIEN S. VANDENBROUCKE, OF MARYLAND
DAVID GOFORTH WAGNER, OF PENNSYLVANIA
JANET M. WEBER, OF NEW YORK
A. DANIEL WEYGANDT, OF VIRGINIA
MARY ANN WHITTEN, OF CALIFORNIA
ROBERT M. WITAJEWSKI, OF CALIFORNIA
ROBERT CANTRELL WOOD, OF SOUTH CAROLINA
JACK M. ZETKULIC, OF NEW JERSEY
JAMES P. ZUMWALT, OF CALIFORNIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ALAN O. BIGLER, OF OHIO
JOHN P. BOULANGER, OF NEW HAMPSHIRE
JEFFREY L. BOZWORTH, OF MARYLAND
ANDREW J. COLANTONIO, OF VIRGINIA
JOSEPH M. DEVLIN, OF MONTANA
EDWARD F. GAFFNEY, OF VIRGINIA
STEPHEN J. KRUCHKO, OF VIRGINIA
SUSAN J. MONG, OF PENNSYLVANIA
ANTHONY MUSE, OF TENNESSEE
JANE S. NORRIS, OF TEXAS
RAYMOND L. NORRIS, OF OKLAHOMA
WILLIAM PRIOR, OF VIRGINIA
NICHOLAS J. RIESLAND, OF WASHINGTON
DAVID T. SHAEFFER, OF VIRGINIA
GREGORY BOWNE STARR, OF VIRGINIA
JOHN L. TELLO, OF MAINE
HARLAN D. WADLEY, OF OREGON
CHARLES D. WISECARVER, JR., OF VIRGINIA
MARK YOUNG, OF CALIFORNIA

STATE JUSTICE INSTITUTE

SOPHIA H. HALL, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2003. (REAPPOINTMENT)

THE JUDICIARY

ANDRE M. DAVIS, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE FRANCIS D. MURNAGHAN, JR., DECEASED.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 6, 2000:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN D. HOPPER, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. PAUL W. ESSEX, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN H. CAMPBELL, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. LLOYD J. AUSTIN III, 0000
COL. VINCENT E. BOLES, 0000
COL. GARY L. BORDER, 0000
COL. THOMAS P. BOSTICK, 0000
COL. HOWARD B. BROMBERG, 0000
COL. JAMES A. COGGIN, 0000
COL. MICHAEL L. COMBEST, 0000
COL. WILLIAM C. DAVID, 0000
COL. MARTIN E. DEMPSEY, 0000
COL. JOSEPH F. FIL, JR., 0000
COL. BENJAMIN C. FREAKLEY, 0000
COL. JOHN D. GARDNER, 0000
COL. BRIAN I. GEEHAN, 0000
COL. RICHARD V. GERACI, 0000
COL. GARY L. HARRELL, 0000
COL. JANET E. A. HICKS, 0000
COL. JAY W. HOOD, 0000
COL. KENNETH W. HUNZEKER, 0000
COL. CHARLES H. JACOBY, JR., 0000
COL. GARY M. JONES, 0000
COL. JASON K. KAMIYA, 0000
COL. JAMES A. KELLEY, 0000
COL. RICKY LYNCH, 0000
COL. BERNARDO C. NEGRETE, 0000
COL. PATRICIA L. NILO, 0000
COL. F. JOSEPH PRASEK, 0000
COL. DAVID C. RALSTON, 0000
COL. DON T. RILEY, 0000
COL. DAVID M. RODRIGUEZ, 0000
COL. DONALD F. SCHENK, 0000
COL. STEVEN P. SCHOOK, 0000
COL. GRATTON O. SEALOCK II, 0000
COL. STEPHEN M. SEAY, 0000
COL. JEFFREY A. SORENSON, 0000
COL. GUY C. SWAN III, 0000
COL. DAVID P. VALCOURT, 0000
COL. ROBERT M. WILLIAMS, 0000
COL. W. MONTAGUE WINFIELD, 0000
COL. RICHARD P. ZAHNER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. LAWRENCE R. ADAIR, 0000
BRIG. GEN. BUFORD C. BLOUNT III, 0000
BRIG. GEN. STEVEN W. BOUTELLE, 0000
BRIG. GEN. JAMES D. BRYAN, 0000
BRIG. GEN. EDDIE CAIN, 0000
BRIG. GEN. JOHN P. CAVANAUGH, 0000
BRIG. GEN. BANTZ J. CRADDOCK, 0000
BRIG. GEN. KEITH W. DAYTON, 0000
BRIG. GEN. KATHRYN G. FROST, 0000
BRIG. GEN. LARRY D. GOTTARDI, 0000
BRIG. GEN. STANLEY E. GREEN, 0000
BRIG. GEN. CRAIG D. HACKETT, 0000
BRIG. GEN. FRANKLIN L. HAGENBECK, 0000
BRIG. GEN. HUBERT L. HARTSELL, 0000
BRIG. GEN. GEORGE A. HIGGINS, 0000
BRIG. GEN. WILLIAM J. LESZCZYNSKI, 0000
BRIG. GEN. MICHAEL D. MAPLES, 0000
BRIG. GEN. THOMAS F. METZ, 0000
BRIG. GEN. DANIEL G. MONGEON, 0000
BRIG. GEN. WILLIAM E. MORTENSEN, 0000
BRIG. GEN. ERIC T. OLSON, 0000
BRIG. GEN. RICHARD J. QUIRK III, 0000
BRIG. GEN. RICARDO S. SANCHEZ, 0000
BRIG. GEN. GARY D. SPEER, 0000
BRIG. GEN. MITCHELL H. STEVENSON, 0000
BRIG. GEN. CHARLES H. SWANNACK, JR., 0000
BRIG. GEN. TERRY L. TUCKER, 0000
BRIG. GEN. JOHN R. WOOD, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND 3036:

To be lieutenant general

MAJ. GEN. ROBERT B. FLOWERS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES S. MAHAN, JR., 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. H. STEVEN BLUM, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. WILLIAM T. NESBITT, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID P. RATACZAK, 0000

To be brigadier general

COL. GEORGE J. ROBINSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. GEORGE F. BOWMAN, 0000
BRIG. GEN. LLOYD D. BURTCH, 0000
BRIG. GEN. ALFONSA GILLEY, 0000
BRIG. GEN. JAMES R. HELMLY, 0000
BRIG. GEN. DENNIS E. KLEIN, 0000

To be brigadier general

COL. JAMES A. CHEATHAM, 0000
COL. GEORGE R. FAY, 0000
COL. CHARLES E. GORTON, 0000
COL. JOHN H. KERN, 0000
COL. CHARLES E. MCCARTNEY, 0000
COL. JACK C. STULTZ, JR., 0000
COL. STEPHEN D. TOM, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. BRADFORD C. BRIGHTMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10. U.S.C., SECTION 12203:

To be major general

BRIG. GEN. H. DOUGLAS ROBERTSON, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. WILLIE A. ALEXANDER, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. CAROLE A. BRISCOE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID J. KAUCHECK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DANIEL F. PERUGINI, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JOHN E. STEVENS, 0000

To be brigadier general

COL. RICK BACCUS, 0000
COL. ABNER C. BLALOCK, JR., 0000
COL. JOHN M. BRAUN, 0000
BRIG. GEN. GEORGE A. BUSKIRK, JR., 0000
COL. JAMES R. CARPENTER, 0000
COL. CRAIG N. CHRISTENSEN, 0000
COL. PAUL D. COSTILOW, 0000
COL. JAMES P. DALEY, 0000
COL. CHARLES E. FLEMING, 0000
COL. CHARLES E. GIBSON, 0000
COL. MICHAEL A. GORMAN, 0000
COL. JOHN F. HOLECHEK, JR., 0000
COL. MITCHELL R. LECLAIRE, 0000
COL. RICHARD G. MAXON, 0000
COL. GARY A. PAPPAS, 0000
COL. DONALD H. POLK, 0000
COL. ROBLEY S. RIGDON, 0000
COL. CHARLES T. ROBBS, 0000
COL. BRUCE D. SCHRIMPF, 0000
COL. THOMAS J. SULLIVAN, 0000
COL. BRIAN L. TARBET, 0000
COL. GORDON D. TONEY, 0000
COL. ANTONIO J. VICENS-GONZALEZ, 0000
COL. WILLIAM L. WALLER, JR., 0000
COL. CHARLES R. WEBB, 0000
COL. WILLIAM D. WOFFORD, 0000
COL. KENNETH F. WONDRACK, 0000
COL. RONALD D. YOUNG, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. WILLIAM J. DAVIES, 0000
BRIG. GEN. GEORGE T. GARRETT, 0000
BRIG. GEN. DENNIS A. KAMIMURA, 0000
BRIG. GEN. BRUCE M. LAWLOR, 0000
BRIG. GEN. TIMOTHY E. NEEL, 0000
BRIG. GEN. LARRY W. SHELLITO, 0000
BRIG. GEN. DARWIN H. SIMPSON, 0000
BRIG. GEN. EDWIN H. WRIGHT, 0000

To be brigadier general

COL. GEORGE A. ALEXANDER, 0000
COL. TERRY F. BARKER, 0000
COL. JOHN P. BASILICA, JR., 0000
COL. WESLEY E. CRAIG, JR., 0000
COL. JAMES J. DOUGHERTY, JR., 0000
COL. RONALD B. KALKOFEN, 0000
COL. EDWARD G. KLEIN, 0000
COL. THOMAS P. LUCZYNSKI, 0000
COL. JAMES R. MASON, 0000
COL. GLEN I. SAKAGAWA, 0000
COL. JOSEPH J. TALUTO, 0000
COL. THOMAS S. WALKER, 0000
COL. GEORGE W. WILSON, 0000
COL. IRENEUSZ J. ZEMBRZUSKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. HERBERT L. ALTSHULER, 0000
BRIG. GEN. RICHARD E. COLEMAN, 0000
BRIG. GEN. B. SUE DUEITT, 0000
BRIG. GEN. MICHAEL R. MAYO, 0000
BRIG. GEN. ROBERT S. SILVERTHORN, JR., 0000
BRIG. GEN. CHARLES E. WILSON, 0000

To be brigadier general

COL. MICHAEL G. CORRIGAN, 0000
COL. JOHN R. HAWKINS, III, 0000
COL. GREGORY J. HUNT, 0000
COL. MICHAEL K. JELINSKY, 0000
COL. ROBERT R. JORDAN, 0000
COL. DAVID E. KRATZER, 0000
COL. MICHAEL A. KUEHR, 0000
COL. BRUCE D. MOORE, 0000
COL. CONRAD W. PONDER, JR., 0000
COL. JERRY W. RESHETAR, 0000
COL. BRUCE E. ROBINSON, 0000
COL. JAMES R. SHOLAR, 0000
COL. EDWIN E. SPAIN, 0000
COL. STEPHEN B. THOMPSON, 0000
COL. GEORGE W. WELLS, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KEVIN P. BYRNES, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KERRY G. DENSON, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. WILLIAM W. GOODWIN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JACK A. DAVIS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JAMES R. BATTAGLINI, 0000
BRIG. GEN. JAMES E. CARTWRIGHT, 0000
BRIG. GEN. CHRISTOPHER CORTEZ, 0000
BRIG. GEN. GARY H. HUGHEY, 0000
BRIG. GEN. THOMAS S. JONES, 0000
BRIG. GEN. RICHARD L. KELLY, 0000
BRIG. GEN. JOHN F. SATTLER, 0000
BRIG. GEN. WILLIAM A. WHITLOW, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. JOHN F. GOODMAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. THOMAS A. BENES, 0000
COL. CHRISTIAN B. COWDREY, 0000
COL. MICHAEL E. ENNIS, 0000
COL. WALTER E. GASKIN SR., 0000
COL. MICHAEL R. LEHNERT, 0000
COL. JOSEPH J. MC MENAMIN, 0000
COL. DUANE D. THIESSEN, 0000
COL. GEORGE J. TRAUTMAN III, 0000
COL. WILLIE J. WILLIAMS, 0000
COL. RICHARD C. ZILMER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ANDREW B. DAVIS, 0000
COL. HAROLD J. FRUCHTNICHT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GREGORY S. NEWBOLD, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) JOHN G. COTTON, 0000
REAR ADM. (LH) HENRY F. WHITE, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVAL RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. WILLIAM V. ALFORD, 0000
CAPT. JOHN P. DEBBOUT, 0000
CAPT. ROGER T. NOLAN, 0000
CAPT. STEPHEN S. OSWALD, 0000
CAPT. ROBERT O. PASSMORE, 0000
CAPT. GREGORY J. SLAVONIC, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) MICHAEL R. JOHNSON, 0000
REAR ADM. (LH) CHARLES R. KUBIC, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RODRIGO C. MELENDEZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. RICHARD W. MAYO, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. WILLIAM J. FALLON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TONEY M. BUCCHI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. TIMOTHY J. KEATING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MARTIN J. MAYER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. DENNIS V. MC GINN, 0000

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING DONNA L. KENNEDY, AND ENDING

MICHAEL D. PRAZAK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2000.

AIR FORCE NOMINATIONS BEGINNING FRANKLIN C. ALBRIGHT, AND ENDING LEWIS F. WOLF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2000.

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

WARREN S. SILBERMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES C. SEAMAN, 0000

AIR FORCE NOMINATIONS BEGINNING GEORGE M. ABERNATHY, AND ENDING RICHARD M. ZINK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2000.

AIR FORCE NOMINATIONS BEGINNING DOUGLAS N. BARLOW, AND ENDING GREGORY E. SEELY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 28, 2000.

AIR FORCE NOMINATIONS BEGINNING JOHN B. STETSON, AND ENDING CHRISTINE E. THOLEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 2, 2000.

IN THE ARMY

ARMY NOMINATIONS BEGINNING JOHN W. ALEXANDER JR, AND ENDING DONALD L. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 10, 2000.

ARMY NOMINATIONS BEGINNING BRUCE D. ADAMS, AND ENDING VIKRAM P. ZADOO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2000.

ARMY NOMINATIONS BEGINNING DANIEL G. AARON, AND ENDING X2457, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 624:

To be colonel

MERRITT M. SMITH, 0000

ARMY NOMINATIONS BEGINNING JAMES M. DAVIS, AND ENDING LANNEAU H. SIEGLING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 628:

To be major

JOHN ESPINOSA, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ALBERT L. LEWIS, 0000

ARMY NOMINATIONS BEGINNING PHILIP C. CACCESE, AND ENDING DONALD E. MCLEAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 7, 2000.

ARMY NOMINATIONS BEGINNING RICHARD W. J. CACINI, AND ENDING CARLOS A. TREJO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 7, 2000.

ARMY NOMINATIONS BEGINNING MELVIN LAWRENCE KAPLAN, AND ENDING GEORGE RAYMOND RIPPLINGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 7, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS AND REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, U.S.C., SECTIONS 531, 624, AND 3064:

To be major

*MICHAEL WALKER, 0000 SP

ARMY NOMINATIONS BEGINNING EDDIE L. COLE, AND ENDING CHRISTOPHER A. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

ARMY NOMINATIONS BEGINNING JEANNE J. BLAES, AND ENDING JANELLE S. WEYN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

ARMY NOMINATIONS BEGINNING *PATRICK N. BAILEY, AND ENDING *JEFFREY L. ZUST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

ARMY NOMINATIONS BEGINNING TIMOTHY F. ABBOTT, AND ENDING *X4076, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING JACK G. ABATE, AND ENDING JEFFREY G. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 27, 2000.

THE FOLLOWING NAMED OFFICER FOR ORIGINAL APPOINTMENT AS PERMANENT LIMITED DUTY OFFICER TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

To be captain

GERALD A. CUMMINGS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID L. LADOUCEUR, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BRADLEY S. RUSSELL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DOUGLAS M. LARRATT, 0000

NAVY NOMINATIONS BEGINNING FELIX R. TORMES, AND ENDING CHRISTOPHER F. BEAUBIEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2000.

NAVY NOMINATIONS BEGINNING AVA C. ABNEY, AND ENDING MICHAEL E. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2000.

NAVY NOMINATIONS BEGINNING WILLIAM B. ACKER III, AND ENDING JOHN ZAREM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 26, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KEITH R. BELAU, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RANDALL J. BIGELOW, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT G. BUTLER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

VITO W. JIMENEZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MICHAEL P. TILLOTSON, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant

MICHAEL W. ALTISER, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be lieutenant

MELVIN J. HENDRICKS, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant

GLENN A. JETT, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5589:

To be lieutenant

JOSEPH T. MAHACHEK, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5582:

To be lieutenant

ROBERT J. WERNER, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

MARIAN L. CELLI, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEPHEN M. TRAFTON, 0000

NAVY NOMINATIONS BEGINNING ERIC M. AABY, AND ENDING ANTHONY E. ZERANGUE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

NAVY NOMINATIONS BEGINNING WILLIAM S. ABRAMS II, AND ENDING MICHAEL ZIV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 12, 2000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

Jeffrey N. Rocker, 0000.

NAVY NOMINATIONS BEGINNING JERRY C. MAZANOWSKI, AND ENDING JAMES S. CARMICHAEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 13, 2000.

NAVY NOMINATIONS BEGINNING MICHAEL W. BASTIAN, AND ENDING STEVEN C. WURGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 21, 2000.

HOUSE OF REPRESENTATIVES—*Friday, October 6, 2000*

The House met at 9 a.m.

The Reverend Claude Pomerleau, University of Portland, Portland, Oregon, offered the following prayer:

Lord and Master of the universe, we dare to call You Mother and Father because You are the Source of all that we are, all that we have and all that we do. You have sent us Your Spirit, and so we also call ourselves Your children. We know that You love us all, and that this gift goes beyond our greatest expectations.

O God, bless all the Members of the House this day and always. May they act in accordance with Your Spirit as they serve this Nation and work for a more peaceful and secure world. May they be just and compassionate in their work as You are just and compassionate with Your creation, and may they be a sign of Your presence for this Nation and the world.

We pray that we may always be instruments of Your peace, even in the midst of unresolved problems and constant human conflicts. And, as a result, may we strive to be a mosaic of Your renewing presence in this world, through which we have a brief but glorious passage. Amen.

THE JOURNAL

The SPEAKER. 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.

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

The SPEAKER. The question is on the Chair's approval of the Journal.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 267, nays 50, answered ''present'' 1, not voting 116, as follows:

[Roll No. 514]

YEAS—267

Abercrombie
Allen
Andrews
Baca
Bachus
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bishop
Blagojevich
Bliley
Blunt
Boehner
Bonilla
Boswell
Boyd
Brady (TX)
Brown (OH)
Bryant
Burr
Buyer
Callahan
Camp
Campbell
Capps
Cardin
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Cook
Cooksey
Cox
Coyne
Cramer
Cunningham
Danner
Davis (IL)
Deal
DeGette
DeLauro
DeMint
Deutsch
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Ehlers
Emerson
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Forbes
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Granger
Green (TX)
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hill (IN)
Hinojosa
Hobson
Hoeffel
Holden
Hooley
Horn
Hostettler
Houghton
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson, E.B.
Jones (NC)
Jones (OH)
Kanjorski
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Menendez
Mica
Miller, Gary
Minge
Mink
Moakley
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Nethercutt
Ney
Northup
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Rahall
Regula
Reynolds
Rivers
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Upton
Velázquez
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (PA)
Weygand
Wilson
Wolf
Woolsey
Wynn
Young (FL)

NAYS—50

Aderholt
Baird
Baldacci
Borski
Brady (PA)
Capuano
Costello
Crowley
DeFazio
Dickey
Gibbons
Gutierrez
Gutknecht
Hastings (FL)
Hill (MT)
Hilleary
Hilliard
Hoekstra
Holt
Hutchinson
Kucinich
LaFalce
Lipinski
LoBiondo
McDermott
McNulty
Miller, George
Moran (KS)
Neal
Oberstar
Obey
Phelps
Ramstad
Riley
Sabo
Sanchez
Sawyer
Schaffer
Slaughter
Stark
Stupak
Sweeney
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (CO)
Udall (NM)
Visclosky
Weller
Wu

ANSWERED ''PRESENT''—1

Smith (MI)

NOT VOTING—116

Ackerman
Archer
Armey
Baker
Barton
Berman
Bilbray
Bilirakis
Blumenauer
Boehlert
Bonior
Bono
Boucher
Brown (FL)
Burton
Calvert
Canady
Cannon
Carson
Castle
Chenoweth-Hage
Clay
Collins
Conyers
Crane
Cubin
Cummings
Davis (FL)
Davis (VA)
Delahunt
DeLay
Diaz-Balart
Dicks
Dixon
Doolittle
Dunn
Edwards
Ehrlich
Engel
English
Eshoo
Filner
Foley
Ford
Fossella
Franks (NJ)
Gephardt
Gilchrest
Goss
Graham
Hansen
Hayes
Hefley
Herger
Hinchey
Hoyer
Hulshof
Johnson (CT)
Johnson, Sam
Kaptur
King (NY)
Kleczka
Klink
Largent
Lazio
Leach
Lewis (GA)
Lowey
Martinez
McCarthy (MO)
McCollum
McGovern
McIntosh
McKinney
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Millender-McDonald
Miller (FL)
Mollohan
Norwood
Owens
Paul
Peterson (MN)
Pombo
Porter
Quinn
Radanovich
Rangel
Reyes
Rodriguez
Rogan
Rogers
Rush
Sanders
Scott
Shuster
Smith (TX)
Souder
Spence
Stabenow
Strickland
Tancredo
Thomas
Vento
Vitter
Waters
Watt (NC)
Waxman
Weldon (FL)
Wexler
Whitfield
Wicker
Wise
Young (AK)

□ 0931

So the Journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Mr. OWENS. Mr. Speaker, this morning I was unavoidably absent on a matter of critical importance and missed the following vote:

On the Journal (rollcall No. 514), I would have voted "yea."

Mr. FOLEY. Mr. Speaker, on rollcall No. 514, I was unavoidably detained. Had I been present, I would have voted "yea."

Ms. McCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 514, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 514, I was inadvertently detained. Had I been present, I would have voted "nay."

PLEDGE OF ALLEGIANCE

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

Mr. SIMPSON 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. One minutes will be postponed until the end of the day except for the gentlewoman from Illinois (Ms. SCHAKOWSKY).

ANNOUNCEMENT OF THE PASSING OF FORMER CONGRESSMAN SIDNEY YATES

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise with a very sad announcement. Congressman Sidney Yates died last night.

Those who loved the arts, who cherish the environment, who struggle for human freedom and dignity lost a hero. Many of us, many of you lost a very dear friend, a true gentleman in this body for 48 years.

There will be an opportunity at a later time for those who are moved to pay tribute to Sid to speak on this floor, and details about arrangements will be provided to all Members as soon as they are available.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4475, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 612 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 612

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The Conference report shall be considered as read.

SEC. 2. House Resolutions 586, 592, 595, 599, and 600 are laid on the table.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 612 is a standard conference report rule providing for consideration of the conference report to accompany H.R. 4475, the Department of Transportation and Related Agencies Appropriations for the Fiscal Year 2001.

The rule waives all points of order against the conference report and against its consideration. Additionally, the rule provides that the conference report shall be considered as read. Finally, the rule lays House Resolutions 586, 592, 595, 599, and 600 on the table.

Mr. Speaker, whether cross-town or cross-country, by car, train or plane, ensuring the safety and efficiency of our transportation networks is one of the Federal Government's highest responsibilities. The conference report accompanying H.R. 4475 continues the Republican Congress' focus on safety for all modes of transportation.

This bill improves and invests in the Nation's infrastructure and safety by targeting funds to critical programs such as air traffic control modernization, airport improvement grants, motor carrier safety, and increasing investments in highway safety research.

The bill enhances the safety and capacity of the aviation system and the highway and rail networks. It makes runway prevention systems and devices eligible for airport improvement funds and directs the FAA to make such requests for discretionary funding the highest priority. Under this bill, air traffic services continue to make up an integral part of aviation safety.

The bill provides a total of nearly $17.8 billion in discretionary budget authority for our Nation's infrastructure and transportation safety, including the Federal Aviation Administration, transit program spending, the United States Coast Guard, and the National Highway Traffic Safety Administration.

The bill includes $279 million for the Federal Motor Carrier Safety Administration, an increase of more than 50 percent from last year's levels, to improve the safety of the trucks of our Nation's roads. The underlying legislation also increases investments to critical highway safety research and development of smart vehicle technologies.

Another significant piece of the Transportation Appropriations is to fund the drug interdiction activities carried out by the U.S. Coast Guard. The bill provides for $565 million for these activities, helping the men and women of the Coast Guard prevent addictive and deadly narcotics from ever reaching our shores, let alone our neighborhoods and school yards.

Additionally, the bill meets the funding obligations for the highway and aviation accounts, as prescribed under TEA–21 and AIR–21 reauthorization bills. These programs are critical to improvements and modernization of our roadways and our airways, providing desperately needed funds across the Nation.

The bill also contains an increase in funding for pipeline safety, an increase of 25 percent over last year.

I am also pleased the underlying bill makes available a $2 million continuing appropriation for the Rochester Genesee Regional Transportation Authority bus project, an important public transportation project that will serve my district and region. It also contains an additional appropriation for reverse commuting that will help those most in need to reach their jobs, wherever they may be, demonstrating our commitment to better, safer public transportation.

Similarly, the conference report provides much needed funding of $2 million for the Niagra Falls Transportation Authority in the Buffalo area. Under this legislation, Western New York will be able to be better served with more reliable and safe bus transportation and improve job access and reverse commute efforts.

Mr. Speaker, safety should remain the Federal Government's highest responsibility in the transportation area, and clearly this bill addresses those needs and concerns.

In conclusion, I would like to commend the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, and the gentleman from Wisconsin (Mr. OBEY), the ranking member, for their hard work in bringing this measure before the House today. I would also like to commend the gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Transportation, and the gentleman from Minnesota (Mr. SABO), the ranking member, for their hard work and continued commitment to our Nation's infrastructure.

Mr. Speaker, I urge my colleagues to support the rule and the underlying measure.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from New York (Mr. REYNOLDS) for yielding me the time.

Mr. Speaker, this rule will waive all points of order against the conference report to accompany H.R. 4475. This is the bill that makes appropriations for the Department of Transportation and related agencies in the year 2001.

Mr. Speaker, the bill funds much of the Nation's transportation infrastructure. It includes money for the construction, the maintenance, the operation of highways, airports, public transit systems and Amtrak. It also supports transportation safety and research for all modes.

The bill spends $3.5 billion in discretionary spending, more than last year. This is an investment that will pay off in safer and more efficient transportation for most Americans.

The conference agreement sets a national standard for drunken driving. Drivers will be considered legally drunk if they have a blood alcohol level of 0.8. This standard will save lives and reduce traffic accidents.

I am also pleased with the bill because it includes funds for the Centennial of Flight Commission. This is a national commission helping to coordinate and promote the celebration of the centennial of the Wright Brothers' first flight. The anniversary will take place in the year 2003.

The bill also funds programs on the Department of Treasury, Executive Office of the President, General Services Administration, National Archives and Records Administration.

This will be the last House vote on the Transportation appropriations bill under the gentleman from Virginia (Mr. WOLF) as chairman of the Subcommittee on Transportation. The gentleman from Virginia (Mr. WOLF) will be leaving this particular position of chairman of the Subcommittee on Transportation in the next Congress.

And despite many of the tensions around here, the Transportation appropriations bill has emerged largely without partisanship. That is a tribute to the leadership and fairness of the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO). I join my colleagues on both sides today in thanking the gentleman from Virginia (Mr. WOLF) for a job well done.

This is the way I think in the House of Representatives that we are to conduct our business, in a very good, very efficient, very bipartisan way.

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

Mr. REYNOLDS. Mr. Speaker, does the gentleman from Ohio (Mr. HALL) have any further speakers?

Mr. HALL of Ohio. Mr. Speaker, I have one speaker.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin (Mr. OBEY), who is the ranking minority member of the Committee on Appropriations, former chairman of the committee.

Mr. OBEY. Mr. Speaker, I am sorry to say that this conference report demonstrates that people who too frequently promise regular order should be regarded in the same way that Blaze Starr regarded men who used the phrase ''trust me.''

The process by which this bill is being brought to the floor is truly amazing. The normal process, the legislative process is for both Houses to pass bills. Then we have a conference between the committees representing both Houses. They produce a document, and then each House has an opportunity to vote on that document.

If the Senate has adopted amendments out of the normal scope of the conference, then House Members are protected and authorizing committees are protected by having the ability to have a vote on those amendments on the House floor.

Instead, this rule today takes the conference report on this bill, and instead of bringing it back as a conference report, it introduces as a new bill the conference report.

□ 0945

It then files a report that refers to that conference report. So to figure out what is in this bill, Members do not have to just go and look at the document accompanying this conference report, they have to go look at a second document. It is a two-step operation and it has two convenient results: Number one, it makes it just a little bit more difficult for the average rank-and-file Member to figure out what has been done in the conference; and, secondly, it guts our ability as an institution to deal with subject matters that individual Members, rather than a few power brokers in this House, feel that they ought to have an ability to comment on.

Now, this abuse on this bill would be far less disturbing if it were not part of a broad pattern of abuse of the legislative process which is having the effect of depriving the great majority of Members in this institution in both parties from having a real opportunity to play a meaningful role in the resolution of these issues.

One Member told me earlier this week that we are evolving into a system in which no more than 30 or 40 people have any meaningful input on the major decisions happening here, and nearly half of those people are staff. That is a sad reality. That means that well over 400 of the 435 Members of this institution are effectively cut out of the process, and that means 400 congressional districts, representing 200 million Americans, virtually have little league say, at best, in the decisions that are made here. And that simply is not fair.

In fact, one Member observed to me that, given the way this House has approached appropriation bills for the past year, most Members really do not have to show up in this place for real until October because the institution spends most of its time passing meaningless resolutions trying to nail the people on the other side of the aisle on controversial issues, or else we pass appropriation bills that have no relationship whatsoever to what is expected to finally be in those bills when they emerge as a final product. So we debate political press releases, unfortunately, instead of debating our real convictions on these bills, and that is a destruction of the process that needs to stop.

I would note that the reason that this is being done today is simply to get around Senate rules, because we are apparently afraid that an individual Senator on the majority side of the aisle is unhappy with the contents of this bill and wants to read the bill on the floor. Now, the problem is that this House's rules are being destroyed in order for us to deal with the Senate rules as an institution, and the leadership of the House is making that worse.

In the Senate, major appropriation bills in the Senate, major appropriation bills involving half of the departments of the Federal Government, were never even taken to the Senate Floor. And we have gotten so far from the regular order that I fear that if this continues, the House will not have the capacity to return to the precedents and procedures of the House that have given true meaning to the term Representative Democracy. The reason that we have stuck to regular order as long as we have in this institution is to protect the rights of every Member to participate. And when we lose those rights, we lose the right to be called the greatest deliberative body left in the world.

Last night, for instance, we had, after 2 months of waiting to go to conference because the majority party leadership was trying to decide what the contents of the agriculture bill should be, after 2 months we finally went to conference, after we had a motion to instruct the committee to have a full-blown conference on the Agriculture bill, and we had a very meaningful debate in that conference. But even then, at the end of that conference, we had to have the majority members march up to the leadership offices to find out what their marching orders were for the rest of the conference.

Now, I just do not believe that we ought to be proceeding in this manner. And what I find ironic about this is that the very people in this institution and in the House leadership who cry the most about central government power in Washington, are the very same people who are day by day centralizing power in this institution. And

that is not only wrong, it is dangerous. There needs to be a happy medium between power that lodges in the hands of individual Members, committees and the leadership.

I believe that this incredible centralization of decision-making in the hands of staff in the House leadership offices means that for most Members representing their districts in this body is diminishing every day in terms of their ability to have a say in what goes on around here. And that is the real problem with this rule.

I have problems with the underlying bill. I intend to vote against it, and I will explain why during the debate on that bill. But even more important to me is the increasing abuse of process. This House works best when we take advantage of the expertise that all Members have in each and every one of our committees. They bring that expertise to bear. It is leavened by the judgment of the leadership, which is a perfectly appropriate role.

But when we wind up having the judgment of the leadership come down like a hammer and prevent committees from doing their work in an orderly manner, and then they prevent individual Members from having a say on nongermane Senate amendments, it reminds me of the fights we used to have when the gentleman from Michigan (Mr. DINGELL) and the gentleman from California (Mr. MILLER) and the gentleman from California (Mr. BROWN) and the Republican counterparts, when the Republicans were in the minority, used to raise ''you know what'' because all kinds of nongermane amendments were being offered in Senate and the authorizing committees had no way here to protect themselves. That is why we built in some of these rules and protections. Today they have been stripped away in the name of one word: Convenience. There ought to be a higher standard in this place.

Mr. REYNOLDS. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I rise to not disagree with my friend, the gentleman from Wisconsin (Mr. OBEY). This is not the normal procedure. But I do rise to tell the Members of the House that no Member of the House is disadvantaged by using this procedure.

The conference report on H.R. 4475, and the new bill that is numbered H.R. 5394, are identical. The language of the new bill has been available to the Members at the same time as the conference report on H.R. 4475 because it is printed in the statement of the managers. So no Member of the House has been disadvantaged.

As the gentleman from Wisconsin (Mr. OBEY) has pointed out, this was done to accommodate the other body. Whether that is the best procedure or not, it has been done before, but it is not really the regular order. The main issue here is Members of the House have not been disadvantaged by this procedure. The words in the copy of the bill in the statement of the managers on the conference report and the new bill are identical and they have been available to the House Members. Members are not disadvantaged because of timing and thus disadvantaged because of the language in the introduced bill.

So I think we ought to go ahead and pass this rule, and then I think we ought to go ahead and pass this conference report. As usual, as many Members often say, it is not perfect. There are things in there Members can be opposed to, but there are a lot of good things in there. This conference agreement provides for the highway needs and the transportation needs of the United States of America. And I believe, Mr. Speaker, that we ought to get on with business.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I will vote against H. Res. 612, the rule on the conference report for H.R. 4475, the FY2001 Transportation Appropriations bill. Like many of my colleagues, I voted ''no'' to signal my frustration at the chaotic manner in which this bill was fashioned. I would also like to take this opportunity to express an additional concern I had relating to the National Corridor Planning and Development Program.

First, let me thank the conferees for including significant investments for the Dallas Area Rapid Transit (DART) system. I am pleased that the bill includes my $70 million request for DART to construct the North Central Light Rail Extension. This funding fulfills the federal government's commitments under a full funding grant agreement reached between DART and the Federal Transit Administration in October, 1999, and will ensure that the North Central extension can proceed on schedule.

I would also like to thank the conferees for including $2 million for DART to acquire new buses that will be used throughout the 13 member jurisdictions within DART's service territory.

I was extremely disappointed, however, that the conferees could not fund my $12 million request for the I–35 Bridge under the National Corridor Planning and Development Program. In recognition of the increased trade and traffic that NAFTA would bring to Texas, I–35 was designated as a corridor under the National Highway System Designation Act of 1995. The I–35 Bridge project is necessary to alleviate the heavy local and trade-related traffic that now traverses the Dallas area. Although the conferees did include $1.325 million for I–35 construction in the Waco, Texas area, I was disappointed that no funding was provided for the heavily congested part of I–35 that traverses Dallas.

Moreover, I am extremely concerned that the State of Texas has again been shortchanged under the National Corridor Planning and Development Program. Under H.R. 4475, total earmarks for this program total approximately $95 million. However, only $5.675 million, or less than 6 percent, was targeted toward projects in Texas. Even more disturbing was that the bill provided funding for two individual projects that both individually exceed the total amount earmarked for Texas, and that these two projects are located in states that are not adjacent to Canada or Mexico.

Thd distribution provided in the National Corridor Planning and Development Program is fundamentally unfair to Texas. The corridor and border programs, authorized in TEA–21, were designed specifically to target assistance to nationally significant roadways that foster international trade and economic growth and that improve the flow of commerce at U.S. ports of entry. Texas has four nationally significant corridors, two of which (I–35 and I–10) carry almost 50 percent of all NAFTA trucks. Texas border crossings carry nearly 80 percent of international truck traffic, with 40 percent of this traveling through the state to other destinations in the U.S. and Canada. However, in the first two years of the programs, Texas has received only $36 million out of approximately $245 million, or less than 15 percent. By decreasing this meager amount to 6 percent, H.R. 4475 certainly goes in the wrong direction.

Mr. Speaker, I am extremely disappointed in this aspect of the Transportation Appropriations bill, and I now intend to redouble my efforts in this area so that future distributions to Texas will be more equitable.

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

Mr. REYNOLDS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 244, nays 136, not voting 53, as follows:

[Roll No. 515]

YEAS—244

Abercrombie	Blunt	Chambliss
Aderholt	Boehlert	Chenoweth-Hage
Archer	Boehner	Clement
Armey	Bonilla	Clyburn
Bachus	Bono	Coble
Ballenger	Brady (TX)	Collins
Barr	Bryant	Combest
Barrett (NE)	Burr	Cook
Bartlett	Burton	Cooksey
Barton	Buyer	Cox
Bass	Callahan	Coyne
Bereuter	Calvert	Cramer
Biggert	Camp	Cubin
Bilbray	Campbell	Cunningham
Bilirakis	Canady	Danner
Bishop	Cardin	Davis (FL)
Blagojevich	Castle	Davis (IL)
Bliley	Chabot	Davis (VA)

Deal
DeFazio
DeLay
DeMint
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Evans
Everett
Ewing
Fletcher
Fossella
Fowler
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hilleary
Hobson
Hoeffel
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Largent
Larson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
McCrery
McHugh
McInnis
McKeon
McNulty
Menendez
Mica
Miller, Gary
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Oxley
Packard
Pascrell
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Schakowsky
Serrano
Sessions
Shaw
Shays
Sherwood
Shimkus
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Souder
Spratt
Stabenow
Stearns
Stump
Sununu
Talent
Tancredo
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (FL)

NAYS—136

Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berry
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Clayton
Coburn
Condit
Costello
Crowley
DeGette
DeLauro
Deutsch
Dingell
Doggett
Edwards
Etheridge
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hastings (FL)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
Lampson
Lantos
Lee
Levin
Lofgren
Lucas (KY)
Luther
Maloney (NY)
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
Meehan
Millender-McDonald
Miller, George
Minge
Moakley
Mollohan
Nadler
Napolitano
Neal
Oberstar
Obey
Owens
Pallone
Pastor
Payne
Pelosi
Petri
Phelps
Price (NC)
Rivers
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Sensenbrenner
Sherman
Slaughter
Smith (WA)
Snyder
Stark
Stenholm
Stupak
Sweeney
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Watt (NC)
Weiner
Wexler
Woolsey
Wu

NOT VOTING—53

Ackerman
Baker
Berman
Blumenauer
Boucher
Cannon
Carson
Clay
Conyers
Crane
Cummings
Delahunt
Diaz-Balart
Dicks
Dixon
Engel
Eshoo
Foley
Franks (NJ)
Gilchrest
Goss
Hansen
Hefley
King (NY)
Klink
Lazio
Lewis (GA)
Lowey
Martinez
McCollum
McIntosh
McKinney
Meek (FL)
Meeks (NY)
Metcalf
Miller (FL)
Paul
Porter
Rangel
Reyes
Rodriguez
Rush
Shadegg
Shows
Shuster
Smith (TX)
Spence
Strickland
Vento
Waters
Waxman
Wise
Young (AK)

□ 1015

Messrs. HILL of Montana, DOGGETT, ALLEN, PASTOR, WATT of North Carolina, MINGE, and Ms. HOOLEY of Oregon changed their vote from ''yea'' to ''nay.''

Messrs. CLYBURN, McNULTY and OLVER changed their vote from ''nay'' to ''yea.''

So the 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:

Mr. FOLEY. Mr. Speaker, on rollcall No. 515, I was unavoidably detained. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 4475, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Virginia?

There was no objection.

CONFERENCE REPORT ON H.R. 4475, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. WOLF. Mr. Speaker, pursuant to House Resolution 612, I call up the conference report on the bill (H.R. 4475) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 612, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 5, 2000, at page H8922.)

The SPEAKER pro tempore. The gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

Mr. Speaker, I have the pleasure to present today the conference report on the Department of Transportation and related agencies. In total, the bill provides $17.8 billion in discretionary budget authority for critical operations of the Department of Transportation, an increase of $3.5 billion over fiscal year 2000. Much of the increase over last year's level is attributed to mandated increases in the Federal Aviation Administration as a result of the enactment of AIR21. In addition, the increase over last year is a result of additional operational requirements of the U.S. Coast Guard.

Allow me to mention a couple of highlights:

$4.5 billion for the Coast Guard, of which $565 million is for drug interdiction;

$12 billion for the Federal Aviation Administration, a 25 percent increase over last year, consistent with the requirements of AIR21, of which $3.2 billion is for airport improvement programs;

$30 billion for the federal-aid highways program, an increase of almost $2 billion over last year and consistent with TEA21;

$720 million for the emergency relief highway program to fund the backlog of overdue bills to restore highways damaged in previous natural disasters;

$6.3 billion for transit program spending, an increase of $486 million;

$279 million for the Federal Motor Carrier Safety Administration, more than double last year, to improve truck safety on our Nation's roads;

$404 million for the National Highway Traffic Safety Administration, an increase of nearly 10 percent, again safety;

$725 million for the Federal Railroad Administration, of which $521 million is for Amtrak;

$47 million for pipeline safety, which is an increase of over 25 percent.

In addition, the conference agreement contains several items that have been of deep interest to a lot of Members. The agreement before the body contains the following resolutions on rollover, hours-of-service, and .08.

First, on rollover, the agreement permits the National Highway Traffic Safety Administration to move forward

with its rollover testing proposal while the National Academy of Sciences studies static versus dynamic testing. Once the study is completed, the administration must propose any appropriate revisions to their testing procedures.

Second, the agreement permits the Federal Motor Carrier Safety Administration to collect and analyze public comments and data on its proposed hours-of-service rule-making during fiscal year 2001. The administration may also issue a supplemental notice of proposed rule-making once this analysis is complete. However, the agreement prohibits the Federal Motor Carrier Administration from taking any final action on the proposed rule during the year 2001. However, a lot of Members in this body and on the committee will be watching to see the Motor Carrier move ahead, because over 5,000 people a year are killed with regard to trucks every year and a number because of tired truck drivers.

Third, the agreement modifies the Senate provision on .08 but still adopts a national standard for drunk driving. This new provision requires all States to adopt a blood alcohol level of .08 by fiscal year 2004. If States do not adopt this standard, they will lose a portion of their highway funds each year, 2 percent in the year 2004, 4 percent in 2005, 6 percent in 2006, and 8 percent in 2007. However, the highway funding would be restored if a State moves to the lower standard by the end of the year 2007. This is basically in honor and in memory of the moms and dads who have lost loved ones on the road because by doing this, we will save four to 500 lives every year. It is my understanding that the Department of Transportation and the White House supports all three of these compromises.

Mr. Speaker, the conference agreement also includes a provision relating to the Central Artery project. This provision is the culmination of 6 years of review and scrutiny by this committee and the Department of Transportation's Inspector General on the project. The Central Artery/Tunnel project in Boston, first estimated to cost $2.5 billion in fiscal year 1985, is now estimated to top $13.1 billion. This provision contained in the conference agreement codifies a recent agreement with Massachusetts officials and the Federal Highway Administration which limits Federal financial participation in the project to $8.5 billion, and sets forward other terms and conditions, including the requirement that the Commonwealth of Massachusetts undertake a balanced statewide construction program of $400 million a year.

Mr. Speaker, this provision is not meant to impugn the administration of, or the recent actions by, the Massachusetts Turnpike Authority. In fact, over the last recent months, the new administration has been forthcoming with details of the cost overruns and the cost to complete the project, something that previous MTA officials withheld from Federal officials. This provision is not to prejudice the current administration of the MTA but rather to ensure that the Federal Highway Administration and the Secretary of Transportation fulfill their fiduciary responsibilities to the American taxpayer.

This conference agreement is a good bill, it is balanced, and it is a bill which will clearly, whether it be on the rollover, whether it be on the .08, whether it be on the trucks and the others and the Coast Guard will save lives. Seldom do we get an opportunity to vote for something that we clearly know will save so many lives. It deserves, hopefully, the body's support. It is my understanding the administration has no serious objections to the bill and will sign it.

Before I close, I would like to thank the gentleman from Minnesota (Mr. SABO), the ranking member, and the other members of the subcommittee for the bipartisan spirit which they have shown in helping us to reach an agreement on these issues. This has never been a partisan bill, and I am pleased that this tradition continues. The gentleman from Minnesota (Mr. SABO) and the gentleman from Wisconsin (Mr. OBEY) have been most gracious and willing to reach compromises needed to move this bill forward to the President.

The gentleman from Florida (Mr. YOUNG), our full committee chairman who has done such an outstanding job, has always ensured that this subcommittee's allocation is ample to accommodate the needs of this subcommittee. With that spirit, I think we have a good bill.

Mr. Speaker, I would like to also take a moment to express my deepest appreciation for the fine work done by the professional staff on the transportation appropriations subcommittee, including John Blazey, Stephanie Gupta, Rich Efford, Linda Muir, Cheryl Smith and the detailee from the Department of Transportation, Chris Porter.

These professionals have been instrumental in bringing together this important bill. They epitomize, and I speak really for staff people on all the committees, the countless committee staffers who work long hours on Capitol Hill with little or many times no recognition. Now, thanks to their efforts, we are sending a bill to the President that will improve the lives of all Americans by helping to ensure that they not only can go where they want to go but can get there safely.

Stephanie Gupta worked tirelessly to include the .08 standard which will make certain that our sons and daughters and moms and dads can return home safely at night. Her perseverance on this issue, in the face of incredible odds, was crucial in the inclusion of .08. Again, 500 lives.

Additionally, Rich Efford diligently worked to guarantee that the FAA was giving adequate attention to the problem of runway incursions and other safety issues that are so important to Members on both sides of this issue. Rich sacrificed time with his own family for the purpose of making sure that air travel is safer for all of our families.

And Linda Muir is the glue that holds it all together in the subcommittee office. Her organizational skills and good humor have made all of our jobs a lot easier.

Cheryl Smith, from the minority side, is a true professional whose knowledge and experience were valuable assets to the committee's work.

I also want to thank Geoff Gleason from my staff for the committee who for 2 decades, first working with Mr. Solomon and the gentleman from New York (Mr. SWEENEY) and now in my office has been invaluable in our work with our colleagues in bringing this legislation up.

Finally, I would like to thank the staff director, John Blazey, who oversaw the hundreds, and I would say thousands of projects in this bill and is one of the finest professionals on Capitol Hill. I was a staffer on Capitol Hill for a number of years before I had the opportunity to serve and watching John, I can tell you, he is a tribute to the staff that does such a good job on both sides of the aisle. Through his guidance and leadership, we have brought forth an excellent bill which tackles many of the concerns at the heart of transportation in America.

□ 1030

John Blazey knows more about these issues perhaps than anyone else certainly in the Congress, and maybe in the country. I know he will be an asset to the new Bush Administration when they take over in January of next year.

As this will be my last year as chairman of this transportation appropriations bill, I want to extend my heartfelt thanks to the staff, to the Members on both sides, to the leadership and to the gentleman from Florida (Mr. YOUNG) for helping.

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

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

Mr. Speaker, let me first share the kind words of the gentleman from Virginia (Chairman WOLF for our staff, all the staff he mentioned, along with Marjorie Duske of my staff. They do outstanding work. This is a big and complicated bill to put together, and they do an outstanding job. We owe them our heartfelt thanks for the hours and hours of work they put in

producing this bill. They are competent, they are professional, they are fair, and my thanks go to all the staff that works on this bill.

As the gentleman from Virginia (Chairman WOLF) indicated, this is his last year chairing the Subcommittee on Transportation. I have had the opportunity over the last 4 years to serve as the ranking member on this subcommittee and as a member for the entire 6 years that the gentleman from Virginia (Mr. WOLF) has chaired the subcommittee. The gentleman has done an outstanding job. He is professional, he is tough, he is fair, and he knows what he is doing, and he works hard. I expect on many issues we come from differing points on view, on many issues that come before this Congress, but in terms of working on this subcommittee, I have always found the gentleman to be totally open, to be fair in dealing with the members of the minority. His commitment to the transportation system in this country, in particular to safety issues, the transportation system is better because of his efforts; but in particular I have to say that his constant attention to safety issues has been simply outstanding.

I would say to the gentleman from Virginia (Mr. WOLF), this House and the whole country owes the gentleman a big thank you for 6 years of an outstanding job.

On the bill itself, it is a good bill. I intend to vote for it. I am not going to go through the same detail the Chairman did. Everything the gentleman said is accurate. It is a bill that will make substantial improvement to the transportation systems of this country.

I agree with most everything in the bill, but let me just briefly mention one issue where the Chair and I disagree. He is on the winning side; I am on the losing side. But in the context of our Federal system in this country, there are certain things that the Federal Government has responsibilities for; there are other things that State government has responsibility. Clearly one area where the States have preeminence is creating and enforcing the traffic laws of our country.

One of the most difficult issues for States to deal with is to establish the framework for dealing with drunk drivers. That involves their responsibility not only for creating law, but creating a court system to deal with it, creating the enforcement mechanisms, creating and spending the money for penalties and creating and spending the money for treatment.

There are many components that go into a State having a rational and strong drunk driving law. In my judgment, it is a serious mistake for the Federal Government to move in on one component of a complex and difficult problem and say to the States, you do what we think is right, or we will take your highway money away, or a portion of your highway money away.

It is the type of thing we do too frequently in this institution, not with careful thought, but simply because somebody at some point thinks it is a good idea. We add it as a rider to a bill, and the States have to comply.

It may or may not be the right thing to do. It may vary from State to State. What I am certain of, however, is that setting the blood alcohol content level is only one small part of establishing a comprehensive drunk driving policy for a State; and for us to insert our judgment on simply this one issue, and leaving the States with all the complexity of other things to deal with, to me represents the arrogance at times that we carry in the Federal Government as it relates to State and local government in this country. So I strongly oppose what we are doing on this particular provision.

Nonetheless, I intend to vote for the total bill, because, overall, it is a very good bill for transportation and safety in this country.

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

Mr. WOLF. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Committee on Appropriations Subcommittee on Treasury, Postal Service and General Government.

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

Mr. Speaker, I rise to discuss those provisions of this conference agreement which come under the jurisdiction of the Subcommittee on Treasury, Postal Service and General Government. These provisions are ones that we hope will allow the conference report, which has been over in the Senate and, unfortunately, has not been successful in passage, to allow that to be brought up again and finally passed. We believe that these represent the final compromises and agreements on the Treasury-Postal legislation, and those changes are incorporated into this bill.

The provisions include more funding for the IRS, and they are items that the administration has indicated that they need to have in order to fully support the fiscal year 2001 conference report that we passed on September 14.

The conference report includes an additional $348 million for the programs of the Department of Treasury, the Executive Office of the President, the National Archives, and the General Services Administration. When combined with the amounts that are in H.R. 4985, the fiscal year 2001 conference agreement, it provides $15.9 billion for agencies under the jurisdiction of the Subcommittee on Treasury, Postal Service and General Government. That is an increase of $2.3 billion from fiscal year 2000, or 16.4 percent.

Included in the amount under consideration in the conference report pending before us now are these, among others: $37.2 million for Treasury-wide efforts to combat terrorism, that is an increase; an increase of $215 million for the IRS, including $71.8 million for ongoing efforts related to information systems modernization, $141 million to support ongoing reform efforts, including staff for customer service and audits, and $3.1 million for money laundering; an additional $16.6 million for the Customs Service, to enhance both infrastructure and staffing along the northern border, specifically to counter terrorist threats in that area; an additional $30 million to establish and operate a metropolitan area law enforcement training center for the Department of Treasury, the U.S. Capitol Police, the Washington, D.C. Metropolitan Police Department and other Federal agencies; $5 million for the enhanced operation of the Office of National Drug Control's Technology Transfer Program; and $2.5 million as a transfer to the Elections Commission of the Commonwealth of Puerto Rico for objective nonpartisan citizens education for choice by voters on the island's future status.

Let me just say a few words about this latter item, because it proved to be one of the more contentious ones. It is money that is provided for the Puerto Rico referendum on statehood or independence. After many long hours of numerous variations on a theme, we were able to secure a compromise with the administration on the use of these funds.

The funds are provided with the following conditions: they are not available until March 31, 2001; the funds may not be used by the Elections Commission until 45 days after the commission submits to the Committees on Appropriations an expenditure plan developed jointly by the Popular Democratic Party, the New Progressive Party, and the Puerto Rico Independence Party; and the expenditure plan must be approved by the Committees on Appropriations prior to any funds being spent.

I want to pay special tribute to my colleague, the gentleman from Maryland (Mr. HOYER). This has been a difficult bill, to negotiate the final agreements. He and his staff have worked extremely hard with us, and I believe what we have achieved is good legislation.

I want to thank the staff of my subcommittee, led by the clerk, Michelle Mrdeza, Jeff Ashford, Kurt Dodd, Tammy Hughes, our detailee, Doug Burke, Kevin Messner from any own staff, and, of course, on the other side, Pat Schlueter and Scott Nance, who have played key roles in getting this legislation to where we are today.

I believe we have legislation that can be supported, and I hope that Members will support it.

Mr. SABO. Mr. Speaker, I yield 5 minutes to my friend, the gentleman

from Wisconsin (Mr. OBEY), ranking member of the full Committee on Appropriations and a member of the Subcommittee on Treasury, Postal Service and General Government.

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

Mr. Speaker, I would like to vote for this bill. I think in many ways it is a good bill. This subcommittee is run by a very classy guy. The gentleman from Virginia (Mr. WOLF) has been a very good chairman for this subcommittee, and I think everybody in this institution knows it. And the gentleman from Minnesota (Mr. SABO) is one of the classiest people who has ever been in this institution, and he has done a fine job as well. But I am going to vote against it, and I want to explain why.

I do not need any lectures from anybody about the dangers of drunk driving. When I was in junior high school, I was knocked off my bicycle by a truck driver who had spent 4 hours in a tavern rather than doing what he was supposed to be doing that day. My grandfather was killed in an accident involving drunk driving. So I have had experience with drunk drivers.

But I have also had experience with seeing people killed or maimed because of bad highways. I used to live on a two-lane highway, Highway 29, in Marathon County, Wisconsin. A car was demolished simply pulling into our driveway because it was a badly engineered road. If that highway had been modernized, those people would not have been mangled. The problem with this bill is that it sacrifices highway safety in one area because of concern in another area, and I think that is wrong.

Now, I do not know what the proper blood alcohol level ought to be, but I do know that if the Federal Government is going to penalize States by taking away highway money that they need to modernize dangerous roads, that then States ought to be judged on the whole array of their laws involving drunk driving, and not just one piece.

I want to give some examples. This proposal originated with a Senator from New Jersey. I want to compare my State's record to New Jersey's.

Virginia has often been cited as a reason why we should lower the blood alcohol level. But I want to point out, Wisconsin, my State, has a prohibition on open containers containing alcohol in motor vehicles; Virginia does not.

On blood alcohol testing, Wisconsin has mandatory testing of all drivers after an accident; New Jersey and Virginia do not.

Wisconsin requires mandatory early assessment of drunk drivers to determine alcohol dependency; and it requires treatment, if needed. Virginia and New Jersey do not have those requirements.

In Wisconsin, the Department of Motor Vehicles can revoke a license for drunk driving; in New Jersey, only a court can revoke a license for drunk driving, and that takes much longer.

In Wisconsin, if you compare the traffic fatality rate between 1975 and 1997, Wisconsin's has improved by 61 percent; New Jersey's has improved by only 45 percent.

Yet Wisconsin is being penalized. It is going to lose money because it does not have a .08 alcohol level, and New Jersey happens to have it.

The most significant reason that Wisconsin has been able to attack successfully drunk driving is because we have an initiative under which we have a broad-based county-by-county supervision program that oversees drunk drivers in all aspects of their lives.

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And that has dramatically reduced recidivism. And according to the National Highway Safety Administration, which authorized a study of this, if you have a program like we have, you are 12 times less likely to engage in drunk driving than you are if you do not have that kind of a program.

Mr. Speaker, my objection is very simply this: All of us as human beings want to be judged on the basis of our entire conduct, not on the basis of any one little imperfection that someone happens to see. The same should be true of States. We should not take away precious highway aids from States who have done a far better job overall in dealing with the drunk driving issue, just because they happen to not meet somebody's standard of perfection on one narrow item, and that is why the National Governor's Association, The League of Cities, AAA, the Conference of State Legislatures and the International Association of Chiefs of Police all oppose this narrow approach to this problem.

I am going to vote against this in protest to the way Congress has looked only at one narrow issue, rather than the whole range of issues in determining what a State's level of highway aid ought to be. I thank the gentleman from Minnesota (Mr. SABO) for yielding me the time.

Mr. WOLF. Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG), chairman of the full committee.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Transportation for yielding the time to me, and I want to compliment him for working through a difficult conference and producing what I think is a really fine bill.

It meets the needs of America. There are more needs that need to be met, but this bill goes right directly to the heart of some of the hot transportation problems, whether it is surface transportation or whether it is air transportation.

Are there negatives? Are there things you could look for to be against? Of course. In any bill that comes before this House, if my colleagues want to find something to be against, they can find something to be against. There are 435 of us here. I would suspect that there are a lot more than 3 or 4 ideas or positions on any issue.

But I want to specifically compliment the gentleman from Virginia (Chairman WOLF) and the gentleman from Minnesota (Mr. SABO), the ranking member of the subcommittee.

The gentleman from Virginia (Mr. WOLF) mentioned our staff, John Blazey, Rich Efford, Stephie Gupta and the other members of the staff. These people are professionals. They know what the needs are, and they do the best they can to give us advice so that we can utilize the money available to meet those needs.

I wanted to talk specifically for just a few minutes today about the United States Coast Guard. There are many who believe that the United States Coast Guard, because they are a uniform service, because they carry guns, because they enforce laws, because they go to war when America go goes to war or to deployment, as they did in Kosovo or as they did in Bosnia, they are part of the national defense system and get funded through the Defense appropriations bill. That is not the case.

The United States Coast Guard is funded in this bill on transportation. I represent a county in Florida where we are very fortunate to have three Coast Guard stations in that county, Pinellas County, Florida. We have the major Coast Guard air station for the entire system.

We also have a major sea station, and we have a fast boat station for quick access to the Gulf of Mexico to take care of close in problems with people that are boating or fishing or whatever and need the service of the Coast Guard. But the Coast Guard is called upon to be deployed 365 days a year; and for years, the Coast Guard had to squeeze their budget, really squeeze to get by, to keep their operational activities going.

I would like to say to the gentleman from Virginia (Chairman WOLF), I thank him so much. In this bill, the gentleman has really met the needs of the United States Coast Guard. I believe that Commandant Loy, who is an outstanding leader, would say to the gentleman, as he has to me, and he probably has to the gentleman, that this bill really makes them feel comfortable.

If my colleagues want to not vote for this bill for any reason like they did not get a new bridge in their districts, or did not get some new highway money, or did not get some aviation assets in this bill, think of the United States Coast Guard. They not only protect our coast and our harbors, but they risk their own lives in search and rescue missions, where they go into

weather situations that other people are running from to save lives and to save property.

In the interdiction of drugs, the United States Coast Guard has an outstanding record. These are the drugs that are trying to be brought into the United States to seriously affect people of this great country, and the Coast Guard just does a great job of preventing this. As I said, they are deployed every day. They risk their lives every day.

And I say to the gentleman from Virginia (Chairman WOLF) and to the gentleman from Minnesota (Mr. SABO), the ranking member and to the staff of this subcommittee, I just want to say as one Member who has a personal experience with the Coast Guard, my colleagues have done a good job for the United States Coast Guard.

I thank my colleagues for that. I appreciate that, and I will enthusiastically support this bill.

Mr. OLVER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), who is the ranking member on the Subcommittee on Treasury, Postal Service and General Government.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. OLVER) for yielding me the time, and I rise in support of this conference report and particularly to discuss the component of this conference report which deals with the Treasury Postal bill, of which I have the honor of being the ranking member and working with the gentleman from Arizona (Chairman KOLBE).

As the gentleman from Arizona (Chairman KOLBE) indicated in his opening remarks, this has been a difficult bill and difficult for us to come to agreement between ourselves and with the administration, but I believe we have done so.

I believe we have done so in a very responsible fashion, which provides for an additional sum for the IRS, which is critical for the agency to meet the mandates of the Restructuring and Reform Act of 1998. I think there is agreement on that between the gentleman from Arizona (Chairman KOLBE) and myself in our subcommittee.

Without this funding, a successful completion of the 2001 filing season would quite possibly have been at risk. Customer service would have been reduced and audit coverage could have continued to decline. In addition, this legislation continues the modernization of the IRS by upgrading its computer systems and business practices.

All of that was critically important to do, and I am pleased that we are adding a sum sufficient to accomplish those objectives in this conference report.

Mr. Speaker, it also includes more than $37 million in funding to counter terrorist threats along our northern border, enhances the Federal Government's joint terrorism task force, and to establish a new national terrorist asset tracking center, which was very important to the administration. They had asked for $50 million. They did not get all $50 million but they got about $38 million, and that was a significant step forward in countering terrorism.

Finally, Mr. Speaker, I want to thank the conference for including sums, and this is the transportation conference, so that we might complete the reconstruction of the Wilson Bridge.

Mr. Speaker, I will vote for this conference report, both because the transportation side of it is good, and I think the Treasury Postal side is a very good step forward.

I want to join in the remarks of the gentleman from Minnesota (Mr. SABO), the ranking member of the Subcommittee on Transportation, with reference to the gentleman from Virginia (Mr. WOLF). FRANK WOLF is a good friend of mine. He is a man of great character, intellect and deep integrity.

He is a fine Member of this body, and he has, as the gentleman from Minnesota (Mr. SABO) indicated, led this committee for 6 years, in a very, very bipartisan and substantive way. And I join the gentleman from Minnesota (Mr. SABO) in his complimentary remarks about the leadership of the gentleman from Virginia (Mr. WOLF), who is such an important Member of the Washington metropolitan delegation.

Mr. Speaker, I also want to thank the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Treasury, Postal Service and General Government, and thank, as he did, the staff: my own staff, Pat Schlueter and Scott Nance who worked very hard on this bill. I thank the gentleman from Arizona (Chairman KOLBE) for his words about them, and then Michelle Mrdeza who is our staff director. She does an extraordinary job trying to keep all the component parts of our bill together.

It has been a very difficult year for her, because, as all of my colleagues know, we have had some problems on the Senate side passing the bill. I also want to thank Jeff Ashford, Kurt Dodd, Doug Burke, and Tammy Hughes for their work on this bill.

As the gentleman from Virginia (Mr. WOLF) said and as the gentleman from Arizona (Mr. KOLBE) said and as the gentleman from Minnesota (Mr. SABO) said, we cannot do this work without very conscientiousness, very able, very hard-working staff; and although this has been a difficult process, they have stayed with it, and their effort was a critical component of our success.

Mr. Speaker, as I said, I will support the conference report, which includes the additions which I think will make the Treasury Postal bill a signable bill by the President.

Mr. WOLF. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I want to thank the gentleman from Virginia (Mr. WOLF) for shepherding a very, very complex bill through a very complicated legislative process.

Most of all, I also want to thank the regional delegation for working together in a bipartisan manner, and the administration and my House leadership for the inclusion of the $600 million for the Woodrow Wilson bridge. This is a major artery along the North-South expressway. It is in danger of falling into the Potomac River if a new bridge is not completed. This will complete the $1.5 billion Federal obligation and just my thanks to all concerned.

Finally, to my colleague, the gentleman from Virginia (Mr. WOLF), I thank him for his leadership in the last 6 years of this subcommittee. It has meant a lot to this region. It has meant a lot to this country, and it has been just a pleasure to serve with the gentleman in this capacity and the value the gentleman has added to our region, I think is second to anything anybody has ever done. The gentleman has made a huge difference.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Virginia. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I want to join my friend from Virginia (Mr. DAVIS) and say we see a lot of partisanship, but one of the positive things for me in this Congress is working with the Washington metropolitan delegation which is very bipartisan. It is almost half and half in terms of its makeup, and we work very well together. This was a great success for our region and for our country. I thank the gentleman from Virginia (Mr. WOLF) and the gentleman from Virginia (Mr. DAVIS) and certainly the gentleman from Virginia (Mr. MORAN) and our four Senators who worked so hard on reaching this objective. I thank the gentleman from Virginia (Mr. DAVIS) for yielding to me.

Mr. DAVIS of Virginia. Mr. Speaker, I thank the gentleman from Maryland (Mr. HOYER). It has been a pleasure working with the gentleman, and I also thank the gentleman from Virginia (Mr. MORAN) as well.

Mr. OLVER. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I am very happy to vote for this legislation. I want, first, to thank the gentleman from Virginia (Mr. WOLF) and the gentleman from Minnesota (Mr. SABO), our ranking member, and the majority and minority staff, John Blazey for the majority and Cheryl SMITH for the minority staff, for the work that they have done; and it is a very fine piece of work on what is a bipartisan bill.

Mr. Speaker, I want particularly to thank the chair and the ranking member and the majority and minority

staff for working with me and the other Members of the Massachusetts delegation to repair the necessary working relationship between the Federal Highway Administration and the Massachusetts Highway Administration, making certain that my State would continue to have or could depend upon a balanced construction program during the final years of the construction of what is the largest and most complex construction project in the history of this country.

Mr. Speaker, I also want to pay tribute to the gentleman from Virginia (Mr. WOLF), the chairman, who will move on to some other subcommittee or some other ranking chairmanship position in the next Congress. I want to commend him for what has been the hallmarks of his tenure as chairman which, in my mind, clearly has been both fairness and safety.

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Throughout his years he has focused on the safety of the traveling public, whether it was rail, whether it was air travel, whether it was highway travel. In that, I want to commend him for his persistence in his advocacy of what I believe is a carefully and judiciously crafted phase-in of the .08 blood alcohol content requirement.

Remember, here, no one loses any dollars for at least 6 years. I do not in any way doubt that the blood alcohol content provision can be viewed as only one part of a comprehensive program in dealing with driving under the influence. But if adopted, if adhered to, if enforced, this provision can save 500 lives every year, and in so doing, save hundreds and probably thousands of families from the grief of loss that occurs when there is a senseless DUI accident. I commend the chairman for his persistence in his work on that.

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

Mr. WOLF. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, 2 decades ago I had the privilege of being first elected to serve here in the Congress, and one of the greatest members of that class in 1980 was the gentleman from Virginia (Mr. WOLF), who, as has been pointed out by virtually everyone here, has served extraordinarily well as chairman over the past 6 years of this very important subcommittee.

I listen to my colleagues who are proud to represent this Washington, D.C. metropolitan area, and yet I have to say that the gentleman from Virginia (Mr. WOLF) has also done an awful lot to help us deal with one of the most pressing problems that we have in my State, especially in the southern part of the State which I am privileged to represent, and that is transportation.

The gentleman from Massachusetts (Mr. OLVER) just mentioned the focus on safety, and that, obviously, is a high priority. I want to praise the gentleman from Virginia (Mr. Wolf) for focusing on air traffic safety, which is obviously a very important issue, near and dear to virtually all of us who live outside of the Washington, D.C. metropolitan area who travel by air regularly.

Of course, for those of us who suffered through the horrible delays this past summer, we want to bring about some kind of resolution to ensure that that kind of thing does not, as many have predicted, get worse.

Let me talk briefly about just four specific Southern California priorities that we have.

First and foremost, for years we have worked together to deal with the challenges that have confronted the Metropolitan Transit Authority in Los Angeles. Dealing with the construction there has been difficult, but the gentleman from Virginia (Mr. WOLF) has regularly been understanding of the very important needs that we have faced there, and the fact that in Southern California, Los Angeles was the largest city on the face of the Earth without a mass transit system. The gentleman from Virginia (Mr. WOLF) has helped us as we have moved ahead to try and address that need.

Specifically, in the area that I represent, there are three particular priorities that we have. That is, number one, when we look at the fact that we live in a global economy, international trade is very, very important for our survival. The ports of Long Beach and Los Angeles are going to be providing an opportunity to expand trade in both directions, to the Pacific Rim and other parts of the world.

A project known as the Alameda Corridor was established to make sure that goods could get to and from the ports of Long Beach and Los Angeles in the Los Angeles area to downtown.

One of the things that we had to realize, though, and it did not come to our attention until a few years ago, is that once things got to downtown Los Angeles, they had to get to the rest of the Nation. So we established a priority known as the Alameda Corridor East so on the east side of Los Angeles, going to the rest of the country, we could deal with grade separations and other problems that existed there that would jeopardize the ability of goods to move in both directions. So there is very important funding here for the Alameda Corridor East, which is important.

The other priority we have in our area, which is a very, very important one and with a great partnership, as the gentleman from Virginia (Mr. WOLF) knows between the local communities, the private sector, and the Federal Government, has been something known as Foothill Transit. It has had wonderful success.

Again, I believe, as I have testified before, the subcommittee of the gentleman from Virginia (Mr. WOLF) should be a model for the rest of the country of how we can see disparate levels of government come together, along with the private sector, to proceed with meeting this very, very important need.

Then there is one little item, we in Southern California you may recall suffered fires and ensuing rains which caused mudslides. We have a very important road known as Chantry Flats, which has been wiped out because of those storms. I am very appreciative of the fact that we are going to be able to have the resources in to make sure that we construct that and get it back on track.

So let me just say that along with the priorities that have been outlined by so many, the Coast Guard, which the gentleman from Florida (Mr. YOUNG) talked about, very important to California, the gentleman from Virginia (Mr. WOLF) is part of that important Maryland, Virginia, and metropolitan Washington D.C. area.

His interest in dealing with national concerns, even those 3,000 miles away, has not gone unnoticed; and I greatly appreciate the time and effort he has put in to addressing our needs.

Mr. OLVER. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure, the authorizing committee.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I join gladly in the praise of the retiring chairman, retiring from the chairmanship, the gentleman from Virginia (Mr. WOLF), for his steadfast advocacy for safety in transportation, which has been very effective and has indeed made our Nation's transportation systems safer.

This may indeed be a good bill, but the manager's report does not measure up to that standard. It includes a listing of 162 airport projects which the managers would like to see funded out of FAA discretionary funds.

In the past, to be sure, there have been listings of projects for specific airports, but without specific dollar amounts and with less prescriptive language, and far fewer projects, only a handful compared to the 162 listed in this manager's report, or in excess of $300 million.

I know that gold rush did not start in this body, it started with the other body. I would like to clarify the legal situation on these projects.

The law governing aviation discretionary funds requires the FAA to establish, and they have established for decades, a priority system to decide which projects will get these very limited funds. The highest priority goes to

projects that will bring airports into compliance with safety standards. Next are projects that allow the airport to accommodate large aircraft. The next is standards, standards that continue with other forms of development in aviation.

Many of the projects listed in this manager's report, I concede, are of sufficient quality in and of themselves, as we have analyzed them, to qualify for funding under these established FAA standards in the regular order. But what I want to point out is that aviation is not like highways. An improvement to a highway project in Boston does not necessarily benefit California, but in the national system of integrated airports, an improvement in one airport, a major hub airport, means potentially a vast improvement for all of aviation.

The FAA should have and does have discretion to fund improvements to increase capacity, to improve safety, to reduce bottlenecks. If next year we have the same kind of delays and problems in aviation that we have had this year and last year, travelers might not feel so comfortable traveling in an aviation system designed by Congress.

I want to make it clear that the language in a report cannot override a priority system established under the governing law. I would like to quote from the decision of the Comptroller General that was found in a report expressing congressional preference.

The Comptroller General found that Congress cannot require the Navy to select a particular aircraft the language in the committee report wanted the Navy to require and to abandon normal procurement procedures.

The Comptroller General wrote: ''It is our view that when Congress merely appropriates lump sum amounts without statutorily restricting what can be done with those funds, a clear inference arises that it does not intend to impose legally binding restrictions, and indicia in committee reports and other legislative history as to how the funds should be or are expected to be spent do not establish any legal requirements on Federal agencies.''

Accordingly, I believe it is incumbent on FAA to continue to use its priority system to award discretionary funds and assure that those funds will be directed to the greatest safety benefit and not to the specific, narrowly drawn, targeted little projects listed in this manager's report.

As chair of the Subcommittee on Aviation for many years, I steadfastly resisted designating projects in our authorizing bill and have continued, as ranking member of the full committee, to resist such designation. It should not be done in a manager's report of appropriations.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Mr. Speaker, to the gentleman from Virginia (Mr. WOLF), for all his hard work, I thank him very much. As a new member on the subcommittee, I do appreciate the gentleman's diligence, his sincerity, as well as his equal handling of us as we worked together in a bipartisan way on this committee, and thanks to Mr. John Blazey and his staff for all the work they have done in working with us.

I want to take this opportunity to thank the gentleman from Minnesota (Mr. SABO) for his style, grace, and hard work as he works together with all of us to make sure that our transportation needs are met on our side of the aisle; and to Cheryl Smith on the staff, as well.

Mr. Speaker, I rise in support of the transportation bill that we have before us. It is a good bill, but it is not a perfect bill, as many things are not in the world that we live in today.

The bill is good, and I want to make a special point to thank the staff on both sides of the aisle for working with Michigan on our transit concerns. We do have a problem in Michigan, and it is a long problem. I hope as this Congress moves forward in the 107th Congress that we will address that problem.

Our State Department of Transportation must not work around the appropriations process, must not overlook the Members on both sides of the aisle, and must work with us as members of appropriations, both the gentleman from Michigan (Mr. KNOLLENBERG) and myself, who represent our State and our entire State delegation.

I thank the staff for their work with us to make sure that all the Members' concerns are addressed. I pledge that I will continue to do that with the Members, and will hope our State Department of Transportation will do the same, and not try to usurp our appropriations authority.

I want to speak briefly on the .08 blood alcohol level. I think it is wonderful and it will save at least 500 lives, as has been mentioned, but we can do more, and not just on this issue, by having further, stronger laws that will save more American lives. The .08 by itself, it will save some, but I think we can do better. We can enforce open container laws. We can have administrators revoking licenses and not waiting for a judicial decision. We can also have mandatory blood testing after accidents to encourage people not to drink. I think all of that must work together if in fact we are going to really address drunk driving in our country. It is a problem. This may be a first step, but we need to do more.

The chairman, the gentleman from Virginia (Mr. WOLF), and the gentleman from Minnesota (Mr. SABO) our ranking member, I thank them for their time, for their insistence that we bring a bill that provides safety for our American citizens and also addresses the nation's highway needs.

Transit in America is still important. Many people in America do not drive cars, so our highways have to be safe, our transit systems have to be adequate, and we have to continue to work together.

I rise in support of the conference report. The process is a little less than what is desired, but I am happy that we have reached this point. I urge my colleagues to vote for the transportation conference report.

Mr. WOLF. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

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Ms. GRANGER. Mr. Speaker, I rise today in strong support of the fiscal year 2001 Transportation appropriations conference report. Not only does this legislation continue our critical investment in our Nation's infrastructure, it also appropriates $5 billion to pay down the national debt.

This legislation is consistent with the Transportation Equity Act for the 21st Century. It provides an increase of almost 7 percent in Federal aid highway spending. Outlays, mostly needed for transportation infrastructure, are up 13.3 percent.

The conference agreement also includes $720 million for emergency relief for highways to cover the cost of highway repairs resulting from previous disasters. In short, this legislation addresses our Nation's transportation needs.

Mr. Speaker, I am honored to serve on the Subcommittee on Transportation of the Committee on Appropriations, and I want to thank the gentleman from Virginia (Chairman WOLF) for the outstanding job that he has done as chairman.

Mr. Speaker, I also want to thank John Blazey, Rich Efford, Stephanie Gupta, and Linda Muir for all their hard work and long hours. I feel fortunate to have the opportunity to work with such an outstanding staff and committee.

Mr. SABO. Mr. Speaker, I yield 2 minutes to the gentleman from Northern Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from Minnesota (Mr. SABO), my friend and colleague and the ranking member of the Subcommittee on Transportation of the Committee on Appropriations, very much for yielding to me for his leadership on this bill, and I thank the gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee on Transportation for his exemplary leadership.

This bill is balanced. It is fair. It is responsible. It maintains and in fact improves our Nation's entire transportation infrastructure. I urge that it be

supported. It also makes our roadways safer by encouraging States to adopt stricter thresholds for drunk driving. It contains a matter of vital importance to the entire mid-Atlantic corridor and to interstate commerce.

As Members may be aware, this metropolitan Washington region suffers from the second worst traffic congestion in the entire country. No place is this problem more critical than at the Woodrow Wilson Bridge. It was built 40 years ago. It is crumbling before our eyes. Ten lanes of traffic are having to converge into six lanes.

We are told that, if we do not get this bridge rebuilt within 5 to 6 years, we may have to divert 20,000 trucks from being able to cross the bridge. Not only would that be a nightmare scenario for the region, but it would be a severe handicap to this Nation's economy. So the $600 million that is included in this bridge is critically important.

I would remind any Members that have questions about this, this is a federally owned bridge. It is a Federal responsibility. It will be turned over to the States as soon as it is reconstructed, as soon as we have a new bridge built. The States will pick up the financing from here on this. But this was necessary, and it was necessary now.

I am very appreciative, not only to all the Members of the subcommittee, its leadership, its staff, but also the Members of the regional delegation on the House and Senate side who worked together in a bipartisan constructive manner.

Mr. WOLF. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I thank the gentleman from Virginia (Chairman WOLF) for yielding me this time.

Mr. Speaker, I rise today in strong support of the Transportation bill, and I wanted to congratulate both the gentleman from Virginia (Chairman WOLF) and the gentleman from Minnesota (Mr. SABO), the ranking member. I want to particularly thank the gentleman from Virginia (Chairman WOLF) for his courageous leadership on the .08 issue. We have been fighting for this a very long time. Without his hard work, we would not be at this point today.

When I first introduced this legislation 3 years ago, I knew that it was going to be an uphill road to victory. I also knew that this was the right thing for the American people.

Quite simply, this is about saving lives. Five hundred to 600 lives will be saved in the United States each year when every State adopts the .08 standard. Tens of thousands of injuries will be avoided. These two statistics are too compelling to ignore.

What we are talking about is not putting our values on someone else. All we are saying is, if one is going to drink, just do not drive. This is the right standard. It is the right time.

We know that the relative risk of a fatality on the road is 11 times greater at BACs between .08 and .09.

Mr. Speaker, I want to thank the gentleman from Virginia (Chairman WOLF) again for his courageous work on this important issue.

I rise today in strong support of the Transportation Appropriations bill. I am also pleased to announce that today, Congress is standing up in defense of safer roads. Congress is poised with this vote to make .08 the law of the land.

I want to thank Chairman WOLF for his courageous leadership on this issue. Without his hard work, we wouldn't be at this point today.

When I first introduced legislation on this issue three years ago, I knew that it was going to be an uphill road to victory. I also knew that this was the right thing for the American people.

Quite simply, this is about saving lives. 500–600 lives will be saved in the U.S. each year when every state adopts the .08 standard. And tens of thousands of injuries will be avoided. These statistics are too compelling to ignore. There are just too many accidents involving .08 drivers for us to stand by. This is the right standard and this is the right time.

We know that the relative risk of a fatality on the road is eleven times greater at BACs between .05 and .09 than with no alcohol in your blood. And the Administration and the Department of Transportation released two reports last month showing that .08 works for states that have already adopted it. In fact, Illinois alone, which adopted .08 in 1997, has seen a 13.7% decline in the number of drunk drivers involved in fatal crashes.

We have fought so hard for this standard over the cries of the restaurant and liquor lobbies. They say that ordinary people who have a glass of wine with dinner will be pulled over and charged with drunk driving. That's simply not true. It takes four drinks in one hour on an empty stomach to get a 170 pound man to .08. No dinner, just drinks. It takes four of them. That's a far cry from a glass of wine with dinner.

We knew this then and we know it now. Drinking and driving do not mix.

Again, I just want to express my great pleasure to announce this important victory today. I urge my colleagues to support this conference report.

Mr. SABO. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, I thank the gentleman from Minnesota for yielding me this time.

Mr. Speaker, I want to commend the gentleman from Virginia (Chairman WOLF) and the gentleman from Minnesota (Mr. SABO), ranking member, for the work they have done on a bill that has very many good things, whether it be the Coast Guard, the .08 blood alcohol level, highway safety and construction, and mass transit.

But I do have two problems with this bill. The first is this bill is indicative of the fact that the budget process in this Congress has become a fallacy. This bill is over the House mark, it is over the Senate mark, and it is over the administration's mark. It is leading us down the path to where we have eroded or evaded the Budget Act and even the Unified Budget Act of 1968. So I think that is a problem in this bill.

Second of all, I have to say this bill includes language which prohibits the Houston Metro from using its share of Federal funds for a light rail project. The Houston Metro is the only agency in the country that has that prohibition. It seems to me this is a case of Washington knows best, telling the City of Houston and its areas what it is going to do.

They are going to build the rail project anyway with their own money. But Houston will be the only city that is not allowed to use Federal funds. I think this is a mistake, and I think it is a problem in this bill. I would hope in the future we can correct it.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Virginia (Mr. WOLF) has 4½ minutes remaining. The gentleman from Minnesota (Mr. SABO) has 1½ minutes remaining.

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

Mr. SABO. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the chairman for his leadership and his excellent efforts with the issue of .08. I think that we will save lives, and I appreciate having the opportunity to vote on this legislation that includes this instructive and positive legislative initiative.

Let me thank the gentleman from Minnesota (Mr. SABO), the ranking member, as well for his kindness; and I say that to him on behalf of the constituents of the 18th Congressional District. We appreciate the gentleman's balance and also his interest in our issues, and that of all of our colleagues.

This bill has some very good elements: The ATP program in Houston for $2.5 million and a connectivity program for $750,000 that is very important to the residents of the third ward.

The pipeline safety allocation is very important to me, and the transit programs are likewise. I am delighted that we saw fit to ensure that more people in this Nation have rail. I might cite for my colleagues, Atlanta, Baltimore, Canton, Akron, Cleveland, Florida, and a variety of other places.

So my concern is, Mr. Speaker, that here we are in Washington dictating to the citizens of Houston that they cannot have light rail. This is the mayor of the city of Houston, the county judge, the partnership, residents and others who have expressed their desire for light rail.

I would simply say that I applaud this bill. I will support this bill. But I look forward to the needs of the people of Houston being addressed in the next session so that we can move forward on our light rail project.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. WOLF) has 4½ minutes remaining. The gentleman from Minnesota (Mr. SABO) has 30 seconds remaining.

Mr. WOLF. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I want to thank the gentleman from Virginia (Chairman WOLF) and the gentleman from Minnesota (Mr. SABO), the ranking member, for doing an excellent job with this bill. I am going to vote for this bill.

I have served on this subcommittee every year that I have been on the Committee on Appropriations and have dealt with transportation problems in many different cities as well as transportation issues for the City of Houston and the metroplex around Houston. Up until now, we have had excellent opportunity to work with Houston.

Unfortunately, we have a new mass transit system that has decided to break what I thought was a model for the Nation of different transportation entities working together and sometimes overlapping and being concerned about mobility in Houston. We now have a metro system that has decided that they are going to build a megamulti-billion dollar rail system without the input of the people of Houston, without the people of Houston even gathering the information that would deal with this.

It is the age-old bureaucratic strategy of let us build a little bitty short system, and then when it does not work, we can force the people into building a bigger system.

Now, I have very serious concerns about that. I especially have concerns that, when we have a full-funding agreement on the mass transit monies going to Houston, that they want to come in and undermine that full funding agreement by taking some of that money and putting it into a rail system that has not been designed or considered by everybody in the Houston metroplex.

Therefore, I told the Houston Metro System that, when they get their act together, when they look at congestion studies, when they look at the regional mobility plan, then we can talk about a rail system as part of that overall regional mobility plan.

I have one other issue. I am for .08. Texas has .08. But I have very strong concerns about the Federal Government blackmailing States into doing something that maybe the States have a different idea in how to solve the problem.

But I am going to support this bill, and I urge my colleagues to do so also.

Mr. SABO. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman very much for yielding me this time.

Mr. Speaker, let me quickly say with great respect to the gentleman from Houston, Texas (Mr. DELAY), that the City of Houston, the County of Harris has a regional mobility plan. In fact, County Judge Echols has sent this multipage document to all Members of Congress. In addition, the Houston Partnership right now is involved in a regional plan, an additional plan.

I know that the Congress needs to move forward on this bill, and we cannot debate local issues. But I hope the Congress realizes this is not a local issue. This is a question of equality and parity when all of the other areas of the Nation are able to get dollars for light rail. I think, if the community wants light rail and meets the requirement, then this Congress should give them consideration. I look forward in the future Congresses and elsewhere to provide that for my community.

Mr. WOLF. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, in closing, let me just comment a little bit on the situation of the gentleman from Texas (Mr. DELAY). Nobody has been a stronger advocate in my times on the committee for mass transit in Houston than the gentleman from Texas (Mr. DELAY). He had the subcommittee go down there years ago to look at it, and I understand what he is trying to do. The same thing has happened in other parts of the country. People want to immediately move to rail.

In my area, we eventually would like to have rail going out to Dulles Airport. I support that. But our intermediate step is the rapid bus transit which will be for one-tenth of the cost. In some respects, that is really modeled after what has been taking place in Houston. So what the gentleman from Texas (Mr. DELAY) is saying is one moves to that and then afterward. So I think he has been a very strong advocate for the entire time.

In closing, Mr. Speaker, this is a good bill. I echo the comments of the regional delegation who worked together. The Woodrow Wilson Bridge, it is the whole north-south corridor which, if it ever collapsed or prohibited the use of trucks, it would just devastate the economy of the Northeast.

The Coast Guard, as the gentleman from Florida (Chairman YOUNG) said, the necessary increase, particularly for the men and women who serve and are risking their lives; the increase for drug interdiction, the increase for the FAA; the .08 which will save so many lives.

So in closing, I urge passage. Again, I want to thank the gentleman from Minnesota (Mr. SABO). I could not have had a better working relationship. God bless. Thank you.

I urge the passage of the bill.

Mr. KOLBE. Mr. Speaker, I rise in reluctant support of this conference report. I say reluctant because there is a provision in this bill which tramples state rights.

The conference agreement requires states to adopt a .08 blood alcohol law and provides highway sanctions beginning in fiscal year 2004. Reductions in highway funds of 2 percent per year would be phased in, not to exceed 8 percent, for those states that are in noncompliance. Now I strongly support measures to discourage drunk driving. But this provision disregards the right of states to regulate alcohol sales. Such a provision should not be included as a part of this conference report and it should have been rejected.

Unfortunately it was not. And as opposed as I am to this provision I am going to vote for this report. It provides much needed federal funds to increase the capacity and safety of our nation's transportation infrastructure. In total, the bill provides nearly $17.8 billion in discretionary budget authority, an increase of $3.5 billion over the fiscal year 2000 enacted level. Outlays, mostly needed for transportation infrastructure, are up 13.3 percent compared to the fiscal year 2000 enacted level. The conference agreement provides $12 billion for the Federal Aviation Administration—$2.5 billion (25 percent) over the fiscal year 2000 enacted level and 7 percent more than the Administration's request. Funding for the airport improvement program is $3.2 billion, an increase of $1.25 billion—or 64 percent—over the fiscal year 2000 enacted level. It also includes $5 billion is provided in the conference report to reduce the public debt.

Thus, despite my misgivings about the impact of this bill on state's rights. I will vote for this bill. However, I will continue to work with my colleagues to overturn this provision or to lessen its impact on state's rights.

Mr. CRANE. Mr. Speaker, I just wanted to take this opportunity to congratulate all those responsible for bringing to the House Floor a transportation appropriations measure that will be of great benefit to this country. I know a lot of hard work went into the crafting of this conference report and I want everyone who contributed to it to know that they have my thanks.

Assuming this legislation is signed into law, as I surely hope it will be, Americans will benefit in a number of ways.

First, they will be able to travel more quickly and easily thanks to the multitude of highway, rail, airport and mass transit projects that are funded by this measure. With traffic congestion growing on our existing roads and at our airports, that is very important.

Second, they will know that the taxes they have paid to finance highway and airport improvements are being spent for those purposes. In this day and age, when cynicism about government is all too prevalent, it is equally important that money raised for a particular purpose be spent as intended.

And last but not least, they will have reason to believe that the foundation is being laid for a transportation network that will meet people's needs for decades to come. Given the increase in commuting times in many of our metropolitan areas, that is reassuring.

A good example of why people should derive reassurance from this legislation can be found in the transportation infrastructure investments it makes in the Chicago area. Not only does it provide funding for three METRA commuter rail projects in the region, including

one in the district I am privileged to represent, but it also funds a pair of Chicago Transit Authority route rehabilitation projects. In addition, and this is very reassuring, the language and the explanation of the conference report pave the way for Full Funding Grant Agreements for all five of those projects, which greatly improves the prospects that they will be completed on schedule.

In addition, the conference report makes several investments in the development of several future-oriented intelligent transportation systems in the Chicagoland, including one for Lake County, Illinois, much of which I am privileged to represent. Also, it funds a study of the possibility of extending METRA's commuter rail service from Chicago all the way to Milwaukee, plus it provides money for bus routes and numerous other transportation improvements.

All of these things bode well for the residents of my district, the people of the Chicago area and all of those who come to the Chicagoland on vacation or to conduct business. On their behalf, I would like to reiterate my thanks to all those responsible and to urge enactment of this legislation.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today in support of H.R. 4475, the FY 2001 Transportation and Related Agencies Conference Report. This bill includes significant funding for projects that will ease traffic congestion in Northern Virginia which was the dubious distinction of the second worst traffic congestion in the nation. Most importantly, I would like to applaud the inclusion of $600 million for the replacement of the Woodrow Wilson Bridge. This is money that is desperately needed to fund a vital East Coast Interstate link. Additionally, this bill contains important funding for other Northern Virginia projects including $50 million for rail out the Dulles Corridor, $3 million for bus funding in Prince William County, $500,000 to complete the Fairfax County trail system, $500,000 for the Fair Lakes League Shuttle, $500,000 for Potomac River Jet ferry boat funding for ferry service from Prince William County to the Navy Yard and Washington Harbour, and $5 million for 14th Street Bridge improvements.

Since I first came to Congress in 1995, finding the appropriate solution for replacing and paying for a new Woodrow Wilson Bridge has been one of my top priorities. We face a critical time frame to follow in replacing the old bridge structure in order to avoid regional and eastern seaboard gridlock. The replacement of this rapidly aging structure is urgent and desperately needed. The $600 million we secured today brings the total federal commitment to $1.5 billion. This will fulfill our obligation to this project.

For quite some time, the federal government and Virginia and Maryland have known that the bridge needed to be replaced, or truck traffic would have to be rerouted throughout the entire Washington Metropolitan area. However, there has been ongoing debate about the level of commitment the federal government needed to provide to the project. That is because the Woodrow Wilson Bridge is truly a unique circumstance. It is the only federally-owned bridge in the United States, it is the midpoint between Maine and Florida on Interstate 95, it is technically located in Maryland, Virginia, and the District of Columbia, and it links the Capital Beltway at its southern crossing point between Maryland and Virginia. These factors have all combined to significantly shorten the life of the current bridge and create the dire circumstance that our region and the east coast faces.

As the midpoint between Maine and Florida in the Interstate system, it carries an unusually large amount of interstate commerce up and down the east coast. In 1993, it was estimated by the Bureau of Transportation Statistics that 1.3 percent of gross domestic product carried by truck crossed the Wilson Bridge. That is $58 billion, a figure that I am certain has only increased in the past seven years. Four hundred and fifty miles is the average distance traveled by truck shipments once they have crossed the bridge. It is important to note the many cities that fall within that 450 mile travel shed: Boston, Baltimore, Philadelphia, Norfolk, New York City, Richmond, Raleigh, Newark, Savannah, Hartford, and Trenton. Forty-nine percent of heavy trucks, or 7,000 trucks crossing the bridge go beyond the immediate area. That means that consumers up and down the east coast would face higher prices for products and services if truck traffic had to be rerouted and delivery of products was slowed.

As the southern crossing point for the Capital Beltway, it has carried more traffic and heavy trucks than it was designed to hold. When the bridge was opened in 1961, it was designed as a lightweight, flexible structure to serve a 4-lane beltway without heavy truck traffic. As early as 1969, the bridge began carrying more traffic than its designed capacity of 75,000 vehicles. In 1975, the decision was made that Interstate 95 should not be routed through Washington, D.C. as originally planned, and the bridge is now the default southern crossing for I–95. To accommodate that change, the beltway was widened to eight lanes but the structural limitations of the bridge meant that it could not be widened. While we may all now agree with the 1975 decision, it had serious implications for the life span of the Woodrow Wilson Bridge. In 1988, the bridge begins to carry 150,000 vehicles daily. This history doomed the original bridge structure to fail much earlier than anticipated and put us in the situation we face today.

In TEA–21, this Committee and the 105th Congress recognized the federal responsibility for the bridge and funded the construction of the bridge at $900 million. As I have said, now we have come up with the additional $600 million federal commitment to allow this project to go forward. Virginia and Maryland must now make their funding commitment available so this urgent project goes forward on time.

While the Wilson Bridge project will receive a large amount of federal funding, without this commitment for the Bridge, the entire Washington Metropolitan area could face potential gridlock. One of the nation's strongest regional economies and the seat of our federal government could face a grave threat should this bridge project not move forward in a timely manner. As we have seen in the past, a shutdown Wilson Bridge can shut down this region and our Nation's Capital.

I am also proud that we have been able to include an additional $50 million for rail out the Dulles Corridor. This follows on the $86 million I was able to secure in the TEA–21 legislation in the 105th Congress and the $25 million we were able to secure in last year's transportation appropriations bill. This is a critically needed project that will serve the ongoing growth out the Dulles Corridor. Rail to Dulles will significantly ease congestion in the Tysons Corner region and through Reston and Herndon in my Congressional District.

I would also like to note the inclusion of three projects that will help ease congestion in the I–95 corridor and for my constituents in Prince William County. H.R. 4475 provides funding for necessary improvements on the 14th Street Bridge. These improvements will significantly relieve the bottleneck that occurs during the morning and evening rush hours. This bill includes $3 million for bus funding for Prince William County to replace an aging fleet. Also, it includes $500,000 for funding for ferry service from Prince William County to the Washington Navy Yard and Washington Harbour. These two items will provide alternatives to those who otherwise face long commutes through the Springfield Interchange replacement project.

Mr. Speaker, in closing, the Woodrow Wilson Bridge serves the people who serve our government in all three branches of government. Gridlock in the Nation's Capital is one of the gravest threats facing the daily operation of our Republic. I would also like to thank my good friend, Mr. WOLF for his leadership on this important bill and his leadership chairing the Subcommittee on Transportation Appropriations. His commitment to providing the necessary transportation funding for this nation's vital projects is enabling all our communities address the tremendous growth we are undergoing nationwide and ensuring that our families are able to spend less time in traffic and more time at home.

Mr. SHUSTER. Mr. Speaker, I rise to discuss H.R. 4475, the fiscal year 2001 transportation appropriations bill.

I am pleased that the conference report honors the funding guarantees in TEA–21 and AIR–21, while still providing sufficient funds for other important transportation programs such as the Coast Guard and AMTRAK.

As you know, I have long believed that we could honor the principle of dedicating trust fund revenues to their intended purposes while still maintaining sufficient funding for other important transportation programs, and this bill proves it.

By fully funding TEA–21 and AIR–21, this bill will have far-reaching impacts on the quality of life in our communities, the nation's economy, and our competitiveness in the world marketplace.

The benefits of shortened travel times, increased productivity, and improved safety will affect every American and every business everyday.

In particular, the resources provided by this bill are an important first step toward reducing the aviation gridlock that we began to experience last summer.

I am disappointed by the conferees' decision to include many legislative and unauthorized provisions that, had they been included in the House bill, would have violated the rules of the House.

I am particularly concerned by the provision that will penalize each state that does not

adopt a legal blood alcohol content limit of .08 percent by reducing that state's federal highway funding.

Congress addressed the problem of drunk driving most recently 2 years ago in TEA–21.

In TEA–21, Congress provided a generous financial incentive to states that adopt .08 BAC laws, as well as incentives for a number of other anti-drunk driving approaches that have proven very effective in targeting the most egregious offenders.

TEA–21 conferees wanted to encourage states to adopt a .08 BAC law, but did not want to do so at the expense of other, more effective programs that the states were employing to reduce drunk driving accidents.

The Transportation and Infrastructure Committee, as the committee of jurisdiction over this provision, will look at the .08 funding sanction very carefully in the next Congress to determine whether or not it is appropriate and effective.

In addition, I am disappointed that the conference report alters the distribution of funds made available by the revenue aligned budget authority provision of TEA–21, which increases or decreases funding based on actual gas tax revenues deposited in the Highway Trust Fund.

In doing so, the conference report alters the distribution of contract authority from the Highway Trust Fund that was painstakingly arrived at by the TEA–21 conferees.

I am also concerned about the unprecedented earmarking of airport improvement program funds in the report accompanying this bill.

The AIP discretionary funds earmarked by this report are funds that the FAA should be targeting to the highest priority safety, security and capacity enhancing projects.

FAA has its own internal priority system for deciding which airports should get the few discretionary dollars that are available.

This system puts the highest priority on projects that will enhance safety. That is entirely appropriate.

In issuing discretionary AIP grants, I would urge the FAA to stick to its priority system and not be swayed by earmarks in the joint explanatory statement accompanying this conference report, which after all, are not legally binding.

If, nevertheless, the FAA chooses to fund these earmarks, I urge the FAA to look, in the first instance, to the airport's entitlement funds to provide the money.

Finally, I am also disappointed that the conference report includes funding for transit new start projects that were neither authorized in TEA–21 nor cleared by the Transportation and Infrastructure Committee.

Demand for new starts funding already far exceeds available resources. Funding unauthorized projects spreads limited resources too broadly, and will produce a lower return on federal investment.

Mr. PASCRELL. Mr. Speaker, I rise in strong support of this conference report and commend the Committee for its hard work.

I am especially pleased and delighted because this Conference Report includes funding for the New Jersey Community Development Center's "Transportation Opportunity Center," which is located in Paterson, New Jersey.

The Transportation Opportunity Center will demonstrate the vital role that transportation and the transportation industry plays in extending economic opportunity to low income individuals—particularly those moving from welfare to work.

The Center is in the heart of Paterson's historic district and will be used to educate low-income citizens about using existing public transportation to access suburban-based jobs.

It is through innovative programs like the Transportation Opportunity Center that we can continue to increase access to transportation for low-income citizens who are striving to participate in this prosperous economy.

These changes are good for our environment, good for our economy, and good for our quality of life.

I have said so many times—and I think you would all agree—that we do not invest in our transportation system merely to improve roads and bridges.

Transportation is not merely about getting from point A to point B. We invest in transportation to improve the very quality of life for our citizens.

That is what this project will do.

Again, I thank the Committee for its hard work, and I urge my colleagues to support this Conference Report.

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

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 344, nays 50, not voting 39, as follows:

[Roll No. 516]

YEAS—344

Abercrombie
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Barr
Barrett (NE)
Bartlett
Bass
Becerra
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Chenoweth-Hage
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Dickey
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Granger
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stark
Stenholm
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—50

Archer
Baldwin
Barcia
Barrett (WI)
Barton
Bentsen
Boehner
Brady (TX)
Bryant
Chabot
Coburn
Cox
Cubin
DeMint
Doggett
Gillmor
Graham
Green (TX)
Green (WI)
Gutknecht
Hayworth
Herger
Hoekstra
Hostettler
Johnson, Sam
Jones (NC)
Kasich
Kind (WI)
Kleczka
Largent
Obey
Oxley
Petri
Pitts
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Schaffer
Sensenbrenner
Sessions
Shadegg
Stearns
Stump
Taylor (MS)
Thornberry
Toomey
Velázquez

NOT VOTING—39

Ackerman	Hansen	Paul
Baker	Hefley	Rangel
Ballenger	Hutchinson	Reyes
Berman	King (NY)	Shuster
Blumenauer	Klink	Smith (TX)
Campbell	Lazio	Spence
Carson	Lewis (GA)	Strickland
Clay	McCollum	Talent
Diaz-Balart	McIntosh	Vento
Dicks	Meek (FL)	Waters
Eshoo	Meeks (NY)	Waxman
Franks (NJ)	Metcalf	Weldon (PA)
Goss	Miller (FL)	Wise

□ 1150

Messrs. BENTSEN and HERGER changed their vote from ''yea'' to ''nay.''

Mr. LUTHER changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 1509. An act to authorize the Disabled Veterans' LIFE Memorial Foundation to establish a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

H.R. 2496. An act to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 2641. An act to make technical corrections to title X of the Energy Policy Act of 1992.

H.R. 2778. An act to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes.

H.R. 2833. An act to establish the Yuma Crossing National Heritage Area.

H.R. 3201. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, and for other purposes.

H.R. 3632. An act to revise the boundaries of the Golden Gate National Recreation Area, and for other purposes.

H.R. 3676. An act to establish the Santa Rosa and San Jacinto Mountains National Monument in the State of California.

H.R. 3745. An act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 3817. An act to dedicate the Big South Trail in the Comanche Peak Wilderness Area of Roosevelt National Forest in Colorado to the legacy of Jaryd Atadero.

H.R. 4063. An act to establish the Rosie the Riveter/World War II Home Front National Historical Park in the State of California, and for other purposes.

H.R. 4226. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

H.R. 4275. An act to establish the Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness, and for other purposes.

H.R. 4285. An act to authorize the Secretary of Agriculture to convey certain administrative sites for National Forest System lands in the State of Texas, to convey certain National Forest System land to the New Waverly Gulf Coast Trades Center, and for other purposes.

H.R. 4286. An act to provide for the establishment of the Cahaba River National Wildlife Refuge in Bibb County, Alabama.

H.R. 4435. An act to clarify certain boundaries on the map relating to Unit NC–01 of the Coastal Barrier Resources System.

H.R. 4444. An act to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

H.R. 4613. An act to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 5036. An act to amend the Dayton Aviation Heritage preservation act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

H. Con. Res. 89. Concurrent resolution recognizing the Hermann Monument and Hermann Heights Park in New Ulm, Minnesota, as a national symbol of the contributions of Americans of German heritage.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 34. An act to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

H.R. 209. An act to improve the ability of Federal agencies to license federally owned inventions.

H.R. 468. An act to establish the Saint Helena Island National Scenic Area.

H.R. 1695. An act to provide for the conveyance of certain Federal public lands in the Ivanpah Valley, Nevada, to Clark County, Nevada, for the development of an airport facility, and for other purposes.

H.R. 1725. An act to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a county park and certain adjacent land.

H.R. 2879. An act to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech.

H.R. 3292. An act to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the bill (H.R. 707) ''An Act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs of disaster assistance, and for other purposes,'' with amendment.

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

S. 134. An act to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area.

S. 1367. An act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes.

S. 1670. An act to revise the boundary of Fort Matanzas National Monument, and for other purposes.

S. 1925. An act to promote environmental restoration around the Lake Tahoe basin.

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2069. An act to permit the conveyance of certain land in Powell, Wyoming.

S. 2111. An act to direct the Secretary of Agriculture to convey for fair market value 1.06 acres of land in the San Bernardino National Forest, California, to KATY 101.3 FM, a California corporation.

S. 2273. An act to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, and for other purposes.

S. 2300. An act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State.

S. 2331. An act to require the Secretary of the Interior to submit the dispute over the franchise fee owed by Fort Sumter Tours, Inc. to binding arbitration.

S. 2345. An act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes.

S. 2439. An act to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertie system, and for other purposes.

S. 2478. An act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes.

S. 2485. An act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine.

S. 2499. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania.

S. 2691. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States.

S. 2757. An act to provide for the transfer and other disposition of certain lands at Melrose Air Force Range, New Mexico, and Yakima Training Center, Washington.

S. 2865. An act to designate certain land of the National Forest System located in the State of Virginia as wilderness.

S. 2872. An act to improve the cause of action for misrepresentation of Indian arts and crafts.

S. 2885. An act to establish the Jamestown 400th Commemoration Commission, and for other purposes.

S. 2942. An act to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia.

S. 2950. An act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado.

S. 2977. An act to assist in the establishment of an interpretive center and museum in the vicinity of the Diamond Valley Lake in southern California to ensure the protection and interpretation of the paleontology discoveries made at the lake and to develop a trail system for the lake for use by pedestrians and nonmotorized vehicles.

S. 3000. An act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

S. Con. Res. 143. Concurrent resolution to make technical corrections in the enrollment of the bill, H.R. 3676.

S. Con. Res. 144. Concurrent resolution commemorating the 200th anniversary of the first meeting of Congress in Washington, DC.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1236) ''An Act to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State of Idaho.''.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1849) ''An Act to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.''.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2311) ''An Act to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.''.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 835) ''An Act to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes,'' and agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH of New Hampshire, Mr. WARNER, Mr. CRAPO, Mr. BAUCUS, and Mrs. BOXER, to be the conferees on the part of the Senate.

CONFERENCE REPORT ON H.R. 3244, VICTIMS OF TRAFFICKING AND VIOLENCE PROTECTION ACT OF 2000

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 613 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 613

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my colleague and friend, the gentlewoman from New York (Mrs. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 613 is a rule waiving all points of order against the consideration of the conference report to accompany H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000.

H.R. 3244 was passed by the House earlier this year on May 9 by voice vote. On September 27, our colleagues in the other body considered and passed this important legislation with an amendment by unanimous consent.

I would like to congratulate the gentleman from New Jersey (Mr. SMITH) for introducing the legislation and for his steadfast support of human rights around the world.

I also would like to thank the gentleman from New York (Chairman GILMAN); the gentleman from Connecticut (Mr. GEJDENSON), the ranking member; and all the conferees for their efforts.

Finally, I would like to extend a special thanks to my colleague and friend, the gentlewoman from Maryland (Mrs. MORELLA), for all her work to fight violence against women; and I wish to congratulate her on the reauthorization of the Violence Against Women Act.

The conference report includes three divisions: division A includes the Trafficking Victims Protection Act of 2000; division B, I am pleased to inform my colleagues, includes the Violence Against Women Act of 2000; and division C consists of three other important anti-crime measures.

Division B reauthorizes through fiscal year 2005 the Violence Against Women Act, or VAWA, which expired just last week.

As a former prosecutor and judge who served on the Domestic Violence Task Force back in my hometown of Columbus, Ohio, I have seen firsthand the ravages of domestic violence.

As such, I am firmly committed to doing all that I can to put an end to domestic violence and to ensure that victims have access to high-quality treatment, protective services, and ultimate justice.

The Department of Justice estimates that violence against women has decreased by 21 percent since this law was passed in 1994. By acting today, we will provide the needed protection to American women from the violence that seeks to destroy their lives; and, hopefully, these numbers will continue to decrease.

Specifically, the legislation authorizes $3 billion over the next 5 years to fund programs that support State and local efforts to shelter battered women, train police and court officials in domestic abuse cases, and provide counseling service as well as a hotline for battered women.

In addition, it enacts a number of new programs. It authorizes $10 million in grants for disabled victims of gender-motivated crimes and requires shelters to comply with the Americans with Disabilities Act.

Mr. Speaker, additional funding is authorized to train emergency medical personnel in treating sexually abused patients, and it establishes procedures for handling evidence in rape cases.

The bill also ensures that the Legal Services Corporation grantees can help victims of sexual abuse obtain the needed assistance in civil cases against their attackers, and needed funding is provided for transitional housing assistance to women and their children when escaping domestic abuse.

Finally, this legislation doubles the amount authorized for the Violence Against Women Act over the next 5 years and extends the Violent Crime Reduction Trust Fund.

Mr. Speaker, women who suffer from violence need our help and assistance. They need to know that there is someone to turn to and someplace safe to go to escape from the violence which they too often suffer.

This reauthorization fills that need and sends a strong message that someone cares and that help is there.

Mr. Speaker, division A of this important legislation includes H.R. 3244, the Trafficking Victims Protection Act. This legislation combats the trafficking of persons into the sex trade, slavery, and slavery-like conditions in the United States and many other countries around the world.

Through prevention, prosecution and enforcement against traffickers, as well as protection and assistance for victims of trafficking, this important

legislation fairly allocates resources, modifies existing law, and increases international cooperation to decrease the global trade of men, women, and children.

According to the Department of State, between one and two million women and children are trafficked each year worldwide into forced labor, domestic servitude, or sexual exploitation. Incredible in this day and age.

Of these, approximately 50,000 individuals are trafficked to the United States each year. This is a major criminal enterprise generating billions of dollars annually. Trafficking is now considered the third largest source of profits for organized crime, behind only drugs and guns.

□ 1200

Victims of trafficking are first acquired in a number of different ways. Some are forcibly kidnapped and taken out of their own countries. Others are deceived with offers of good work or a better life. But no matter how they are taken, trafficking victims are universally subject to cruel mental and physical abuse, including beatings, rape, starvation, forced drug use, confinement and seclusion. Many victims suffer mental breakdowns and are exposed to sexually transmitted diseases. Ultimately, many cannot survive these harsh conditions.

H.R. 3244 works to prevent trafficking through measures to increase awareness and enhance economic opportunity for potential victims of trafficking as a method to deter them from becoming victims in the first place. Further, this legislation urges countries to prohibit and punish severe forms of trafficking and establishes minimum standards applicable to countries that have a significant trafficking problem and assistance for programs and activities designed to meet the standards.

For those who are unfortunate enough to have been trafficking victims, the legislation establishes programs and initiatives to assist in their safe integration, reintegration, or resettlement. For victims located in the United States, the bill provides protection while in Federal custody and amends current law to grant nonimmigrant visas to victims who would face a significant possibility of retribution or other harm if they were forced to leave. In addition, we make those funds seized from traffickers available for victims' restitution and victims assistance programs.

Mr. Speaker, finally, division C includes three other important provisions which all passed the House earlier this year. The first bill, Aimee's Law, passed in July. That requires the Attorney General to transfer Federal law enforcement assistance funds from any State that convicted a person of a first offense of murder, rape or a dangerous sexual offense to the State that ultimately convicts that same person of a subsequent offense. In other words, Aimee's Law encourages States to keep murderers, rapists and child molesters behind bars and hold them financially accountable if they do not to the States that end up having to incarcerate on the second offense.

The second bill, the Justice for Victims of Terrorism Act, also passed the House in July. It provides assistance to American victims of terrorism and allows those victims who prevail in court to collect against the frozen assets of terrorist countries. It is designed to send a strong message to terrorists and their state sponsors and will allow victims of past terrorist acts to finally receive some level of justice.

Finally, the third bill, the Twenty-First Amendment Enforcement Act, passed the House in August. It grants States that have the authority to regulate interstate sale of alcohol within their borders the right to do so.

Mr. Speaker, this law is straightforward and noncontroversial. Its adoption will allow the House to consider and pass this important conference report. I urge all my colleagues to support both the rule and these essential provisions which seek to protect women, end violence, and fight crime.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, this resolution waives all points of order against the conference report on H.R. 3244 and against its consideration.

Mr. Speaker, in June 1994, I first introduced legislation addressing the growing problem of Burmese women and children being sold to work in the thriving sex industry in Thailand. This legislation responded to reports indicating that thousands of Burmese women and girls were being trafficked into Thailand with false promises of good-paying jobs in restaurants or factories and then forced to work in brothels under slavery-like conditions. Some of the victims were as young as 5 years old.

As I learned more about this issue, it became clear that it was not limited to one particular region of the world. In fact, in the wake of the discovery of a prostitution ring of trafficked women in Florida and the Carolinas, as well as a group of Thai garment workers held captive in California, I soon realized that this was an issue that must be dealt with in our own backyard as well.

Six years later I am proud to be standing here today to support this important legislation. H.R. 3244 sets forth policies not only to monitor but to eliminate trafficking here in the United States and abroad. More importantly, it does so in a way that punishes the true perpetrators, the traffickers themselves, while at the same time taking the necessary steps to protect the victims of this heinous crime. Finally, it uses our Nation's considerable influence throughout the world to put pressure on other nations to adopt policies that will hopefully lead to an end this abhorrent practice.

The bill recognizes the fact that trafficking is not exclusively a crime of sexual exploitation. Taken independently, this action is an egregious practice in and of itself. It is also important, however, to be aware that people are being illegally smuggled across borders to work in sweatshops, domestic servitude or other slavery-like conditions.

Mr. Speaker, developing this initiative has been a long and arduous process. At the beginning of this endeavor many of the groups involved had different approaches to defining and dealing with this issue. In addition, we also had to deal with a State Department that was less than cooperative when dealing with the Congress. Nevertheless, we are here today because this is an issue that is important enough to cross both partisan and personality divides.

Mr. Speaker, the conference report also reauthorizes the Violence Against Women Act. I am proud to have a long history of activism on domestic violence issues. Fifteen years ago our greatest challenge was convincing Americans that domestic violence was a real problem. Many women knew only too well that we were in the midst of a deadly epidemic, but the culture of silence that surrounded the issue made it difficult for them to speak out or to get help. Being a victim of domestic violence was a source of fear and shame. Many women were trapped in these situations without any means of escape. Furthermore, domestic violence tended to be trivialized by law enforcement, by the judicial system, by health care providers and sometimes even by friends, family or neighbors.

We have come a long way in the 15 years since I began working on these issues. The single most important thing that Congress did to effect a change was pass the Violence Against Women Act. The Violence Against Women Act catapulted domestic violence onto the national agenda, providing Federal support for programs like shelters for battered women and their children, education for law enforcement officers and judges, and resources mostly for prevention and education. I am proud to have been the author of provisions of VAWA that protected battered immigrant women who were often trapped in abusive relationships by the threat of deportation. VAWA transformed the national landscape for victims of domestic violence. Today, a woman in an abusive relationship has options, a place to live, help

with court proceedings, assistance for herself and her children, and protection from her batterer.

Nevertheless, we still have a long way to go. Too many women still die at the hands of an abusive spouse or boyfriend. Protective orders can be ineffective. Going on welfare is far from an ideal choice even as a temporary step. Convictions against batterers remain infrequent and penalties can be extremely light. It is imperative that Congress reauthorize these vital programs.

Also included in this conference report are miscellaneous provisions relating to Aimee's Law, assistance to victims of terrorism and the Twenty-First Amendment Act regarding Internet alcohol sales.

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

Ms. PRYCE of Ohio. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Texas (Mr. SESSIONS) my distinguished colleague from the Committee on Rules.

Mr. SESSIONS. Mr. Speaker, I thank my colleague from the Committee on Rules, the gentlewoman from Ohio (Ms. PRYCE), for not only working on this issue but also my other colleague, the gentlewoman from New York (Ms. SLAUGHTER), for her work on this important issue.

Mr. Speaker, today we are talking about the conference report on the Trafficking Victims Protection Act of 2000. In particular, we are trying to draw attention to the importance of what the Violence Against Women Act of 2000 is all about.

Mr. Speaker, for quite some time I have been engaged in trying to work with women's centers in Dallas, Texas, who every day are a part of the lives of thousands of women who are taken advantage of in marriage, taken advantage of not only because of the frailties that they have as the caregivers for children, women who are responsible for making sure that a family works together and stays together and many times are in a marriage that is very difficult.

The Violence Against Women Act of 2000 is important because it once again enunciates by the House of Representatives that this is a crime that is taking place all across America, violence against women, that we will not tolerate. Most importantly, the gentlewoman from Ohio is speaking up about the importance of the issue so that it is not hidden in the work that Congress does. It is important that we support not only this conference report but that we recognize that America and the importance that we put on solving this national epidemic are brought to the forefront, the importance of Congress and the importance of a public policy that we have.

Mr. Speaker, the gentlewoman from Ohio is not only a leader in our Congress but she is a leader for women in this area. I salute her and applaud her for the hard work that she has put in on this act.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentlewoman for yielding me this time. I rise in opposition to the rule. While the provisions relating to addressing sex trafficking and violence against women are essentially noncontroversial and should be enacted, this does not apply to section 2001 of the bill which includes the controversial Aimee's Law. I am aware of the political adage that no good politician will vote against a crime bill named after somebody, but I thought that before we vote on this rule that we want to think about some evaluations of Aimee's Law.

The bill is onerous, impractical and unworkable. It is worse than an unfunded mandate. It is certain to generate a morass of bureaucracy. It is enormously costly. And the probable public safety impact of the bill will be zero.

These are not my words but the words of the National Governors Association, the National Conference of State Legislatures, the Council of State Governments, the United States Department of Justice, and a noted criminologist. Despite all of these critical descriptions, the bill comes before us on the suspension calendar hooked up with noncontroversial items. Ask your governors and State legislators whether or not they believe that it will help victims of crime or simply allow Members to take credit for passing a good sound bite while avoiding doing anything the experts say will actually reduce crime, that is, investing in prevention programs.

Supporters of Aimee's Law say that it will prevent murderers, rapists and child molesters from committing second offenses. It requires the Attorney General to transfer a portion of one State's Federal money to another State each time a murderer or rapist released from the first State commits such an offense in the second State, unless the first State has either truth-in-sentencing or the person is sentenced to an above average time to be served. That above average can change from year to year. Since truth-in-sentencing and determinate sentencing are recent sentencing practices and there is no limit on how far back you have to go to find prior convictions, trying to determine the information necessary to implement this provision will be a bureaucratic nightmare for the Attorney General and the States. So the fact is that the provision has a lot more to do with requiring bureaucratic processing and exchanging Federal funds than it has to do with preventing crime.

Aside from the impracticality of implementing this provision, even if the bureaucratic exchanges could occur, the net result will probably be a wash between States passing money back and forth. Further, States concerned about the fiscal impact of the bill or those wishing to cash in on it can play games. For instance, plea bargaining a high charge with a low sentence so that you can get the money rather than a lower charge like manslaughter with a higher sentence and you can cash in and get the money.

The fact is that no State without truth-in-sentencing will implement truth-in-sentencing as a result of this bill. That is because truth-in-sentencing in Virginia costs billions of dollars and no State will incur that kind of expense to avoid a few hundred thousand dollars that this bill might actually cost them.

All in all, the rule perpetuates sound-bite politics at its worst. It tacks on to two noncontroversial provisions; a provision which creates a bureaucratic nightmare for the States and the Federal Government by second-guessing the sentences on crimes that have already occurred with no discernible effect on the crime rate.

□ 1215

Accordingly, Mr. Speaker, I urge that the rule be defeated, so that we can remove this provision and get on with well thought-out legislation which will actually reduce crime and help victims.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 2½ minutes to my friend, the distinguished gentlewoman from New York (Mrs. KELLY), who has worked so hard on many of these provisions.

Mrs. KELLY. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise in strong support of this rule and the underlying bill, the Trafficking Victims Protection Act Conference Report.

The package of legislation we have before us is critically important to the lives of millions of people across the world and here at home. Passage of this package will have a tremendously positive effect on the quality of life for millions of people across the world.

Just over a week ago, I joined my good friend, the gentlewoman from Maryland (Mrs. MORELLA), here on the floor to urge support for H.R. 1248, the Violence Against Women Act of 1999. Today, we have yet another opportunity to demonstrate our commitment to this important legislation.

While the Justice Department has estimated that since the start of the VAWA programs in 1994, domestic violence has dropped by almost 21 percent, this epidemic is not over yet. Still today, one in three girls age 16 to 19 will be abused by their boyfriends, and it is estimated that approximately 3 million children witness domestic abuse in their homes.

The legislation we have before us today will take a serious step towards breaking this cycle of violence and providing a better future, not only for the millions of women who have come to rely upon the services provided under VAWA, but also for the millions of teens and children who will now have access to services and will see that violence is not necessarily a way of life.

I would also like to take a moment to note that this legislation includes a measure I introduced in Congress to strengthen the Federal anti-stalking statute, the Stalking Prevention and Victim Protection Act. This bill, which passed the House unanimously last November, strengthens current law, which stipulates that one must travel across State lines in order to commit a Federal stalking offense. My measure acknowledges that stalking can be perpetrated through other mediums, such as over the telephone, through the mail, or over the Internet.

Today we again have the opportunity to help millions of people feel a little safer, knowing that we are here, that we are listening, and that we will once again fulfill our promise and continue to supply the resources to help them escape from abuse and end the cycle of violence.

Mr. Speaker, I would like to thank my friend, the gentlewoman from Maryland (Mrs. MORELLA), for her tireless efforts on behalf of these men and women. I would like to thank my friend, the gentleman from Illinois (Mr. HYDE), and my friend, the gentleman from Florida (Mr. MCCOLLUM), who helped move this legislation forward.

I urge my colleagues to help me in supporting this rule and the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I am very gratified to see that the Violence Against Women Act is finally here on the floor in a conference report so that we are going to pass it. For reasons I stated on the floor before and many others have said today, reauthorization of the Violence Against Women Act is a tremendously important thing to do. I am unhappy that it is grouped with four completely unrelated other bills in this one bill, some of which I would vote for, and some against.

It is grouped with part of the sex trafficking act. We all want to put an end to sex trafficking. That is a good provision.

Victims of terrorism, to make it easier for victims to sue, a very good provision. It has nothing to do with the other bill, but it is a very good provision.

But then we have two other bills that are not too good. We have the Internet Alcohol Act, which is a commercial dispute between rival groups and should not be in this bill; and we have Aimee's Law, an extremely foolish political sound bite, which will have no impact except to cost States money and to create more bureaucracy.

Let us look at how ridiculous Aimee's Law, at least the version of Aimee's Law we have here, is. What this says is if someone is convicted of murder, rape or dangerous sexual offenses in one State, serves a jail term, and is subsequently released and then commits a similar crime in another State, the first State has to pay all the costs of incarceration and legal proceedings in the second State if the first State is a bad State.

What do we mean by a bad State? If the individual had served less than 85 percent of the term of imprisonment; or, if the individual had served more than 85 percent of the maximum sentence, if the average term of imprisonment imposed by the State for these kinds of offenses is less than the average term imposed for that offense in all States?

In other words, State A imposes an average sentence of 25 years. The national average is 27 years. Well, obviously State A had better improve its law. That is what we are saying. State A now changes its law to 28 years. That changes the average, and some other States change the average. State A is a bad State again, and it is going to be penalized if someone after serving 28 years goes out and commits another crime in a different State.

Now, you have got a moving target here. I do not think the drafters of this act thought through, and since I do not think there was a committee vote on this bill, there was no opportunity for amendments, it never was properly debated. And what ever happened to our concern for States to be able to write their own criminal justice laws? Here we are telling them, you had better keep ratcheting up your terms of imprisonment, no matter what you think is right, to match everybody else's, lest we charge you.

Now, it is not going to have a major practical effect, because the fact is that it is very rare for people to be convicted in a second State, but it is foolish and ought not be in this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, let me thank the gentlewoman from Ohio for her leadership in bringing this rule to the floor.

I suggest to the gentleman from New York, when he makes statements like ''this is a foolish bill,'' Aimee's Law, I would ask him to read the text of the bill, because I guess if your family or friends or someone close to you had been murdered, raped or molested, you would not think this was such a foolish exercise. In fact, these are some of the crimes that have the highest degree of recidivism, and in fact in Florida we have suffered from people being released from prison and then coming to perpetrate the same murder and rape on innocent people in our State.

So I commend the gentleman from Arizona (Mr. SALMON) for his introduction of Aimee's Law, and I commend my colleagues for its passage, because I think it will help tighten, if you will, laws that affect people's lives, those who have been raped, some who have been murdered, children who have been molested. They need the full protection of the law, not protecting those who committed the crime.

I commend also the gentleman from Florida (Mr. SCARBOROUGH) for his 21st Amendment Enforcement, and I am glad if is part of this bill. Hopefully it will lead to less drinking by underage people who may have found through the Internet chances to purchase alcohol. I think this is a very, very important provision.

Justice for victims of terrorism, that is extremely important in this bill.

The gentlewoman from Maryland (Mrs. MORELLA), obviously with Violence Against Women, another subject that the gentlewoman from Ohio (Ms. PRYCE) has been very involved in, is an essential bill to our society. There is far too much prevalence of violence against women, domestic disputes; and we have to strengthen the law. We have to provide and strengthen services for victims. We have to do more to combat violence in families that can lead to the destruction, not only of a person's individual life, but the destruction of the children that are forced to watch this kind of parental misdeed, if you will.

Also on the first, the Trafficking Victims Protection Act, it is again a very important provision of the bill. I think if people read through the bill, they would not use words like ''foolish'' or ''political sound bites,'' but recognize these are indeed very, very important issues.

In fact, in Florida we had a professor at a university that had brought a child into this country, lured from his parents, brought here strictly for sexual services. He was underage. He was paid money. The parents were paid money under the assumption that the child was going to be given a better life in America. Regrettably, it was not for a better life, it was for sexual exploitation, right in my own community of Palm Beach County. Fortunately, the man is in jail. The law has dealt with this person. But, regrettably, there is not enough internationally being done in other countries to make certain that they are enforcing the laws as well.

So this goes to the heart of both domestic combatting of these issues, as well as working with our foreign colleagues, foreign governments, in order to meet a higher standard, an international standard for elimination of the trafficking of individuals.

So I commend my colleagues to vote for the entirety of this report. I think it is a solid bill. Again, I commend the gentlewoman from Ohio (Ms. PRYCE) for her leadership on this, and I urge my colleagues to support it and its passage.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Mr. Speaker, there is much that is good in this bill before us today. I am particularly gratified that the efforts to fight trafficking in the sex trade have been included in this matter, so that we can actually get success in the fight against that this year.

I think the provision of visas for those who are fleeing from their oppressors, whether it be sweatshop or sexual abuse, is extremely important.

Obviously, the Violence against Women Act is enormously important. And although reasonable people can differ, and I think there is a technical issue in the Aimee's Law provision that absolutely must be corrected, that I think the ranking member of the committee will raise and hopefully will be able to deal with, I also support the Aimee's Law concept.

That is why I am so upset that with all of these good things that we would have bipartisan support on, and I think nearly overwhelming support, that, for some reason, the provision, the very controversial provision, about Internet and wine sales has been included in this matter. It does not belong in this package of bills. It is not about protecting children from abuse, and it just really is very distressing.

I have two teenagers, and they are good kids and their friends are good kids, and the argument that has been advanced is that we have to prohibit the Internet sale of wine to protect children.

Well, as a mother of two, that is preposterous. If a kid wanted to go out and buy alcohol, they are not going to get on the Internet, pay 20 bucks a bottle for wine in my district, or up in the Napa Valley, wait a couple of weeks for it to be delivered, and that is how they are doing underage drinking. That is not the way the real world works.

So, I urge a no vote on the rule in protest for this Internet wine sales tax. It is just so distressing that it has been included.

Ms. PRYCE of Ohio. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from New Jersey (Mr. SMITH), the sponsor of this legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my very good friend for yielding and her good work and leadership on this issue.

I say to my colleagues, this is the result of an enormous amount of bipartisanship. The legislation, division A, which deals with trafficking of women, we all know now that especially with the break up of the Soviet Union and the ascendancy of the Mob, organized crime in Moscow, in the Ukraine, and all around the world, is trafficking in women and children as never before.

The estimates are as high as 2 million individuals, mostly women, who are being trafficked every year. About 50,000 are coming into the United States, and many of those are forced into prostitution.

Our legislation, and, again I want to thank the gentleman from Connecticut (Mr. GEJDENSON) who has worked so closely on this, has been very bipartisan. It throws the book at those who would commit these heinous crimes and make money off the exploitation of women and children.

Our legislation provides $95 million over 2 years for enforcement of anti-trafficking provisions. But, again, the life imprisonment aspect to it, the protection for the women themselves so they are not put on the next plane and sent back to Kiev or St. Petersburg or anywhere else where they might be in danger is very important. We try to put sandbags of protection around them and to say we will help you, we will give you a hand and assistance, and that is what this legislation does.

There are many other aspects to it. It is a comprehensive bill. We have had three hearings in my subcommittee on this issue, and we heard from the victims themselves, who talked about how even the NGOs, like Miramed in St. Petersburg, which is out there on the cutting edge trying to help these women, are under tremendous duress by the Mafia, as well as very much underfunded.

We want all of the world's governments, especially those that are countries of origination, to do all that they can to mitigate and hopefully end this egregious practice.

Division B, the Violence against Women Act, provides about $3.3 billion over 5 years, more than double the current programs, to increase law enforcement and expand shelter space and rehab programs for battered and abused women.

There are many, many important grants articulated in the legislation, like the $140 million for Violent Crimes Against Women on Campus Grants, to ensure that our young women on the college campuses are protected to the maximum degree possible, and then $60 million for the Safe Havens Project; and, very significantly, the money for the shelters is increased by $375 million to a total of $875 million to protect battered women and their children.

□ 1230

There is also legislation, as my colleagues heard, dealing with Aimee's Law. Aimee's Law passed overwhelming in this House. It ought to be part of this package, and it will hopefully prevent those who have high rates of recidivism, the rapists, the murderers so they do not get out early to recommit these crimes, because we know that there are thousands of those who commit the crimes upon their release.

Mr. Speaker, I urge support for the rule, and then I hope for support of the underlying conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, there are many people to thank this morning. I add my appreciation to the gentleman from Michigan (Mr. CONYERS) for his leadership and the gentlewoman from Maryland (Mrs. MORELLA) and to the ranking member and chairman and the gentlewoman from Ohio (Ms. PRYCE).

This bill has many good elements. I would argue that we have thrown out a fishnet and gotten some elements that I think deserve a lot of consideration, and I wish we had not done that. I rise to support the concepts in this bill and would hope that we would be able be fix some of the elements that need not be included.

Particularly, let me appreciate the battered immigrant provisions that have come from the legislation that the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentlewoman from Maryland (Mrs. MORELLA) and myself have sponsored, H.R. 3083. We had a hearing on the bill in the committee that I serve on, the Subcommittee on Immigration and Claims. And I thank the gentleman from New Jersey (Mr. SMITH), my chairman.

I say to the gentleman from Michigan (Mr. CONYERS), I had the unfortunate privilege of visiting in Bangladesh, women who were battered, as well as women who were sold into slavery, sold for sexual activities, and see the children, see the abuse, the depression, the mutilation, the injuries that they suffered. So this bill is extremely important.

Mr. Speaker, I thank the Committee on International Relations and all of those who worked on the human rights aspect to stop that. It is also important to recognize that VAWA that gives rights to American women finally will reach a point where we can see it reauthorized and have the centers open, protect the children who have seen abuse in their homes.

Mr. Speaker, I do want to thank the conference committee for putting in the elements dealing with battered immigrant women, because without those elements, VAWA did not cover immigrant women; in particular, we would find situations where the abuser would hold it over the head of the immigrant woman that you can stay here all the time and I can abuse you, but you will not have the rights to access relief under VAWA.

Take, for example, the idea of an abuser saying to the abused that I will keep you from being a citizen or legal resident, because all you came to do was to come here to this country with your children and seek to be a legal resident, and, therefore, I will punish you and I will continue to abuse you.

Mr. Speaker, I am gratified that elements that will allow for self-petition are included in this legislation and that an abused woman can as well seek that.

Finally, let me say that I hope we can improve some elements of this bill. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me the time.

Mr. Speaker, I come to the floor today in my capacity as Ranking Member of the Subcommittee on Immigration and Claims. Inside this report is the agreement authorizing VAWA, and some very important provisions that deal with Battered Immigrant Women. I joined with Congresswoman JAN SCHAKOWSKY and Congresswoman CONNIE MORELLA to sponsor H.R. 3083, The Battered Immigrant Women Protection Act of 1999, would provide much needed access to battered immigrant victims of domestic violence. Fortunately, many of the provisions of this bill were included in this conference report.

These provisions are important because but for the failure of citizens or permanent resident abusers to submit immigration petitions for their immigrant spouses and children, the beneficiaries of the Battered Immigrant provisions would already have lawful immigration status through a family-based visa petition.

A citizen or permanent resident batterer often manipulates such misconceptions by convincing his victim that he will prevail in court because he is a male and he has more money. Moreover, a batterer often uses his immigration status against his victim as a tool of control, threatening to report her to INS or refusing or withdrawing immigration petitions that would grant her status.

I am relieved to stand before the House in order that we might be able to consider legislation that will reauthorize the Violence Against Women Act (VAWA) before the close of the 106th Congress. This act was first passed in 1994, and it marked a turning point in our nation's response to family violence, offering states a comprehensive means of addressing domestic violence and sexual assault. Although VAWA has contributed to a decline in the rates of domestic violence, there is still much work to be done.

We know that more than 3 million women have been abused since Congress began considering reauthorization of the VAWA in 1999. If Congress does not act by October 13th, VAWA will be lost to those women and their children who are victimized by family violence. The sad fact is that the victims of violence are not limited to women and in some cases men, but it can also extend to their children. It is estimated that 9,000 children, in our nation, witness family violence everyday. Each year, just about 3.3 million children witness their mothers or female caretakers being abused. Further, forty to sixty percent of men who abuse women also abuse children.

Family violence also extends to non-married women. Young women, between the age of 16 and 24 in dating relationships experience the highest rate of domestic violence and sexual assault. While an average of 28 percent of high school and college students experience the highest rate of domestic violence and sexual assault. Twenty-six percent of pregnant teens reported being physically abused by their boyfriends—about half of them said the battering began or intensified after he learned of her pregnancy.

We need to expand VAWA and increase funding to support it. In the last six months, calls to the National Domestic Violence Hotline have increased from 8,000 to 13,000 calls a month. More women and children are seeking the safety of shelters, stretching shelter resources to the limits. Protections for young women, who are at the greatest risk of dating violence and sexual assault, are also severely lacking.

This bill includes provisions similar to the House-passed H.R. 1248 to reauthorize the Violence Against Women Act for five years. The House bill authorized more than $3 billion in FY 2001 through FY 2005 for programs to combat violence against women, including battered women's shelters and services, sexual assault prevention programs and education and training for judges.

The separate VAWA legislation has been merged with H.R. 3244, the Conference Report on International Sex Trafficking, a bill intended to directs the Justice, Labor and Health and Human Services departments to expand assistance to victims of severe forms of trafficking in the United States. The measure also allows the Justice Department to make grants to local governments and nonprofit organizations to expand services for victims of trafficking. most of our nation's citizens may still believe that the trafficking of human beings ended with the Fourteenth Amendment to our Nation's Constitution, which outlawed the practice of slavery.

This conference report also includes the bill H.R. 2031, which addresses concerns regarding the sale of alcohol over the Internet. The conference agreement grants state attorneys general authority to bring a civil action in federal courts to enforce state laws that outlaw the direct sale of alcohol over the Internet. The provision is similar to the House-passed H.R. 2031, and to Senate provisions in its version of the juvenile justice bill (H.R. 1501).

In addition this conference report also includes H.R. 894, titled Aimee's Law, that requires a state that releases a violent sexual offender who commits a similar crime in another state to reimburse the second state for costs related to the incarceration, prosecution and apprehension of the individual. This provision is similar to provisions in the House version of the juvenile justice bill (H.R. 1501).

This law provides that whenever someone convicted of murder, rape, or a dangerous sexual offense is released from prison and commits another such offense in another state, the state from which the offender was released will be liable for the cost of apprehension, prosecution, incarceration, and the victim's damages (i.e., up to $100,000 for each victim).

The Attorney General is also directed to pay these costs and damages from the Federal Law Enforcement Assistance Funds which the state of origin. The costs and damage provisions, which are paid out of federal law enforcement assistance funds, are designed to leverage states into passing tougher sentences regarding these crimes or risk losing federal funds.

I have concerns that this bill is premised on a ''Sense of Congress'' that anyone convicted of these crimes should be sentenced to death or life imprisonment without the possibility of parole.

Before taking such drastic actions, I believe that we need to better define the criminal offenses of which one may be convicted. I suggest that we work to narrow the definition of which crimes trigger punishment.

However, I realize, as do most Americans that prevention is the best strategy and if this type of law would provide the appropriate disincentive for potential murderers or rapists, I must also recognize this benefit.

As expressed in the Subcommittee Crime hearings, this law, under the definition of Dangerous Sexual Offense in H.R. 894, does not require any age difference between victim and offender on which to base an assumption of predation.

Consequently, unlike other laws that make no such distinction, there is more potential for this bill to have an impact on the sexual abuse of American children.

As a parent, I sympathize with proponents of this bill that want adequate punishment against those convicted of sexual assault, rape or murder. As a mother, a member of Congress and founder of the Congressional Children's Caucus, I cannot in good faith support the maintenance of laws that create loopholes for sexual predators.

Every 19 seconds a girl or women is raped, every 70 seconds a child is molested and every 70 seconds a child or adult is murdered. Yet, despite these horrific statistics, the average time served in prison for rape is 5 years and the average time served in prison for molesting a child is less than 4 years.

We cannot tolerate the perpetuation of violent crimes against women and children any longer! This bill provides states the financial incentive to enact effective legislation that will keep repeat violent offenders behind bars.

We cannot allow states to continue to act irresponsibly in the prosecution of sexual predators. We all need to work together to help spare families the needless tragedy of having to put to rest their children because the state failed to effectively prosecute a sexual predator.

I am horrified by the story of Aimee Willard, for which this law is named. I hope that no family will ever have to suffer through such a tragedy again, but unfortunately I know that this is not true.

I ask that my colleagues put aside their politics and think about the children and families that have been affected because of a lack of adequate enforcement of the laws. Our children need protection now.

Last, this conference report also includes language intended to address the needs of the Victims of Terrorism by allowing victims of terrorism or their families in the United States to recover judgments against countries listed by the State Department as sponsors of terrorism. (Currently, the frozen assets of nations

that allegedly support terrorism are protected from U.S. court judgments if the president declares it in the national security interest to leave them untouched.) Under the agreement, the president would have the authority to differentiate, on an asset-by-asset basis, the premises of foreign diplomatic missions, but not commercial property or rental proceeds from diplomatic property eligible to be protected.

I would hope that we will remember that one of the most deadly terrorist attacks to occur in this country was not caused by a foreign government or international group, but by people who thought of themselves as American patriots, I am referring to the Oklahoma City bombing, which killed 167 men, women and infants. I applaud any effort to make those responsible for terrorism, which results in loss of life or property civilly and criminally responsible for their actions. However, I would caution not to join those who believe that by virtue of the fact that someone is born outside of the United States that some how their act of terrorism is much more grievous than one that is carried out by a fellow American citizen. For this reason, I support this effort, but I would also encourage this body to make those of our citizens convicted to terrorist acts be equally held criminally and civilly liable for their actions.

All of the measures, which are included in this conference report are important to the American people, it is unfortunate that they could not have been considered individually.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. SALMON), the author of Aimee's Law.

Mr. SALMON. Mr. Speaker, I would first like to thank the author of the bill here on the House, the gentleman from New Jersey (Mr. SMITH) for all of his support for Aimee's Law.

I would like to thank him for putting together such a wonderful piece of legislation in the first place, because this is all about victims. It is about victims who are slave traded. It is about victims, women who are harmed across the country in many, many different ways. It is about little children who are victims.

I would like to speak specifically about Aimee's Law. I would like to go back down to memory lane 3 years ago when I introduced this bill. I had a dinner with several victims rights advocates: Fred Goldman whose son Ron was murdered, with Mary Vincent who was kidnapped when she was 15 years old while she was walking along the road. She was raped and had her arms chopped off. She walked for 2 miles to safety and survived to testify against her perpetrator who, by the way, was let out of prison and then killed a mother of 5.

I remember Mika Moulton whose little boy was stabbed 66 times and left in a shallow grave; that in and of itself is heinous enough, but the fact that this boy, this young man that did this to her son was let out of prison for killing a 5-year-old girl and raping her with a stick ought to make your blood curdle.

The fact is 14,000 rapes, murders and molestations occur every year, and they are 100 percent preventable. We heard some people on the other side of the aisle who have some heartburn about this. Let us make government be accountable.

These are not just statistics. These are people who are dying. These are people being raped. These are children being molested. We have an opportunity to do something about it to make the States be accountable if they let someone out of prison who poses a threat to society, then there should be a price to pay, and that is what this is about.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding the time to me.

Mr. Speaker, I want to thank the gentleman from Arizona (Mr. SALMON for his work, and I just wanted to ask a question in colloquy. Am I correct that it is the intent of the Congress that Aimee's Law shall apply prospectively; that is, only if offenders whose first sentence for a covered offense occurred on or after the effective date of this law, which is January 1, 2002?

Mr. SALMON. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Arizona.

Mr. SALMON. Mr. Speaker, as it is currently drafted, that is my understanding, yes.

Mr. CONYERS. Reclaiming my time, I thank the gentleman.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, at this time of day, all across this great country from San Diego to New York, from Wisconsin to Louisiana, our parents, our grandparents, our aunts and uncles are concerned about the same thing, and that is the safety of our children in our schools; whether those children are in classrooms or playgrounds, inner-city or rural schools, our parents share this concern about their safety.

I want to point out, I hope, a noncontroversial part of this bill and salute the gentleman from Illinois (Mr. HYDE) and the gentleman from Michigan (Mr. CONYERS), for a provision that mirrors a bill that the gentleman from New Jersey (Mr. ROTHMAN) and I introduced called the Secure Our Schools Act, that will provide $30 million each year for 3 years for a total of $90 million to help our schools be safe and secure, especially in light of the gun violence that has taken place in our schools over the last 3 years.

The beauty of this bill is that this provides Federal resources to our local schools but lets the local school determine what to spend this money on. Should they spend it on a metal detector? Yes, they could. And could they spend it on a handheld metal device for security? Yes, they could. Security training for teachers, police officers, students? Yes, that is an allowable expense.

These are competitive grants issued for the Department of Justice and the Attorney General to help our parents and grandparents and aunts and uncles make sure that they feel good about the safety and security of our schools. This is a good partnership for our government to enter into. I am proud of this provision and proud to support this provision in this law.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I am proud to rise in support of H.R. 3244 and most of the provisions of this conference report. I want to thank the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from New York (Ms. SLAUGHTER), the gentleman from New Jersey (Mr. SMITH), and the gentleman from Connecticut (Mr. GEJDENSON) and thank the gentleman from Illinois (Chairman HYDE) and the gentleman from Michigan (Mr. CONYERS), the ranking member, for their diligence in crafting this report, which includes several important provisions that will literally save the lives of women and girls around the world.

When I had the privilege of traveling with the President to India, I saw little girls who had been sold into the sex industry. No child should be subjected to such horrors. We know that the Violence Against Women Act has saved lives and helped to rebuild even more. And I am grateful that my provisions to expand legal protections for battered immigrant women and children and to fund transitional housing for domestic abuse victims were included in the report.

The 1996 immigration laws made some changes that forced many immigrant women to remain in dangerous situations, putting themselves and their children at great risk. Today we have the opportunity to end this injustice. With the passage of this conference report, immigrant women will be empowered to move away from their abusers. They will have the additional legal protections along with access to critical transitional housing services that will enable them to alleviate the abuse and break the cycle of violence.

Mr. Speaker, I urge my colleagues to vote yes on this conference report.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentlewoman from New York (Mrs. SLAUGHTER) for her leadership and yielding the time to me.

Mr. Speaker, I rise in opposition to the rule because it couples many unrelated nongermane provisions to two underlying bills that are tremendously important, the Violence Against Women Act and the antitrafficking bill. These bills will literally save lives, and they have been a top priority this year of the bipartisan women's caucus.

In this month alone, approximately 75,000 women will become victims of beatings, and in many cases their children will be attacked as well. The Violence Against Women Act has been, and must, remain a powerful tool in the fight against domestic violence, stalking and sexual assault. Domestic violence is the number one health risk for women between the ages of 15 and 44, and close to a third of all the women murdered in America are killed by their husbands or boyfriends.

This conference report authorizes more than $3 billion over the next 5 years to combat violence in our families and homes and schools through September 2000, from the first VAWA grant. My home State of New York received over $97 million in funding, but you cannot measure the value of that funding unless you look into the eyes of a child who has witnessed the violence in the home. There is no cost too great for preventing this tragedy.

The Violence Against Women Act will do many good things. It has a hot line, and in New York City alone, in 1999, over 169,000 calls were received. I am very pleased that two provisions were added to the bill from my Older American's Protection from Violence Act, H.R. 2590.

My bill specifically allows VAWA programs to help older and disabled women, and they were included in this bill, specifically a grant program to address domestic violence among older women and the disabled. It is a proud day. I compliment all who have worked to make this pass to stop the Violence Against Women Act.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, let me remind my colleagues that this conference report includes essential provisions in our fight to halt the trafficking of individuals, end family violence, deter terrorism and fight crime.

The House has already passed these initiatives separately. This conference report will allow us to send this package to the President for his signature. Mr. Speaker, I urge adoption of the straightforward rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 356, nays 28, not voting 49, as follows:

[Roll No. 517]

YEAS—356

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dickey
Dingell
Dixon
Doggett
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Ford
Fossella
Fowler
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inslee
Istook
Jackson (IL)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—28

Clayton
Conyers
DeGette
Dooley
Doolittle
Gordon
Hulshof
Jackson-Lee (TX)
Jones (OH)
LaTourette
Lee
Lofgren
Maloney (NY)
Minge
Murtha
Nethercutt
Oberstar
Ose
Payne
Pelosi
Pombo
Sanders
Sanford
Scott
Thompson (CA)
Watt (NC)
Woolsey
Wu

NOT VOTING—49

Ackerman
Baker
Ballenger
Barton
Berman
Blumenauer
Callahan
Campbell
Carson
Clay
Diaz-Balart
Dicks
Eshoo
Forbes
Franks (NJ)
Goss
Hansen
Hefley
Hutchinson
Isakson
Jenkins
King (NY)
Klink
Kolbe
Lazio
Lewis (GA)
McCollum
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Miller (FL)
Paul
Peterson (PA)
Pickett
Rangel
Reyes
Shuster
Smith (TX)
Spence
Stark
Strickland
Talent
Thompson (MS)
Vento
Waters
Waxman
Weldon (PA)
Wise

□ 1302

Ms. DEGETTE, Mrs. CLAYTON, Ms. LEE, Mr. WU and Ms. PELOSI changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. GILMAN. Mr. Speaker, pursuant to House Resolution 613, I call up the conference report on the bill (H.R. 3244) to combat trafficking of persons, especially into the sex trade, slavery, and

slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 613, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of October 5, 2000 at page H8855.)

The SPEAKER pro tempore. The gentleman from New York (Mr. GILMAN) and the gentleman from Connecticut (Mr. GEJDENSON) each will control 30 minute.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 3244.

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

There was no objection.

Mr. CONYERS. Mr. Speaker, I ask unanimous consent, after consulting with the gentleman from Connecticut (Mr. GEJDENSON), the ranking member of the other committee, that we cut our time in half, all of us, because I have been besieged by Members who have commitments and plane tickets; and that is the only reason that I would do that.

Mr. Speaker, I ask unanimous consent that the time allotted to all of the committees be cut in half.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan (Mr. CONYERS) that the time be limited to 15 minutes for the gentleman from New York (Mr. GILMAN) and 15 minutes for the gentleman from Connecticut (Mr. GEJDENSON)?

There was no objection.

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

Mr. Speaker, I am pleased to rise in support of the conference report on H.R. 3244, the Trafficking Victims Protection Act of 2000.

I was proud to cosponsor this measure. I am pleased that we have been able to steer this important measure all the way through the process and on towards the President's desk.

I especially want to commend two Members of our committee's leadership who have made this legislation possible. I commend the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights, who is the lead sponsor of this measure and a tireless proponent. He was joined in refining the legislation, pushing it through the process by the gentleman from Connecticut (Mr. GEJDENSON), the distinguished ranking Democratic member of our committee.

As noted in the legislation, millions of people, primarily women and children, are trafficked every year across international borders for sexual and other exploitive purposes. Approximately 50,000 women and children are trafficked into the United States for such purposes every year.

The conference report on this measure contains a number of provisions designed to make certain that our government uses its influence around the world to stop this trafficking of human beings. In addition, it enhances some protections on the U.S. law for victims of trafficking in our country.

Although the administration initially opposed the legislation, I am pleased they have now considered their position and ultimately came to recognize the necessity for this measure.

The conferees on the measure were pleased to incorporate a number of other pending measures into the conference report.

Most of these additions have greatly strengthened the conference report. Three of these additions are bills that I strongly support, and I am pleased to be able to help send them to the President's desk.

The Violence Against Women's Act, Aimee's Law, and the Justice for Victims of Terrorism Act are all included in this conference report, and all are important measures that are overwhelmingly supported by the House.

Mr. Speaker, I am pleased to rise in support of the conference report on H.R. 3244, the "Trafficking Victims Protection Act of 2000."

I was proud to cosponsor H.R. 3244, and am pleased that we have been able to steer this important measure all the way through the legislative process and on toward the President's desk.

I especially want to commend two members of our Committee whose leadership has made this legislation possible. The distinguished chairman of our Subcommittee on International Operations and Human Rights, the gentleman from New Jersey, Mr. SMITH was the lead sponsor of this measure and a tireless proponent of it. He was joined in refining the legislation and pushing it through the legislative process by the distinguished Ranking Democratic Member of our Committee, the gentleman from Connecticut, Mr. GEJDENSON.

As noted in the legislation, millions of people, primarily women and children, are trafficked every year across international borders for sexual or other exploitative purposes. Approximately 50,000 women and children are trafficked into the United States for such purposes every year.

The conference report on H.R. 3244 contains a number of provisions designed to ensure that the United States Government uses its influence around the world to stop this trafficking in human beings. In addition, it enhances the protections under U.S. law for victims of trafficking in the United States.

The legislation establishes minimum standards that should be achieved in countries with significant trafficking problems in order for them to begin eliminating trafficking. The bill authorizes U.S. foreign assistance to help countries meet these minimum standards, and provides for sanctions against countries that fail to meet the standards. In the typical case this threat should provide a powerful incentive to countries with trafficking problems to meet the minimum standards.

Within the United States, the legislation permits certain victims of trafficking to remain in the country so that, among other things, they can assist in the prosecution of traffickers. Victims of severe forms of trafficking are also made eligible for special programs set up for crime victims. The legislation also strengthens the criminal penalties for trafficking under U.S. law in a number of critical respects.

Taken together, this is a solidly-crafted piece of legislation that addresses an urgent moral and humanitarian problem. Although the Administration initially opposed the legislation, I am pleased that they reconsidered their position and ultimately came to recognize the necessity for this measure.

The conferees on H.R. 3244 were pleased to incorporate a number of other pending measures into the conference report.

Most of these additions have greatly strengthened the conference report.

Three of these additions are bills that I have strongly supported and that I am pleased to be able to help send to the President's desk.

The Violence Against Women Act, Aimee's Law, and the Justice for Victims of Terrorism Act are all included in this conference report, and all are important measures that are overwhelmingly supported in the House of Representatives.

For all these reasons, Mr. Speaker, I urge my colleagues to vote for this conference report.

Mr. Speaker, I reserve the balance of my time; and pending that, I ask unanimous consent that the balance of my time be controlled by the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of our Subcommittee on International Operations and Human Rights, the principle sponsor of the bill.

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

There was no objection.

Mr. GEJDENSON. Mr. Speaker, I yield half of my time to the gentleman from Michigan (Mr. CONYERS), 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 gentleman from Connecticut?

There was no objection.

Mr. CONYERS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise with some reluctance to support the conference report because I wanted a clean bill concerning the Trafficking Victims and Violence Against Women's Act, both of which passed the House with strong bipartisan support.

So the bill continues funding for important Violence Against Women Act programs such as enforcement and prosecution grants to combat violence against women, the National Domestic Violence Hotline, battered women's shelters and services. But it also takes important preliminary steps to address dating violence.

Now, we would not be here without the organizations that work with us in the Congress, and I just wanted to get into the RECORD: NOW Legal Defense and Education Fund, the National Coalition Against Domestic Violence, the National Task Force to End Domestic Violence, and the Feminists Majority.

Now, the legislation, I must say, does not go far enough on VAWA, and we are going to continue this struggle. It leaves out many critical programs that were in the House-passed bill. For example, we have not allowed the provisions to more adequately fund rape prevention and education programs, civil legal assistance and STOP grants. There is less money allocated to victims services.

The conference falls short. But the bill does the special-interest bidding for alcohol wholesalers and effectively allows the shutdown of e-commerce by wineries. What, I ask, does this have to do with the victims of sex trafficking? Answer: nothing.

Mr. Speaker, I rise with some reluctance to support the Conference Report. I had hoped that we would be voting on a clean bill concerning the Trafficking Victims and Violence Against Women Act, both of which passed the Houses with strong bipartisan support. Unfortunately, something dire happened on the way to the altar.

Whenever the Republican majority wants to pass legislation to protect women, they will only do it half way. On the one hand, the bill before us continues funding for important VAWA programs such as law enforcement and prosecution grants to combat violence against women, the National Domestic Violence Hotline, battered women's shelters and services. The bill also takes important preliminary steps to address dating violence. For these positive things, I would like to particularly note the hard work of Leslie Orloff, Janice Kaguyutan, Pat Reuss and Jackie Payne of the NOW Legal Defense and Education Fund, Julie Fulcher of the National Coalition Against Domestic Violence and all the people at the National Task Force to End Domestic Violence.

On the other hand, I must report that the legislation does not go far enough on VAWA, leaving out many of the critical programs in the House passed bill. For example, the Majority refused to include the more generous House VAWA provisions to more adequately fund rape prevention and education programs, civil legal assistance and STOP grants. I am also disturbed that less money is allocated to victims' services, the scope of civil legal assistance to be offered is narrowed and the types of organizations that qualify to provide assistance is limited.

The conference report also falls short with regard to the victims of sex trafficking. The bill still contains a 5,000 cap on the number of victims eligible to receive a "T" visa, despite the House's motion to instruct the conferees to remove the cap. Moreover, parents of victims are not eligible for derivative immigration status despite clear evidence that the traffickers will threaten to injure or kill the parents living abroad to prevent the victim from assisting in a criminal prosecution.

If this weren't enough, this bill does the special interest bidding for the alcohol wholesalers, effectively allowing the shut down of e-commerce by wineries. What, I ask, does this special interest legislation have to do with victims of sex trafficking. Nothing. It's just a vehicle to do a special favor for that special interest.

And the bill incorporates Aimee's law which the National Governors' Association and National Conference of State Legislatures both conclude "is onerous, impractical, and unworkable." Chalk it up for another bill that aborts the legislative process. The Judiciary Committee has had plenty of time to make such a proposal workable for governors, but the Committee has failed again to do so.

Finally, I must note that this process is an example of how legislation should not be conducted. On almost every provision, House Democrats were given take it or leave proposals from the Republicans, and there was virtually no deliberation by the members. That's a pretty bad show.

So, I will vote yes today, but I would hope we could do a better job of protecting battered women and victims of sex trafficking in the future.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the full Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, I rise in very strong support of this conference report. As this body is aware, it includes a number of important bipartisan pieces of legislation that together advance the cause of justice for crime victims and truly offer the prospect of improving public safety.

Among the many items of legislation that are in this conference report, the Violence Against Women Act, which is the product of so many hours of work by the gentlewoman from Maryland (Mrs. MORELLA), is included; and I am very proud that it is, along with several other bills, the Rothman bill.

I rise in strong support of this conference report on H.R. 3244. As this body is aware, it includes a number of important, bi-partisan pieces of legislation that, together, advance the cause of justice for crime victims and truly offer the prospect of improving public safety.

The underlying bill, the "Trafficking Victims Protection Act of 2000," addresses one of the enduring and pernicious forms of slavery that still blights our time. While Lincoln may have freed the slaves in America, there are those today who engage in other forms of slavery on persons of many colors. Throughout the world there are criminals who smuggle persons into this country, principally women and children, in order to force them into sexual slavery, or to work in sweatshops for years in order to pay off the exorbitant fees charged by their traffickers for their illegal entry.

This conference report will prevent and punish sex trafficking and other forms of trafficking in human beings. As such, it is another step forward in the full and complete enforcement of the anti-slavery amendments to our Constitution. Twelve years ago, the Supreme Court held that our existing anti-slavery statutes only prohibited the use of force or the abuse of the legal process to force a person into involuntary servitude. But the sad fact is that those who traffic in human beings today also use deceptive schemes and other lies, together with threats of force to family members in a home country, to coerce the victim into labor. This bill will now punish that criminal conduct. And it will fill another gap in the law by punishing, for the first time, those who traffic in human beings in order to provide the supply of labor to those who will enslave them once they arrive on our shores. The legislation will also substantially increase the penalties for the existing involuntary servitude laws already on the books.

Mr. Speaker, it is time to do all of these things to put an end to all forms of slavery that continue to exist in our country and our world.

Importantly, the conference report also includes the "Violence Against Women Act of 2000," which this body passed last Tuesday by a vote of 315 to 3. The "Violence Against Women Act of 2000," strengthens the ability of local communities to respond effectively to the national problem of violence against women, in all of its tragic forms, including domestic battery, stalking, rape and murder. This legislation continues and builds on our national commitment to support comprehensive, community-based efforts to keep these crime victims safe and hold offenders accountable.

The VAWA legislation reauthorizes funding for state and local law enforcement agencies as well as for education, prevention, and outreach programs. This legislation ensures that VAWA programs will continue to aid the prosecution of domestic violence, sexual assault and child abuse cases across the country and increases victim services like domestic violence shelters for women. Additional initiatives have been authorized aimed at preventing domestic violence and sexual assault against older and disabled individuals, meeting the civil legal assistance and transitional housing needs of victims, and establishing a task force to minimize overlapping federal efforts to address domestic violence. In short, the legislation is a balanced and comprehensive effort to enhance the ability of states and localities to prevent and combat violence against women.

I again want to salute the gentlewoman from Maryland, Mrs. MORELLA, for her leadership on this issue and her tireless efforts to ensure that this legislation becomes law.

This conference report also includes a compromise version of the "Justice for Victims of Terrorism Act," which is supported by the Administration. This legislation ensures that American victims of international terrorism will be able to receive their judgements from any blocked assets held in the United States. At the same time, the legislation provides the President waiver authority to protect national security. As a result of this legislation, the Secretary of the Treasury will finally satisfy

claims brought under the Anti-terrorism Act of 1996 of victims who hold final judgements.

This bill also includes a provision known as Aimee's law, which will hold states responsible when they release a convicted felon from their prisons who then travels to another state and commits a crime. Under this provision, first introduced by the gentleman from Arizona, Mr. SALMON, a state that releases a felon from its prisons who then commits a crime in another state will be required to reimburse that state for the costs it incurs in prosecuting and incarcerating that criminal. This provision has twice before passed this House, mostly recently this past July, when it passed by voice vote.

The conference report also includes the ''Secure Our Schools Act,'' which authorizes $30 million a year for the next three years for States and local governments to improve school security. Funds can be used for measures that deter crime, such as metal detectors and lighting, or other programs that offer the prospect of significantly improving public safety.

Finally, the conference report includes the ''Twenty-First Amendment Enforcement Act,'' aimed at cracking down on the problem of illegal intestate shipments of alcohol. It does so by permitting States Attorneys General to enter federal district court to enjoin any shipping or transporting of alcohol into their state in violation of state law. In short, this balanced provision empowers states to ensure compliance with their own laws regulating the sale and consumption of alcohol.

The text of S. 577, the ''21st Amendment Enforcement Act.'' S. 577 is the counterpart to H.R. 2031, which was approved by the House Judiciary Committee on July 20, 1999, and passed by the House on August 3, 1999. This legislation would grant federal court jurisdiction to actions for injunctive relief brought by state attorneys' general seeking to enforce their state liquor importation and transportation laws.

Importantly, the bill reflects the respectful comity that exists between the federal government and the states. In this bill, Congress is granting to the states the privilege of using the forum of the federal courts for limited jurisdictional purposes—so, the legislation is procedural in nature. Congress is acting under its powers to establish the lower federal courts and to define their jurisdiction. Congress is not pre-judging or endorsing the validity of the various state liquor statutes.

The sole remedy available under the bill is injunctive relief—no damages, no civil fines or criminal penalties can be imposed by the federal courts under S. 577. When the Senate Judiciary Committee considered this measure in May, it adopted a substitute offered by chairman HATCH which included a number of the due process protections which were added to the bill when it was considered in the House Judiciary Committee. So, for example, the bill requires prior notice to the adverse party or parties, applies traditional proof requirements for preliminary injunctions and requires that a hearing be held before the issuance of any preliminary or permanent injunction occurs. A State must prove by a preponderance of the evidence that a violation of State law has taken place or is taking place.

Additionally, Chairman HATCH's substitute includes language in subsection 2(e), entitled ''Rules of construction,'' that states that the legislation ''shall be construed only to extend the jurisdiction of the Federal courts in connection with State law that is a valid exercise power vested in the States'' under the 21st amendment, as interpreted by the Supreme Court, including interpretations ''in conjunction with other provisions of the Constitution.'' Federal jurisdiction is also limited to state law that is a valid exercise of state power under the first section of the Webb-Kenyon Act, as that section is interpreted by the U.S. Supreme Court. Further, S. 577 is not to be construed as granting the states any additional power.

This rules of construction language is an implicit recognition of the Supreme Court decisions made over the last 35 years holding that the 21st Amendment cannot be read in isolation from other provisions contained in the U.S. Constitution. *Hostetter* v. *Idlewild Bon Voyage Liquor Corporation,* 377 U.S. 324 (1964) (commerce clause); *Capital Cities Cable, Inc.* v. *Crisp,* 467 U.S. 691, 712 (1984) (supremacy clause); *Larkin* v. *Grendel's Den, Inc.,* 459 U.S. 116, 122 (1982) (establishment clause); *Department of Revenue* v. *James Beam Co.,* 377 U.S. 341 (1964) (export-import clause); *Craig* v. *Boren,* 429 U.S. 190, 209 (1976) (equal protection); *Bacchus Imports, Ltd.* v. *Dias,* 468 U.S. 263, 275 (1984) (commerce clause); *44 Liquormart, Inc.* v. *Rhode Island,* 517 U.S. 484, 516 (1996) (First Amendment). Again, in enacting this jurisdictional statute, Congress is not passing on the advisability or the legal validity of the various state laws regulating alcoholic beverages. Whether a particular state law on this subject is a valid exercise of state power is, and will continue to be, a matter for the courts to decide.

In my view, S. 577 takes a balanced and fair approach. The 21st Amendment Enforcement Act will assist the states in the enforcement of liquor laws that are genuinely about encouraging temperance. The courts will also continue to recognize the inherent police powers of the states to prohibit underage drinking. At the same time, this legislation preserves Congressional neutrality as to whether or not a particular state liquor law is constitutionally valid and should be enforced by the federal courts.

Opponents of this language believe that it undercuts the basis of the legislation. The legislation itself is titled as an Act, ''divesting intoxicating liquors of their interstate character in certain cases.'' Thus, it is the purpose of the Act to, under certain circumstances, ''burden'' interstate commerce. To them declare in the same Act that it does not ''impose an unconstitutional burden'' on that commerce is, according to the opponents arguments, a signal of Congressional intent to nullify the actual purpose of the Act and to invite litigation challenging all State enforcement.

Mr. Speaker, this is an important conference report, offering the prospect of real solutions to real problems. I urge its passage.

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

Mr. Speaker, I would just like to commend the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. GILMAN), all my partners on the other side. I thank all the staff tactically on my side, Mr. Yeo and Mr. Abramowitz and Alethea Gordon.

Mr. Speaker, I rise in support of the Conference Report on H.R. 3244, the Victims of Trafficking and Violence Protection Act of 2000, and yield myself as much time as I may consume. Mr. Speaker, the conference agreement on H.R. 3244 represents landmark legislation that not only seeks to put a stop to the heinous practices of modern-day slavery, but also addresses the millions of American women who face violence in their lives each year. At so many junctures over the past months, the bill appeared headed towards the very full dustbin on the 106th Congress, but with tremendous bipartisan work both in this House and in the other body, I am happy to report that we are reporting a good bill to the House of Representatives. I want to congratulate Representative CHRIS SMITH and his staff for their arduous work on this legislation. This is the way legislation on foreign policy should work, where members from both sides of the aisle and in both chambers working together to address in a real, concrete manner, human rights abuses that effect the United States, nations around the world, and millions of people, particularly vulnerable women and children.

The original bill was intended to stop the trafficking in persons throughout the world. The U.S. Government has reported that up to 50,000 people, mostly women and children, are trafficked into the United States alone. It is simply intolerable that as we begin the 21st century, human beings are being trafficked into modern day slavery, including thousands of women and children trafficked into the United States each year. According to human rights organizations, in a typical case, a woman is recruited with promises of a good job in another country or province, and lacking better options at home, she agrees to migrate. There are also cases in which women are lured with false marriage offers or vacation invitations, in which children are bartered by their parents for a cash advance and/or promises of future earnings, or in which victims are abducted outright. Next an agent makes arrangements for the woman's travel and job placement, obtaining the necessary travel documentation, contacting employers or job brokers, and hiring an escort to accompany the woman on her trip. Once the arrangements have been made, the woman is escorted to her destination and delivered to an employer or to another intermediary who brokers conditions of her employment. Many women learn they have been deceived about the nature of the work they will do, most have been lied to about the financial arrangements and conditions of their employment, and all find themselves in coercive and abusive situations from which escape is both difficult and dangerous.

In New York, hearing impaired men and women were recruited from Mexico and brutalized into selling trinkets on the street.

In the Carolinas, teenage girls were held in slavery and forced to work as prostitutes.

In Chicago, traffickers met Russian and Latvian women at the airport, seized their passports and return tickets, beat them and threatened to kill their families if they refused to dance nude in a nightclub.

In Florida, traffickers used alcohol and drugs to lure field workers to isolated locations and hold them under cruel conditions of debt bondage.

In New Jersey, a Bangladeshi woman was forced to work 18 to 20 hours a day, seven days a week, and after receiving no pay for 3 months, was forced to leave upon asking for her backpay and given only for her entire work $370, amounting to about 25 cents an hour. She was also forced to shovel snow in the sandals she arrived in, and when she got sick, they refused to take her to a doctor. They told her not to go out on her own, that the police were surely waiting to arrest her.

In California, a Thai boy who had contracted AIDS through his prostitute mother was used as a decoy to try to traffick a woman into the United States, trying to make immigration officials believe that the two adults accompanying him were his parents.

Right here in Washington, D.C., we heard cases of a woman who was paid virtually nothing and then sexually abused and refused any medical treatment.

One of the most shocking aspects of this problem is that our laws often punish the victims, not the international criminal syndicates perpetrating these abuses. We need to reverse this situation. A short time ago, no one was discussing the trafficking issue. Now, the Clinton Administration is negotiating an international protocol to end trafficking in human beings, and the Congress is doing its part by passing comprehensive legislation.

A broad coalition from across the political and ideological spectrum helped move this issue to the top of the national agenda. They were determined to have the United States serve as an example for the rest of the world in stopping trafficking everywhere. By our action, we can encourage other countries to do more, and several countries have already indicated that they are looking at U.S. legislation as a model for their own response.

The legislation reported out of the conference in some ways combines many of the best features of the bills passed by the House and the other chamber, where the effort was led by Senators BROWNBACK and WELLSTONE. It provides for prevention of trafficking here and abroad, protection of victims in the United States by providing a new visa category for them, among other things, and punishes traffickers by creating new crimes of forced labor, and labor and sex trafficking.

The bill also includes additional legislation that the conferees felt must be moved quickly. In particular, the legislation now includes the Violence Against Women Act of 2000. The original Violence Against Women Act expired last Thursday, leaving millions of American women without protection from the violence that they suffer in their lives. This Act reauthorizes through Fiscal Year 2005 the key programs included in the original Violence Against Women Act, such as the STOP, Pro-Arrest, Rural Domestic Violence and Child Abuse Enforcement, and campus grants; battered women's shelters; the National Domestic Violence Hotline; rape prevention and education grant programs; and three victims of child abuse programs, including the court-appointed special advocate program (CASA). It also makes some improvements responding to the experience with the original act, including authorizing grants for legal assistance for victims of domestic violence, stalking, and sexual assault and strengthening and refining the protections for battered immigrant women, including a new visa for battered immigrant women. It is fitting that this bill address the severe problems of both trafficking and of violence against women in the United States.

The bill also includes terrorism assistance provisions for using frozen foreign government assets to pay for U.S. victims of terrorism who have judgments against such governments and other assistance for victims of terrorism. This provision addresses the need for compensation for victims of terrorism such as the family of Alissa Flatow, who was killed in a bombing in Jerusalem, the victims of the Cuban shootdown of the plane of the "Brothers of the Rescue" humanitarian organization, Terry Anderson, Joseph Ciccipio and other victims.

Finally, and in my view regrettably, the bill contains a number of extraneous provisions that are somewhat controversial, including a provision dealing with the sale of alcohol through the internet and across state lines. However, these provisions needed to be included for the bill to be reported out of the Conference.

I want to thank the staff of several committees and Members who worked endlessly on this legislation: my counsel, David Abramowitz, Peter Yeo, and Alethea Gordon from my staff; Joseph Rees, Scott Deutchman, Iden Martyn, Glenn Schmitt and Lora Ries, of the House, and Charlotte Oldhan-Moore, Jill Hickson, Karen Knutsen, Sharon Payt, Brian McKeon, and Mark Lagon of the Senate.

Overall, I do believe this bill addresses important and real needs of women and children here and abroad. I urge the Committee to provide this bill with the normal rule relating to conference reports, waiving points of order against it.

I urge my colleagues to support the conference report on H.R. 4344, and I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey (Mr. ROTHMAN) be permitted to control the balance of my time.

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

There was no objection.

Mr. ROTHMAN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise today in strong support of H.R. 3244, the Trafficking Victims Protection Act.

An estimated 1 million to 2 million people are trafficked every year worldwide; 50,000 to the United States. Trafficking is the third largest source of profits for organized crime behind only drugs and guns, generating billions of dollars annually.

This bill contains provisions to strengthen current law to prevent unlawful buying and selling of persons, human beings.

This measure also includes the Violence Against Women Act which has provided and will now continue to provide battered women and their children a safe haven and much-needed support for their physical and their emotional well-being.

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Women and children are depending on passage of this important provision within this bill to help stop violent crimes that are too often committed against them. H.R. 3244 addresses the devastating problems of international sex trafficking, sexual predators, violence against women and much more. Violence and abuse against women and children will not be tolerated. I urge passage of this very important bill.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 4 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I rise to celebrate the inclusion of the Violence Against Women Act in the Trafficking Victims Protection Act. I want to thank the gentleman from New Jersey (Mr. SMITH) for supporting this effort to do so.

I remember a Latin phrase meaning after the struggle comes the reward. This has been quite a struggle. This is the reward for the American people.

These two bills form a natural alliance by protecting women around the globe from being abused, raped, bought, sold or forced against their will. We can all celebrate the message being sent to women everywhere when we pass this legislation that women's minds and bodies are their own. By passing this conference report, we empower millions of women around the world to escape from pain and fear.

This version of the Violence Against Women Act combines the strongest programs of both the House and Senate bills. We will never have a bill that meets every need of every victim and child, but this bill is the strongest commitment that Congress has ever made to fighting domestic violence and sexual assault.

I am proud of the bill. I am proud of the dozens of Members and staff who worked tirelessly to maintain the programs and the funding to meet the horrifying need of millions of victims to be safe from both immediate and long-term danger.

In this bill we finally recognize the highest risk group for intimate partner violence, ages 16 to 24 years old. The House Committee on the Judiciary worked with me to include victims of dating violence in three desperately needed categories: Services and Training for Officers and Prosecutors, or STOP grants; grants to encourage arrest policies; and rural State grants.

With the inclusion of dating violence in the Violence Against Women Act, I hope we can begin to recognize that young women are falling prey to violent relationships in their earliest dating experiences. If we can send them

the message that anger and violence is not a sign of love, we may prevent thousands of future battered women and children from living in fear.

By passing this bill, we reauthorize the existing Violence Against Women Act programs for another 5 years. When it was originally passed in 1994, and some of us remember it because we were very much involved with it, Congress authorized $1.5 billion. Today, we have more than double the available grants to States. We have the STOP grants, we have grants to reduce violent crimes against women on campus, we have grants essential to protecting victims, the shelters for battered women and children, the National Domestic Violence Hot Line, which as we know receives 13,000 calls per month, in fact more than that, and a number of other provisions. We have increased grants being made available for rape prevention and education programs, which will continue to empower women with ways to protect themselves from sexual assault.

I just want this body to know that they can be very proud of passing this conference report. It will make a difference. It does not settle everything but it will make a big difference.

I also want to commend the staff people, the Committee on the Judiciary, with the chairman, the gentleman from Illinois (Mr. HYDE); the other Members, the ranking member; and all the other Members who have worked very hard on it. I want to thank our staffs, especially my staff, Kate Dickens who worked indefatigably on this.

And, lastly, Mr. Speaker, I will be submitting for the RECORD the names of the many organizations and personages who worked so hard and who deserve the credit for this bill. The credit and the beneficiaries will be the American people.

Judiciary Committee staff, Carl Thorsen and Dan Bryant for their long hours and dedication to understanding the issue, also Cori Flam for her commitment to helping victims. To leadership of their support and especially Paul McNulty for his mediation skills.

Juley Fulcher, Public Policy Director and the staff of the National Coalition Against Domestic Violence also Robin Runge and good luck to Marlo Cohen, who is thrilled somewhere in a law library.

Kiersten Stewart, Director of Public Policy and the staff of the Family Violence Prevention Fund.

Lynn Rosenthal, Executive Director and the staff of the National Network to End Domestic Violence.

Leslye Orloff, Director, Immigrant Women's Program, NOW Legal Defense and Education Fund.

Pat Reuss, Vice-President of Government Relations and Jackie Payne at NOW Legal Defense and Education Fund.

Diane Moyer, Director of Public Policy and the staff at Pennsylvania Coalition Against Rape.

Debbie Andrews, Executive Director and staff of RAINN.

Jody Rabhan, Associate Director and the staff at the National Council of Jewish Women.

The National Organization of Women.

National Task Force to End Domestic Violence and Sexual Assault and to the thousands of advocates, health care professionals, law enforcement and judicial personnel, prosecutors for caring so much about individuals in need.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I rise in strong support of this legislation, the Violence Against Women Act, and the Sex Trafficking Victims Protection Act, H.R. 3244. These provisions are vital to ensure women can exercise their rights and to protect women from violence, abuse, sexual assault, and sexual predators. Women should feel safe in their homes, safe walking in the street, and safe at night. The reauthorization of VAWA brings us closer to these goals and will improve the health and quality of life of hundreds of thousands of women and children and families. The underlying bill will reduce illegal and inhumane trafficking in women and children around the world and serve to protect and uphold their human rights.

While I applaud the progress we have made, I am disappointed that the Congressional leadership did not bring these related, but separate provisions, up independently and I am concerned that leadership took so long to debate, vote, and approve these important protections. VAWA was introduced at the beginning of this Congress—more than 18 months ago. This reauthorizing bill should not have been delayed this late and VAWA's authorization should not have expired. In the future, I hope other issues of significance of women are treated in a more timely and measured manner.

This bill reauthorizes the programs under the original Violence Against Women Act continuing provisions to fund battered women's shelters, rape crisis centers and a hotline for domestic violence. It builds on that bill and strengthens law enforcement to reduce violence; education and training to combat violence; and services to the victims of violence. It also helps limit the traumatic effects violence has on children who too frequently suffer as silent victims.

We must work to support America's young women, our future leaders, and this bill reaches out to them through efforts to prevent campus sex crimes and efforts to prevent teen suicide. In light of the recent attention to many immigration issues, I am pleased this bill addresses the needs of battered immigrant women and takes protective steps to address their plight.

The Sex Trafficking Victims Protection Act will help end trafficking—a terrible modern version of slavery—that rapes, starves, physically brutalizes its victims, ultimately victimizing all women. Since many victims residing in the U.S. lack U.S. citizenship or appropriate documentation, existing U.S. laws are inadequate to protect these victims. This bill seeks to end trafficking and ensure traffickers are held accountable for their crimes.

I urge my colleagues to vote yes on this legislation.

Mr. CONYERS. Mr. Speaker, I yield 45 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE), as I will the other seven Members that are waiting to come up under Judiciary time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

Let me pay tribute to a lady who will benefit from this legislation, Calla, a Guatemalan woman who lived with her fiance, a legal permanent resident, for 5 years; and when she asked about getting married so she could apply for her own legal residency, he beats her and accuses her of only wanting to be with him so she can get her immigration status recognized.

This bill is long overdue. The battered immigrant women provisions are necessary. Though I would have wanted to see access to food stamps, access to housing, access to other benefits, we must move this bill forward, and we must move the programs that provide sexual assault prevention programs and education and training of judges. That is a key element for providing relief to those abused individuals.

I would like to thank the Committee on International Relations for protecting the victims of terrorism and those subjected to slavery. This is a good conference report and I ask for my colleagues to vote for it.

Mr. Speaker, first, I would like to thank the leaders like Congressman JOHN CONYERS who has been a leader on VAWA issues for years, Congressman SAM GEJDENSON, the Ranking Member of the International Relations Committee for his leadership in being instrumental in reaching a compromise on this bill, Congressman TOM LANTOS, who is a champion on Human Rights around the globe, and his true counterpart on the other side, Congressman CHRIS SMITH, who also has been a champion of Human Rights, and Congressman LAMAR SMITH the Chairman of the Subcommittee on Immigration and Claims, who I have been able to work very well with throughout the 106th Congress.

I come to the floor today in my capacity as Ranking Member of the Subcommittee on Immigration and Claims. Inside this report is the agreement authorizing VAWA, and some very important provisions that deal with Battered Immigrant Women. I joined with Congresswoman JAN SCHAKOWSKY and Congresswoman CONNIE MORELLA to sponsor H.R. 3083, The Battered Immigrant Women Protection Act of 1999, would provide much needed access to battered immigrant victims of domestic violence. Fortunately, many of the provisions of this bill were included in this conference report.

The 1994 VAWA requires the victim to be married to a citizen or permanent resident and prove battery or extreme cruelty by the abuser. There is a provision in this report that eliminates the requirement that an immigrant victim has to prove extreme hardship. The spirit and intent of the 1994 law was to allow immigrants to safely escape the violence and

bring their abusers to justice, now this can be done with the adoption of this report.

This Conference Report has language that would provide VAWA relief to abused children who subsequently turn 21 as long as they can demonstrate that one or more incidents of battery or extreme cruelty occurred before they turned 21.

This conference report gives battered immigrants living abroad new access to VAWA immigration relief. Abused children of spouses married to members of the U.S. Armed Forces and U.S. government employees living abroad are trapped overseas unable to escape and seek assistance. Filing a family-based visa petition at an American consulate is permissible, while filing VAWA self-petitions are not. This Conference Report makes it possible for battered immigrant women to file their own petitions. This is a major change.

This Conference Report now allows battered immigrants to file VAWA self-petitions if it is filed within two years of divorce. Divorced battered immigrants do not have access to VAWA immigrant relief. There are many "savvy" abusers who know that if they divorce their abused spouse they will cut off their victim's access to VAWA relief. Provisions in this report change that.

I am very disappointed that some missing provisions that were in the House bill, H.R. 3083 are not in the Conference Report. They are provisions that: exempted fiances from conditional residency requirements, a provision that extended VAWA to sons and daughters of legal permanent residents who are 21 and would allow them to include children in the self-petition; a provision that would have given battered immigrants the option of having children follow to join them rather than placing them in deportation proceedings; and deeply regret that there are no provisions in the report that provide access to food stamps to battered aliens; and access to housing, and access to benefits that would enable the alien to avoid battery or extreme cruelty in the future.

We need this language because far too often, the pleas for help by these immigrant victims are not heard because of language or cultural barriers. Moreover, many victims remain silent because the threat of deportation looms over them and their children. As a result, immigrant women are caught in an intersection of immigration, family, and welfare laws that do not reflect their needs and life experiences, leaving them vulnerable to exploitation with few options for redress. There are real human illustrations as to why we need this bill.

Carla, a Guatemalan woman, has lived with her boyfriend, a legal permanent resident for five years. When she asks him about getting married so she can apply for her own legal residency, he beats her and accuses her of only wanting to be with him so she can get her immigration status recognized.

Such compelling real-life stories illustrate the unique array of legal, economic, and social problems battered immigrant women face today. Most importantly, when these women are facing desperate times and struggles, they have children who are directly impacted. Often times when the mothers are in shelters or deported, the children become the custody of local child welfare agencies.

A battered woman, who is not a legal resident, or whose immigration status depends completely on her partner, is often isolated by unique cultural dynamics which may prevent her from leaving her husband or seeking assistance from the American legal system. With the adoption of this report, a woman in this position is now provided relief. The language in this report will improve the lives of battered immigrants and send them on a path to rebuilding their lives and the lives of their children. I urge the adoption of this report.

While the sweeping provisions of Battered Immigrant Women are included in this report, there is also the reauthorization of the Violence Against Women Act for five years. The money for these programs will combat violence against women, including battered women's shelters and services, sexual assault prevention programs and education and training judges. While I favored the Conyers version in committee, it does seem that compromise was reached to include some much needed provisions from his bill.

The Conference Agreement also includes provisions to allow victims of terrorism or their families in the United States to recover judgments against countries listed by the State Department as sponsors of terrorism. Under the agreement, the president would have the authority to differentiate, on an asset-by asset basis, the premises of foreign diplomatic missions, but not commercial property or rental proceeds from diplomatic property eligible to be protected. This is a reasonable compromise because I remember that the Administration had some concerns and they have been taken care of.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of this conference report, and I especially want to thank the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from Maryland (Mrs. MORELLA) for their valiant leadership. This is long overdue, and all the battered women and children in this world need this.

Mr. Speaker, I would like to thank my colleague from New Jersey, Mr. SMITH, for his leadership in bringing these various important items to the floor. I strongly support the Trafficking Victims Protection Act, the Justice for Victims of Terrorism Act, Aimee's Law and 21st Century Amendment Enforcement Act. These provisions are extremely important to women and children in our nation and in the international community.

What I would particularly like to focus my time on today is the reauthorization of the Violence Against Women Act of 1994. I commend Mrs. MORELLA for her diligent leadership to ensure that this important legislation is reauthorized before the end of the session.

H.R. 1248 authorizes $3 billion dollars over the next four years to fund various programs that support state and local efforts to shelter battered women, train local police and court officials how to handle domestic abuse cases, and provide a hotline and counseling services to battered women.

In my district, the fifth district of New Jersey, there are numerous state and local efforts to address the problem of domestic violence. I want to tell you about four of these programs today. In Hackensack, New Jersey, we have the "Shelter our Sisters" domestic abuse program. This program provides shelter and clothing for battered women of Bergen County and their children. In Passaic County, we have the "Strengthen our Sisters" program which is located in Wanaque, NJ. I visited this shelter last spring. Not only do they provide shelter and clothing. As part of the services provided, the program includes a beauty parlor that is run by battered women from the shelter. This provides the ability for the women to have their hair and nails done before looking for a job. In Sussex County, Domestic Abuse Services, Inc. (DASI) is an organization that has been active for over 16 years. DASI offers a variety of services, including individual and group counseling, a 24-hour hotline, an emergency shelter, a food pantry, a sexual trauma resource center, and community education about domestic violence. And to summarize, I want to identify Ginny's House in Sussex County, which has the heart and soul of angel's helping the little children of our county with physical and emotional support.

These are just a few examples of the innovative things people in my district have done to help women who are the victims of domestic abuse. I commend these programs for their work assisting women get "back on their feet" after being the unfortunate victims of abuse.

Violence against women continues to be a disturbing reality in America. Every day, four women die in this country as a result of domestic violence, and studies indicate that nearly two to four million women are battered each year. In addition, more than 132,000 women are raped yearly.

Six years ago, the Violence Against Women Act became law as part of the historic 1994 Crime Bill. VAWA reflected a comprehensive understanding of the broad range of strategies needed to change this nation's response to violence against women.

Its passage was a watershed event in the continuing struggle to end this type of unnecessary violence. Since the law was passed in 1994, the Justice Department estimates that violence against women has decreased by 21 percent.

The bottom line is: as this decrease indicates this comprehensive approach to combating domestic violence works. But our work is not done until violence against women in our nation is completely eliminated.

I know that all of us in Congress are deeply concerned about these violent crimes that are perpetrated against women. It is a serious national problem whether it takes the form of domestic battery, rape and murder, or stalking. I believe our ability to respond effectively to such violent crimes is an indicator of our commitment to securing safe neighborhoods and safe communities. I urge my colleagues to vote in support of this important legislation.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH) for yielding me this time; and I also thank the chairman, the

gentleman from Illinois (Mr. HYDE), for his important work on this bill and including the language from my bill, H.R. 2031, the 21st Amendment Enforcement Act. I would also like to thank the gentleman from Massachusetts (Mr. DELAHUNT) for cosponsoring this important bill.

It is important because it stops illegal bootlegging on the Internet and the illegal sale of alcohol. This legislation ensures that States have the resources they need to enforce their alcohol control laws from out-of-State bootleggers and illegal shippers of alcohol.

It is important to remember that there are no new substantive laws. This only allows State attorneys general the ability to seek injunctive relief in Federal Court to enforce State laws relating to direct shipment of intoxicating liquor. It does not apply to anybody unless they are breaking the law.

It is a comprehensive solution that is carefully crafted to give States access to Federal courts to enforce their laws without infringing on the use of cutting edge marketing techniques if the deliveries and the sales they generate are made illegally.

This bill is not about the Internet per se. It creates no Internet commerce policy nor does it change the States or the Federal Government's alcohol policy. If people are playing by the rules, it does not apply to them. No new laws, if people play by the rules. But if they break the rules, if they sell to children over the Internet or engage in illegal bootlegging, that can be and will be stopped now by State attorneys general thanks to the 21st Amendment Enforcement Act.

Mr. ROTHMAN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, as the ranking member of the Subcommittee on Human Resources of the Committee on Ways and Means, I am particularly pleased we were able to work out an agreement allowing victims of trafficking access to certain basic assistance programs, such as Medicaid, TANF, and food stamps. I am also pleased that, in addition to the trafficking bill, we were able to include the Violence Against Women Act. It is very important legislation, and I am pleased we were able to incorporate it in the conference report before us.

I must point out, though, that I am disappointed we were able to include the Child Support Distribution Act that passed overwhelmingly by this body and is now laboring in the other body. The gentlewoman from Connecticut (Mrs. JOHNSON) and I had urged the conference to include that particular legislation. We were unable to convince our friends in the other body, but I would hope that before we adjourn sine die that we will be able to pass that important legislation that would send over a billion dollars of increased child support to our Nation's poorest children and families.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS), who has been working very, very hard on the trafficking issue, particularly as a member of the Helsinki Commission.

Mr. PITTS. Mr. Speaker, I rise today in support of the Trafficking Victims Protection Act, a bill that my good friend, the gentleman from New Jersey (Mr. SMITH), has worked tirelessly on.

As Americans, we have always worked for justice and freedom in our borders and worldwide, and that is what this bill is all about; justice through criminal penalties and victim restitution for those who would traffic women and children, and freedom for the victims as the United States takes the lead in fighting to end this criminal business around the world.

I want to take a moment to thank Dr. Laura Lederer, Director of the Protection Project at Johns Hopkins University. Her work has been vital to those working for the victims of sexual trafficking. I hope she is able to continue her study. Let me just read her quote. ''Sexual trafficking is a huge problem that urgently needs to be addressed. To conceptualize how immense the problem is, imagine a city the size of Minneapolis or St. Louis, made up entirely of women and children. Imagine that those women and children are kidnapped, raped, and forced into prostitution. Imagine it happening every year. Then stop imagining, because it is happening now and in those numbers.''

That is why we are voting on the bill today, and I urge my colleagues to vote for it.

Mr. CONYERS. Mr. Speaker, I yield 45 seconds to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, last March I was honored to be in Southeast Asia. We heard the terrifying stories of trafficking victims and spoke with dedicated individuals who have devoted their lives to helping those women. Today, we have the opportunity to assure these women and children that they are not alone; that the international community recognizes their struggle and is committed to putting an end to this barbaric practice.

This legislation devotes critical funds to helping foreign governments fight trafficking and assist their victims, and pledges the full force of U.S. law to stopping this practice here at home. This is an important step, and I support it wholeheartedly.

I am especially delighted that this conference report contains the reauthorization of the landmark Violence Against Women Act. For those of us who have been fighting for VAWA, today is a cause for celebration.

But more importantly, this bill represents a major victory for the millions of American women who cannot advocate for themselves, women who suffer abuse in silence and in shame, women whose lives and liberty are jeopardized due to gender-based violence.

It used to be that victims of domestic violence and sexual assault were ostracized by their communities, ignored by law enforcement, and even shunned by their own families. But VAWA has played a major role in changing that. It significantly bolstered criminal penalties for sex offenses, stalking, and domestic violence. And in just six years, VAWA has provided over $1.6 billion to support prosecutors, law enforcement, courts, shelters, support services, and prevention programs to combat violence against women.

But we have so much work left to do. Experts estimate that 1.5 million women are victims of gender-based violence every year. An estimated one in three adult women experiences at least one physical assault by an intimate partner during her lifetime. And women throughout America will continue to suffer because they lack access to legal representation in obtaining orders of protection, filing divorce or custody cases, and disputing discrimination in the workplace.

I'm so proud that we are at long last sending the Violence Against Women Act to the President. I'm also delighted that legislation I authored to expand victims' access to legal services has been included in this bill. Increasing funding for legal services to $40 million annually, improving the training of attorneys, and requiring cooperation between legal service providers and victims' organizations will all help empower thousands of women to break the cycle of abuse.

Every woman—whether in our country or abroad—deserves to feel and be safe in her home, her workplace, and in her community. For our nation's women and women around the world, I urge my colleagues to pass this critical bill.

Mr. ROTHMAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Speaker, I rise in support of H.R. 3244, a bill on sex trafficking on the floor at this time.

My colleague, the gentleman from New Jersey (Mr. SMITH), has held several hearings in the Subcommittee on International Operations and Human Rights, and I commend him for that and also the gentleman from Michigan (Mr. CONYERS) for his interest.

This act will work to combat trafficking in persons, especially into the sex trade, slavery and involuntary servitude in the United States and in other countries; it also enacts tough criminal laws against buying, selling, either by force, fraud or coercion, or where the victim is a minor. It authorizes the rehabilitation and shelter programs; it authorizes law enforcement assistance to help foreign governments fight trafficking; and encourages the Secretary of State to produce an annual list of foreign countries who do not meet minimum international standards to eliminate trafficking.

This has grown tremendously. Some report it at least $7 billion per year,

second only to drug and international arms trade. The victims are young people who have no hope.

Mr. Speaker, I urge passage of H.R. 3244.

Mr. SMITH of New Jersey. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New Jersey (Mr. SMITH) has 5½ minutes remaining, the gentleman from Michigan (Mr. CONYERS) has 4 minutes remaining, and the gentleman from New Jersey (Mr. ROTHMAN) HAS 4½ MINUTES REMAINING.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. SALMON), the author of Aimee's Law.

Mr. SALMON. Mr. Speaker, at the outset, I would like to clarify my response to the colloquy I engaged in with the gentleman from Michigan (Mr. CONYERS). The version of Aimee's Law contained in H.R. 3244 would apply only to individuals convicted of murders, rape, or child molestation for a second time after the law takes effect on January 1st, 2002. I hope that clears up any misunderstanding that I might have had or given.

□ 1330

I would also like to thank the gentleman from New Jersey (Mr. SMITH) for his graciousness in including this legislation, which will make a real difference in people's lives. Because, Mr. Speaker, 14,000 rapes, murders, and molestations occur every year, and they are 100 percent preventable. Because if these monsters were not let out of prison, or if after let out of prison they had an adequate program for tracking these people through their parole program to make sure that the violence is not recommitted, lives would be spared, children's innocence would be preserved, and women's lives would not be ruined.

This will make a difference. It will make a difference.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 45 seconds to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, since I have 45 seconds, I am going to forego all the preliminaries and only stand to say, as a former prosecutor engaged in the prosecution of domestic violence cases, the Violence Against Women Act provided us the opportunity to come together and put together a program and protocol in our community to deal with violence against women.

I am very proud to stand in support of this legislation as it extends itself to deal with women who are in this country and the victim of violence.

I will again say that I hate the administrative nightmares that are aided by the Aimee's law, but it is very important that we make sure that we provide prosecutors, State court judges, police officers, and Violence Against Women workers with the money they need to do the job out on the streets.

Mr. ROTHMAN. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I want to thank my colleague, the gentleman from New Jersey (Mr. SMITH), for all his fine work in introducing this very important legislation.

Mr. Speaker, my message is very simple. Congress must give local school boards the resources they need to keep guns out of their classrooms.

Mr. Speaker, do my colleagues remember the time when guns were routinely involved in the airline hijackings? What happened? Airlines installed metal detectors. That was 30 years ago.

Here in the Capitol, after several tragic incidents involving guns, the Capitol Police installed metal detectors here.

Today, when we have elementary schoolchildren bringing guns into their schools, and this phenomenon has occurred across the country, it is now long beyond time to give local school boards the help they need to keep guns out of their schools.

Therefore, we must pass the Secure Our Schools Act, a bill which I introduced along with the gentleman from Indiana (Mr. ROEMER) and others, which is part of this conference report.

Under this bill, Federal matching grants would be provided to any school that requests help to pay for metal detectors, security cameras, or other security devices, or to train school officials in security matters, or to work with local law enforcement officials.

I am very pleased that this bill, with bipartisan support, overwhelmingly passed the House Committee on the Judiciary.

I would like to take this opportunity to thank our distinguished ranking member, the gentleman from Michigan (Mr. CONYERS), for all his assistance and to thank the gentleman from Illinois (Chairman HYDE), without whom this bill would not be on the floor today.

In particular, I would like to mention and thank the gentleman from Illinois (Mr. HYDE) for his invaluable work in reaching across the aisle to assure bipartisan support so that America's children are protected from guns entering their classrooms.

Some young constituents of mine, middle school students from Saddle Brook, New Jersey, said it best when they wrote to me and said, ''School is supposed to be a place where we feel safe.''

Let us give them and their local school boards the resources to keep guns out of their schools.

I urge my colleagues to vote for this conference report.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 45 seconds to the gentlewoman from New York (Mrs. MALONEY) and thank her for the excellent work that she has done on this bill.

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for his leadership and for yielding me the time.

Mr. Speaker, I rise in strong support for the reauthorization of the Violence Against Women Act and the International Sexual Trafficking Bill. Both of these important bills were top priorities of the bipartisan Women's Caucus. I regret that it was packaged with several other unrelated, nongermane bills.

The International Sexual Trafficking Bill is important because not only does it take steps to eliminate the sex trafficking industry by punishing the predators that exploit women around the world, but it also takes steps to protect the victims of sex trafficking.

The bill sets forth the minimum international standards for the elimination of sex trafficking. It establishes criminal and civil penalties. And it does many other things.

I appreciate all of my colleagues' work on this important bill for women.

And by establishing criminal and civil penalties for traffickers this bill punishes traffickers for profiting from the victimization of women.

In addition, it authorizes assistance, through non-governmental organizations to the native countries of sex trafficked victims to help the victims and to take steps to stop the industry.

The United States is not immune to the problems of trafficking. It is estimated that as many as 50,000 women, children, and men are trafficked into the U.S. each year. This bill would assist those victims by authorizing a new visa for trafficking victims to provide protection to the women and children that are brought into the United States and forced into prostitution.

Of course there is more that needs to be done to stop the many human rights abuses inflicted on women around the world.

Attacking the sex trafficking industry is an important step in the continued fight for women's rights and freedom around the world.

Mr. CONYERS. Mr. Speaker, I am happy to yield such time as she may consume to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, today I rise in support of this Conference Agreement on H.R. 3244 and the joint efforts of the House, Senate, and Administration to assert our global leadership in halting trafficking and gender-specific violence against all persons, particularly women and girls around the world. Practices of abduction, coercion, violence and exploitation are without a doubt the most reprehensible phenomena sweeping the globe today.

We know that between 1–2 million women and children are trafficked annually around the world. Approximately 50,000—100,000 women and children are trafficked into the United States each year primarily from Southeast Asia and the former Soviet Union. Think about

this for a moment. In our country, where we have fought to secure women rights for nearly a century, we too are plagued by these terrible practices. Women and girls suffer extreme physical and mental abuse including rape, torture, starvation, imprisonment and sometimes death. Women and children trafficked in the sex industry are exposed to deadly disease including HIV and AIDS.

While many of us are prospering in the global economy, still others are exploited by traffickers seeking to capitalize on foreign labor markets, the disintegrating social networks, and lower status of women. Victims are lured into trafficking networks through false promises of jobs, good working conditions, high pay and foreign adventure. Yet, slave-like conditions in jobs as domestic workers, factory workers, sex workers, nannies, waitresses, and service workers mire trafficked women and children at the bottom, lock them into the most insecure occupations, and leave victims open to ongoing exploitation and isolation.

Trafficking is a grave human rights, economic, migration, and transnational crimes issue. In 1998, President Clinton established the anti-trafficking strategy of prevention, protection for victims, and prosecution and enforcement against traffickers. The President also charged the Interagency Council on Women with coordinating the U.S. trafficking in women and children policy.

Mr. Speaker, H.R. 3244 will permit the U.S. government to extend our efforts to combat trafficking in women and children and ensure a just and effective punishment of traffickers and protect their victims. This bill directs the Secretary of State to include comprehensive information on trafficking in our Country Reports on Human Rights Practices. The bill also establishes the "Interagency Task Force to Monitor and Combat Trafficking" which I applaud. I believe the high level appointments to this Task Force, including the Secretary of State, Director of USAID, and Attorney General speak to the seriousness to which our country takes this issue. H.R. 3244 will help create economic alternatives to deter women from traffickers by providing them clear choices to improve their economic conditions.

H.R. 3244 engages the U.S. government with foreign countries to meet minimum standards for the elimination of trafficking and establishes a policy not to provide nonhumanitarian foreign assistance to countries which do not meet these minimum standards. And, this bill targets individuals who are known to traffic in persons. The Secretary of State is instructed to establish a list of such persons to identify and sanction such persons who are significant traffickers in persons. The Attorney General is empowered to strengthen the prosecution and punishment of traffickers.

And, finally, this bill puts our money where our hearts and commitments are to end this horrible practice by authorizing $15 million over two years to Health and Human Services, $15 million over two years to the Secretary of state; $15 million over two years to the Attorney General and $15 million each for victims' assistance and foreign countries to meet minimum standards and finally, $15 million over two years to the Secretary of Labor to assist victims in the United States.

I urge my colleagues to vote "yes" on the H.R. 3244 Conference Report.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise in support of the conference report.

The conference report includes H.R. 1248, which reauthorizes the Violence Against Women Act (VAWA) for an additional five years.

As a cosponsor of H.R. 1248, I commend my colleagues Mr. HYDE, Mrs. MORELLA, Mr. CONYERS and Mr. MCCOLLUM for their tireless efforts to bring this vital piece of legislation to the floor.

The scourge of domestic violence must be ended. Perpetrators of these reprehensible crimes must be punished, and victims must have support services available to help them transition to a normal life.

VAWA is a piece of legislation this body can be proud of. This law has substantially reduced the levels of violence committed against women and children by their spouses and partners.

Since it was signed into law in 1994, VAWA has strengthened criminal laws and provided funding to enhance their enforcement. It has also provided a foundation for a successful long term criminal justice effort to end violence against women.

By encouraging collaboration among police, prosecutors and victim service providers, VAWA is building a comprehensive community response to violence against women across the country.

VAWA grants have made a difference in the lives of women and their families. Authorization for this critical set of programs expires in four days. It would simply be irresponsible of this body to fail to reauthorize the legislation before adjourning.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support reauthorizing the Violence Against Women Act by voting for H.R. 3244.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very happy that H.R. 3244, the Smith-Gejdenson-Brownback-Wellstone Victims of Trafficking and Violence Protection Act of 2000, is now poised to be passed and, hopefully, will be passed by the Senate and sent to the President for signature.

Interestingly and importantly, it has been endorsed by people like Chuck Colson and Gloria Steinem, by the Family Research Council and Equality Now, by the Religious Action Center of Reformed Judaism, as well as the National Association of Evangelicals.

In crafting this legislation, we also had the very able assistance of impartial experts, such as Gary Haugen of the International Justice Mission, which goes out and rescues trafficked women and children one by one, and Dr. Laura Lederer of the Protection Project, whose painstaking research has been indispensable to ensuring that we have the facts about this worldwide criminal enterprise and its victims.

I also especially want to thank my Staff Director and Chief Counsel Grover Joseph Rees, who has been indefatigable in his expertise on a myriad of these issues. As former general counsel of the INS, he has been indispensable in writing and crafting this legislation.

I also want to thank David Abramowitz with the Democratic staff, who has also done yeoman's work. This is truly bipartisan legislation. I also want to express my gratitude to Michael Horowitz of the Hudson Institute who has supported this effort from day one.

H.R. 3244 has attracted such broad support not only because it is pro-woman, pro-child, pro-human rights, pro-family values, and anti-crime, but also because it addresses a problem that cries out for a solution. Division A of this conference report, the Trafficking Victims Protection Act, focuses on the most severe forms of trafficking in human beings: on the buying and selling of children into the international sex industry, on sex trafficking of women and children alike by force, fraud, or coercion, and on trafficking into slavery and involuntary servitude.

Each year as many as two million innocent victims—of whom the overwhelming majority are women and children—are brought by force and/or fraud into the international commercial sex industry. Efforts by the United States government, international organizations, and others to stop this brutal practice have thus far proved unsuccessful.

Part of the problem is that current laws and law enforcement strategies—in the United States as in other nations—often punish victims more severely than they punish the perpetrators. When a sex-for-hire establishment is raided, the women (and sometimes children) in the brothel are typically deported if they are not citizens of the country in which the establishment is located—without reference to whether their participation was voluntary or involuntary, and without reference to whether they will face retribution or other serious harm upon return. This not only inflicts further cruelty on the victims, it also leaves nobody to testify against the real criminals, and frightens other victims from coming forward.

This legislation seeks the elimination of slavery, and particularly sex slavery, by a comprehensive, balanced approach of prevention, prosecution and enforcement, and victim protection. The central principle behind the Trafficking Victims Protection Act is that criminals who knowingly operate enterprises that profit from sex acts involving persons who have been brought across international boundaries for such purposes by force or fraud, or who force human beings into slavery, should receive punishment commensurate with the penalties for kidnapping

and forcible rape. This would be not only a just punishment, but also a powerful deterrent.

And the logical corollary of this principle is that we need to treat victims of these terrible crimes as victims, who desperately need our help and protection. The bill implements these principles by toughening up enforcement and by providing protection and assistance for victims.

Mr. Speaker, I am also very proud that Division B is the Violence Against Women Act of 2000, of which I was also a co-sponsor along with HENRY HYDE, BILL MCCOLLUM, CONNIE MORELLA and other colleagues from both parties. This Act includes provisions to reauthorize federal programs that combat violence against women, to strengthen law enforcement to reduce violence against women, to strengthen services to victims of violence, to limit the effects of violence on children, to strengthen education and training to combat violence against women, to enact new procedures for the protection of battered immigrant women, and to extend the Violent Crime Reduction Trust Fund.

Mr. Speaker, we cannot wait one more day to begin saving the millions of women and children who are forced every day to submit to the most atrocious offenses against their persons and against their dignity as human beings. I urge unanimous support for the Victims of Trafficking and Violence Protection Act of 2000.

Mr. RADANOVICH. Mr. Speaker, I rise today to enter into the RECORD my understanding of the Twenty-first Amendment Enforcement Act as reflected in the Conference Report concerning Trafficking Victims Protection Act of 2000 (H.R. 3244).

Representative CHRIS SMITH's H.R. 3244 has been in Conference for the past several weeks. That Conference concluded with a report that allows the Twenty-first Amendment Enforcement Act (S. 577—Hatch) to be added to the legislation. I have a strong objection to the addition of this legislation, as it is not germane to the underlying, House-passed bill. However, as I support my esteemed colleague's efforts, I will vote to pass the Conference report.

As a proud vintner, I object to the association of my industry with violence against women, sex trafficking and slavery, and believe that S. 577 should not be included for that reason. In addition to my objection, The National Association of State Legislatures took action opposing S. 577 on a 41–7 vote. Mothers Against Drunk Driving does not support Congress' involvement in an internal industry issue under the guise of juvenile access to alcohol.

The proponents of S. 577 argue that the legislation is needed in order to avoid distribution of alcoholic beverages to minors. If that is indeed their position, the Conference Report should include language that limits the provisions of S. 577 to enforcement in cases involving minors. It does not; therefore, I believe that the intention of the proponents of S. 577 is in fact broader than the rhetoric would indicate.

Previous versions of the Twenty-first Amendment Enforcement Act contained provisions that would have allowed states to unfairly discriminate against out-of-state sellers for the purposes of economic protectionism. Such protectionism would clearly be a violation of the Commerce clause of the Constitution; thus, the current version of this legislation does not allow for such protectionist acts.

The Twenty-first Amendment Enforcement Act is simply a jurisdictional statute with very narrow and specific purposes. The bill is not intended to allow the enforcement of invalid or unconstitutional state liquor laws in the federal courts, and is certainly not intended to allow states to unfairly discriminate against out of state sellers. The legislation does provide the federal courts jurisdiction to injunctive relief actions brought by state attorneys general seeking to enforce state laws dealing with the importation or transportation of alcoholic beverages. We are not today saying that those state laws are valid, reasonable or in any manner given import outside of the jurisdiction of the state.

Mr. Speaker, I believe that the Conference has reported a bill that confuses, rather than enlightens, the debate within the alcohol beverage industry regarding the best mechanism for consumers to obtain the products they wish to purchase in a free society. As a standalone bill, I have worked to make sure that this confusion was not adopted in law. However, the procedural actions that resulted in this bill being included in the Sex Trafficking conference report make such efforts futile, and as I indicated, I will vote to support the report.

Mr. UDALL of Colorado. Mr. Speaker, I support this conference report, which combines a number of law-enforcement measures, including two very important measures to protect women around the world and here in the United States.

Worldwide, the conference report takes important steps to make the United States a full partner in the international effort to curb exploitation of women who are the victims of the international sex trade. This is very important because recent favorable international developments—including the breakup of the Soviet Union and greater freedom of travel—have also had the effect of making it easier for this exploitation to occur.

Here at home, the conference report also authorizes the important programs of the Violence Against Women Act, or "VAWA." That is also something I strongly support.

VAWA is very important for Colorado. Through last year, our state received almost $15 million in VAWA grants. That money has helped assist victims of domestic violence, but it has also done much more.

In fact, according to a letter from our Attorney General, Ken Salazar, and his colleagues from other states, VAWA "has enabled us to maximize the effectiveness of our state programs that have made a critical difference in the lives of women and children endangered by domestic violence, sexual assault, and stalking."

VAWA is also important for our country. It has made a difference in the lives of millions of women by aiding in the prosecution of cases of domestic violence, sexual assault, and child abuse, by increasing services for victims and resources for law enforcement personnel, and by establishing a National Domestic Violence Hotline.

Partly as a result, crimes against women have decreased by 27 percent since VAWA's enactment.

But more remains to be done. More women are injured by domestic violence each year than by automobile accidents and cancer combined. More than one-third of all women using emergency rooms are victims of domestic violence. In 1997 more than 250,000 women and children sought refuge from domestic violence in women's shelters. More than 300,000 sexual assaults were perpetrated against women in 1998 alone. And every year more than one million women are targeted by stalkers.

Because I strongly support renewing and strengthening this vital measure, I joined in cosponsoring H.R. 1248, the bipartisan VAWA reauthorization bill that was also supported by the Administration. The House passed that bill last month, and by passing this conference report we will take the next step toward its enactment.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today in strong support of H.R. 3244, the Victims of Trafficking and Violence Protection Act Conference Report. This life saving legislation for women and girls in the United States is a strong, positive example to all nations around the world that violence against women and girls is intolerable and must end.

The Violence Against Women Act, first establish in 1994, has been successful, and its renewal is essential. The National Organization for Women reports that every day four women in this country die as a result of domestic violence, and that between two to four million women of all races and socioeconomic classes are battered annually in America. The Violence Against Women Act reauthorization, which is included in this bill, commits over three billion dollars for the next five years to assist victims of domestic violence, and seek an end to such behavior in our society.

The plight of battered women is a sad and tragic concern. Fortunately in my community, organizations such as Hope House, MOSCA, and Rose Brooks are there for women and children in need. This measure will help reach women who are not now being served because of current limited resources.

Around the world, the problem of trafficking in women and girls is growing. Currently, trafficking is the third largest source of profits for organized crime. America has a responsibility to address this problem because over 50,000 women are illegally trafficked into our country each year. Through prevention and immigration services, this measure will aid these women who have been forcibly removed from their homes and shipped overseas.

I urge reauthorization of this vitally important measure to empower millions of women worldwide through protection of their bodies and spirits. I applaud the numerous women's organizations and fellow co-sponsors who have worked tirelessly on these issues, and I salute the commitment of this Congress to enact this measure.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of this measure,

and I am delighted that we have found an acceptable vehicle to attach a provision to re-authorize the Violence Against Women Act. This is an area that deserves continued attention in our country, and we must continue to spread the word to reduce the violence that occurs every day against American women.

The agreement in H.R. 3244 will fund programs to combat violence against women, including much-needed battered women's shelters and services, sexual assault prevention programs and education and training for judges. Unfortunately, this is a problem that continues to be prevalent in my area and has an impact on the entire community. However, H.R. 3244 goes a long way toward curbing the violence that affects women victims by assuring access to free shelters. Hopefully, this bill will continue as a positive step to reduce the overall domestic violence that plagues our communities.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to urge all of my colleagues to vote for H.R. 3244, the Trafficking Victims Protection Act, which includes reauthorization of the Violence Against Women Act.

The Strengthened Violence Against Women Act (VAWA) we will vote on today reauthorizes current VAWA grant programs for five years, makes targeted improvements, and adds important new programs.

The bill strengthens law enforcement efforts to reduce violence against women, increases services to victims of violence, seeks to limit the effects of violence on children, enhances education and training to combat violence against women, and provides important new protections for battered immigrant women.

The original VAWA bill authorized $1.5 billion for programs to protect women and children from domestic abuse. The bill we will vote on today provides $3.4 billion for the 2001–2005 reauthorization period.

The passage of the Violence Against Women Act in 1994 was one of the greatest accomplishments of the 103rd Congress and the Clinton Administration. Since 1995, VAWA grants have provided a major source of funding for national and local programs to reduce rape, stalking, and domestic violence. The 1994 Act bolstered the prosecution of child abuse, sexual assault, and domestic violence cases; provided services for victims by funding shelters and sexual assault crisis centers; increased resources for law enforcement and presecutors; and created a National Domestic Violence Hotline.

The VAWA bill we will vote on today provides important new provisions to prevent and prosecute dating violence, to help women who are trying to escape domestic violence by providing transitional housing and legal assistance services, to enforce state and tribal protection orders nationwide, to improve services to victims of violence, and much more.

I also strongly support the Trafficking Protection Act, which strengthens current law to prevent the unlawful international trafficking of women and children, to increase penalties for those who engage in this abhorrent practice, and to protect the victims of trafficking. This modern form of slavery, which forces women and children into prostitution or forced labor must be eliminated.

I am confident that my colleagues will vote to support H.R. 3244, which provides vital protections for women and children and gives us the tools we need to prosecute those who prey upon them.

Mr. BEREUTER. Mr. Speaker, this Member rises today in support of the conference report for H.R. 3244, the Transportation appropriations bill for fiscal year 2001. This Member greatly appreciates the inclusion of $3.5 million for the construction of a pedestrian/trolley overpass in Lincoln, Nebraska. This request was this Member's highest infrastructure priority for fiscal year 2001.

The City of Lincoln, Nebraska, is seeking Federal assistance for transportation improvements associated with the construction of a new baseball/softball complex. The construction of the complex, to be built on the edge of downtown Lincoln, represents a partnership between the City, the University of Nebraska-Lincoln (UNL), and private business. It will be home of a minor league baseball team, the UN–L baseball and softball teams, as well as any number of City of Lincoln recreational activities.

Currently, the most pressing need for the City of Lincoln in the completion of this project, is the construction of a pedestrian/trolley overpass that would allow for safe and enhanced access to the stadium. The reason this bridge is so vital is that it would provide important connections between the baseball complex, the popular Haymarket section of Lincoln, the City's trails system, the University of Nebraska campus, and parking facilities for both the baseball complex and the home of the Husker football team, Memorial Stadium. What makes this development site unusual and difficult, but the reason it is available, is the fact that it is separated from the downtown area by I–180 and what is literally one of the world's busiest train routes where huge amounts of western coal are moved east, along with large volumes of other freight. Therefore, the City of Lincoln plans to use and really must use the most innovative techniques to move large numbers of people in short periods to this site during events. The approach selected must be chosen to allow for enhanced transit, paratransit, bicycle, and pedestrian access from the University and the Lincoln community.

The City of Lincoln has already committed $1 million. The $3.5 million appropriation in the Transportation appropriations conference report is necessary for Lincoln to compete this important project.

Within the conference report, however, Mr. Speaker, is the .08 blood alcohol mandate. Although the conference compromise agreement is better than the Senate-passed language, this Member is opposed to all Federal mandates on Highway Trust Funds which require either the passage of specific state legislation or the loss of Federal highway funds. This Member has always opposed any provisions which would limit or reduce the Highway Trust Funds or limit the states' ability to use their Highway Trust Funds as they choose. Nebraskans and other Americans pay their gasoline taxes at the pump and deserve to have them returned for highway construction and maintenance and other transportation projects, without strings being attached. In short, states should be allocated money from the highway trust funds without conditionality being applied for any objectives—be those objectives noble or misguided. Of course, this Member recognizes that drunk driving remains a serious problem—and in fact more than twenty-four years ago introduced what he has been told was the first bill in the Nebraska Legislature to lower the standard to .08 percent; unfortunately, it never made it out of committee because of the strenuous opposition of the alcohol lobby. This Member believes that under the U.S. Constitution, the establishment of the blood alcohol content level as it relates to driving is the responsibility of the states, not the Federal Government. Nevertheless, despite this very strong concern I believe the case for the prompt enactment of this legislation is compelling.

In closing, Mr. Speaker, this Member urges his colleagues to support H.R. 3244.

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

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

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 371, nays 1, not voting 62, as follows:

[Roll No. 518]

YEAS—371

Abercrombie	Brady (PA)	Cummings
Aderholt	Brady (TX)	Cunningham
Allen	Brown (FL)	Davis (FL)
Andrews	Brown (OH)	Davis (IL)
Archer	Bryant	Davis (VA)
Armey	Burr	Deal
Baca	Burton	DeFazio
Bachus	Buyer	DeGette
Baird	Calvert	Delahunt
Baldacci	Camp	DeLauro
Baldwin	Canady	DeLay
Barcia	Cannon	DeMint
Barr	Capps	Deutsch
Barrett (NE)	Capuano	Dickey
Barrett (WI)	Cardin	Dingell
Bartlett	Castle	Dixon
Bass	Chabot	Doggett
Becerra	Chambliss	Dooley
Bentsen	Chenoweth-Hage	Doolittle
Bereuter	Clayton	Doyle
Berkley	Clement	Dreier
Berry	Clyburn	Duncan
Biggert	Coble	Dunn
Bilbray	Coburn	Edwards
Bishop	Collins	Ehlers
Blagojevich	Combest	Ehrlich
Blunt	Condit	Emerson
Boehlert	Conyers	Engel
Boehner	Cook	English
Bonilla	Cooksey	Etheridge
Bonior	Costello	Evans
Bono	Cox	Ewing
Borski	Coyne	Fattah
Boswell	Crane	Filner
Boucher	Crowley	Fletcher
Boyd	Cubin	Foley

Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
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Price (NC)
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Rodriguez
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Ros-Lehtinen
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Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
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Smith (MI)
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Turner
Udall (CO)
Udall (NM)
Upton
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Watkins
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Wexler
Weygand
Whitfield
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Wilson
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Young (AK)
Young (FL)

NAYS—1

Sanford

NOT VOTING—62

Ackerman
Baker
Ballenger
Barton
Berman
Bilirakis
Bliley
Blumenauer
Callahan
Campbell
Carson
Clay
Cramer
Danner
Diaz-Balart
Dicks
Eshoo
Everett
Farr
Forbes
Fowler
Franks (NJ)
Goodling
Goss
Hansen
Hefley
Hunter
Hutchinson
Isakson
Kennedy
King (NY)
Klink
Knollenberg
Kolbe
LaTourette
Lazio
Lewis (GA)
Lipinski
McCollum
McIntosh
Meek (FL)
Meeks (NY)
Metcalf
Mica
Miller (FL)
Pascrell
Paul
Peterson (PA)
Pickett
Rangel
Reyes
Shuster
Smith (TX)
Spence
Stark
Strickland
Talent
Thompson (MS)
Vento
Waters
Waxman
Wise

□ 1401

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, due to a conflict, I missed rollcall No. 518. Had I been present, I would have voted "yea" on adoption of the conference report for H.R. 3244, the Trafficking Victims Protection Act.

Mr. PETERSON of Pennsylvania. Mr. Speaker, on rollcall No. 518, I could not be present. Had I been present, I would have voted "yea."

Mr. MICA. Mr. Speaker, on rollcall No. 518, I could not be present. Had I been present, I would have voted "yea."

Mrs. FOWLER. Mr. Speaker, on rollcall No. 518, I could not be present. Had I been present, I would have voted "yea."

Mr. EVERETT. Mr. Speaker, due to sickness in my family and thus the need to return home to my district, I was unable to vote on rollcall vote No. 518. Had I been present, I would have voted "yea" on H.R. 3244, final passage of the Trafficking Victims Protection Act of 2000.

PERSONAL EXPLANATION

Mr. KOLBE. Mr. Speaker, today the House debated H.R. 3244, the "Trafficking Victims Protection Act" conference report. I was unavoidably absent for a vote on the rule (H. Res. 613) and the bill. Had I been present, I would have voted "nay" on the rule (rollcall vote No. 517) and "aye" on the conference report (rollcall vote No. 518).

PERSONAL EXPLANATION

Mr. DIAZ-BALART. Mr. Speaker, on rollcall votes 514, 515, 516, 517 and 518, I was absent. I was in my district, touring flood damage in the Presidentially-declared federal disaster area, with the Director of the Federal Emergency Management Agency. Had I been present, I would have voted "aye" on each of those votes.

LEGISLATIVE PROGRAM

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

Mr. FROST. Mr. Speaker, I take this time to inquire about next week's schedule.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my fellow Committee on Rules member, the gentleman from Dallas, for yielding.

I am pleased to announce to our colleagues, Mr. Speaker, that the House has completed its legislative business for the week. The House will next meet for legislative business on Tuesday, October 10, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. The House will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices later today.

On Tuesday, the House will also consider H.R. 4205, the National Defense Authorization Act for Fiscal Year 2001. We are hoping in the Committee on Rules to be able to report the rule on that conference report out before too terribly long. I hope my friend from Texas will remain with us while we attempt to do that.

On Tuesday, I should say there are no votes anticipated until after 6 p.m.

On Wednesday, October 11, and the balance of the week, the House will consider the following measures: H.R. 4461, the Agriculture Appropriations Conference Report; H.R. 4577, the Departments of Labor, Health and Human Services, and Education Appropriations Conference Report; and H.R. 4942, the District of Columbia Appropriations Conference Report. The House will also consider any other conference reports that may become available throughout the week.

I thank my friend for yielding and hope that when we do report out this conference report rule upstairs that we will be able to send everyone home for the weekend.

Mr. FROST. Mr. Speaker, I yield to the gentleman from Wisconsin, the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I wonder if I could inquire, can we be assured that next week all of the appropriations conference reports will actually be in the conference reports, or will we again have to go through the charade that we went through today where, if you went to the conference report on the bill passed earlier, you could not find one word of the bill that was being conferenced?

Mr. DREIER. Well, I will assure my friend that we will not continue with any kind of "charade" that he thinks may or may not have taken place. We are going to try to proceed with conference reports and have votes on those next week.

Mr. OBEY. Can the gentleman assure us that every bill that has been conferenced will, in fact, be found in the conference report?

Mr. DREIER. If my friend would continue to yield, I cannot provide assurance that my friend from Wisconsin will be completely happy with the procedure that will be followed.

Mr. OBEY. I did not think so.

Mr. FROST. Mr. Speaker, I have several questions, if I may. First, I listened carefully to what my colleague on the Committee on Rules said. I am not sure I understood exactly one point. Do we expect any appropriation bills on the floor on Tuesday, or are they only going to come up later in the week?

Mr. DREIER. At this juncture, we do not anticipate any appropriation conference reports to be on the floor on Tuesday.

Mr. FROST. If I could ask the gentleman an additional question, when will our business be completed for the week next week? Do we anticipate a weekend session?

Mr. DREIER. Do we anticipate? As my friend knows, the Continuing Resolution expires one week from tomorrow, and we hope very much we will have the work of the 106th Congress completed by that time. So, at this juncture, we hope that we will be completed by next Saturday.

Mr. FROST. Do we anticipate being here on Saturday?

Mr. DREIER. I think it would be great if we could finish it midweek and adjourn sine die, but that probably will not happen. At this juncture, we have until Saturday, when the Continuing Resolution expires; and it is our hope that we will complete our work by that time.

Mr. FROST. Should we not complete our work by next Saturday, by the day on which the CR expires, do we anticipate very short-term CRs after that? Can we tell how long the next one would be, if in fact the next one were necessary?

Mr. DREIER. We will obviously want to work closely with our friends on the other side of the aisle and down Pennsylvania Avenue to bring about some kind of resolution on that question. I think it is too early to raise that question, and we are all hoping that by the expiration of the Continuing Resolution next Saturday, we will be able to adjourn sine die.

H–1B NON-IMMIGRANT WORKERS FEE INCREASE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R 5362) to increase the amount of fees charged to employers who are petitioners for the employment of H–1B non-immigrant workers, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. CONYERS. Mr. Speaker, reserving the right to object, I yield to the gentleman from Utah (Mr. CANNON), my distinguished colleague on the Committee on the Judiciary, for an explanation and a discussion of the purpose of the bill that he offers.

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this bill adds the final piece to the H–1B legislation that we passed earlier this week. There is widespread consensus that the $500 fee for an H–1B visa application should be increased. The money collected in fees goes toward job training for American workers and scholarships for American students studying math and science. These programs will provide the long-term solution to the shortage of information technology workers plaguing our economy.

H.R. 5362 raises the fee to $1,000. With the new H–1B quota of 195,000, this increased fee could raise almost $200 million a year for job training and scholarships.

The bill also exempts primary and secondary schools and universities from having to pay the fee. These institutions are already doing their part to train American students for the jobs of the future.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I thank the gentleman.

Mr. Speaker, as I understand the amendment, the fee charged to employers for sponsoring an H–1B worker will double from $500 to $1,000. I support the increased fee, because we have a critical need to retrain America's workers and educate our children to meet the demands of the new economy and to better administer and enforce the H–1B program.

In fact, in my view, a larger fee increase may have been appropriate, in light of the urgent need for qualified American high-tech workers, particularly in minority and under-represented communities.

The allocation of the new fee makes the training and education of American workers and America's children a priority. Over half the fees will be used by the Labor Department to provide technical skills training for U.S. workers. Over 35 percent of the fees will go to scholarships for low-income persons and the National Science Foundation competitive grants for K–12 math, technology, and science education.

Now, it is common knowledge that the administration of the H–1B program by the Immigration Service and the Labor Department could be far better than it is. We have increased the funds allocated to each agency so that they can better administer and enforce the programs, as well as reduce the horrendous backlogs in applications currently faced by employers.

We will review the implementation of the H–1B program in the next Congress, and I fully expect to see improvements in how these agencies handle the H–1B program. In other words, they should be held rather strictly accountable.

Mr. Speaker, because the fee increase will begin to address the needs of the American workforce, I support the bill.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

I would like to extend my appreciation to my colleagues on the Committee on the Judiciary, first, for bringing this up.

This fee increase is one which was struck through an agreement in legislation that my colleague next to whom the gentleman is standing, the gentlewoman from California (Ms. LOFGREN), and I worked, beginning last October.

It is very important for us to recognize that while just 2 days ago we were able to pass legislation which does bring about that increase to 195,000 the number of H–1B visas, it is important for us to realize the long-term solution is to do exactly what my friend from Michigan has said, focus on scholarships for the National Science Foundation, increase math and science education at the K through 12 level, and realize that if we are going to have a workforce that is going to be globally competitive, we must have them trained and educated here in the United States.

Until that time, we have increased the H–1B visa level. We have had a bipartisan agreement to do that. It seems to me that this legislation, which I was very proud to introduce, after we passed the H–1B visa bill, along with the gentleman from Massachusetts (Mr. MOAKLEY), the distinguished ranking member of the Committee on Rules, is one which we can move immediately.

Again, I would like to compliment my colleague, the gentlewoman from California (Ms. LOFGREN), and the gentleman from Utah (Mr. CANNON) and others who have worked long and hard on trying to move ahead with the package.

On this issue of education and math and science education, I specifically want to mention the gentleman from Michigan (Mr. EHLERS), who has done a great deal of work focusing on the importance of math and science training.

So I hope we can move ahead just as quickly as possible. Again, I congratulate all those who have been involved in this effort.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I thank the gentleman from California (Chairman DREIER).

The gentleman reminds me that I have been discussing with the gentlewoman from California (Ms. LOFGREN) about how, in the next term, if we are fortunate enough to come back to Congress elected by our constituents, that we really begin to work on a larger plan that coordinates all of the efforts that some employers are engaged in; that the Department of Labor should certainly be working very hard at; that the Department of Education, for example, should be doing more.

□ 1415

But I am still looking for, and I am willing to create with interested Members in the Congress, the omnibus inclusive program that really gets at the problem of the training, which, as we know, has the start in the very first grades. You cannot bring in a technical program for people who have not been prepared for the course studies.

Ms. LOFGREN. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentlewoman from California.

Ms. LOFGREN. Mr. Speaker, I appreciate the comments of the gentleman from Michigan (Mr. CONYERS), the ranking member, as well as the gentleman from California (Chairman DREIER), the Committee on Rules.

I very much believe that this is the right thing to do today. As the gentleman from California (Mr. DREIER) referenced, this was the fee that was included in the bill here in the House. Because of the glitch, and I cannot argue with the parliamentarian in the other body, it could not be included, because revenue increases can only be instigated in the House and thus this is an essential thing to do. I do agree.

Mr. DREIER. Mr. Speaker, will the gentleman will yield further?

Mr. CONYERS. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, that glitch happens to be article 1, section 7 of the U.S. Constitution.

Ms. LOFGREN. Mr. Speaker, I thank the gentleman very much for the reminder of the Committee on Judiciary members, the origin of the glitch.

Mr. Speaker, I would like to say, though, that I think that the issue of H–1Bs is more complicated than training programs; 98 percent of the H–1B visa holders have at least a bachelor's degree, half of them have a master's degree or Ph.D., so I am very much for the job training programs that are included in this. It is important, but it is a different employee group than the H–1B visa holders.

And for that, I am hopeful that we will be able to do additional funding and additional emphasis on math and science education, so that poor children who are in great numbers are not getting to colleges they should be and not getting into the Ph.D. programs as they should be will have that opportunity.

Mr. Speaker, I would further note that this is about not just shortage but excellence, and we will always want the ability to recruit worldwide. A country that would not want somebody like Linus Torvalds to be in America and want to be one of us is a country that is inexplicable.

So we will always want to be able to do that, but that does not obviate the need for putting massive effort and attention and additional resources especially into poor schools for poor children. We were losing bright minds. It is an outrage for those families and those kids, but further it is something that this country can no longer afford to do. So I am eager to support this.

Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS), the ranking member, for yielding to me. I am hopeful that next year we can do much, much more.

Mr. CONYERS. Mr. Speaker, I yield to the gentlewoman from Houston, Texas (Mrs. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, continuing on the reservation of the gentleman from Michigan (Mr. CONYERS), let me thank the gentleman very much.

Let me acknowledge that there are elements in this UC that I certainly do appreciate. In particular, language taken out of H.R. 4227, the Technology Worker Temporary Relief Act, that has a recognition of the burden on primary and secondary educational institutions with respect to paying the fee.

These are entities that would put teachers into the primary and secondary public schools and, of course, this language came out of our bill. It was language that I drew from the gentleman from Texas (Mr. GREEN) in working with our local school districts, so I am very gratified that this lessens the burdens on our local school districts.

In addition, I think it is vital that we increase the fee, because, of course, one of the elements that many of us are concerned about with the H–1B philosophy, if you will, is the training that is necessary for American workers.

What I would say, however, as well, is that I wish we would have captured an opportunity to allow us for a full debate when this particular legislation came to the floor of the House, my reservations are that in that instance, we might have been able to go from 195,000 to 225,000. As the gentleman well knows, the industry said they need millions, but we did not do that.

I think we missed a very valuable opportunity, and I would just like to share with my colleagues just a few brief points on the continuing reservation.

There is nothing in this bill that requires H–1B tech employees to recruit, hire or train minority American workers. African Americans are only 11 percent of the high-tech industry, and they continue to be underemployed. There is nothing that requires H–1B employees to make efforts to continually train and update the existing skills incumbent on American workers and to promote such employees where possible.

There is nothing in the bill that requires the employers to take constructive steps to recruit qualified American workers who are members of underrepresented minority groups, recruit historically black colleges and universities, Hispanic-serving institutions, and advertise jobs to reach out to older and disabled Americans.

There is nothing in this bill that deals with rural communities. Under the leadership of the gentlewoman from North Carolina (Mrs. CLAYTON), we have been working in our Congressional Black Caucus to deal with these kinds of needy groups. There is nothing in this bill that deals with protecting American workers and ensuring that the salaries are competitive.

Mr. Speaker, I applaud the industry and I applaud the idea that jobs in America creates jobs; we know that. But we missed a very valuable opportunity, both in the legislation on Tuesday and as well as in the UC, to be able to respond to those groups who obviously need to be addressed.

Let me conclude, as I continue my reservation, I am gratified that the bill that I sponsored, Kids 2000, is in the legislation that deals with boys and girls club grants, and glad that the DOL will be getting training money. My only angst is that the training money should be directed toward historically black colleges and other institutions to specifically focus on groups that need to be encouraged to participate in this very vital and vibrant industry.

I hope that in working with the administration, this time around, and working next time in the 107th Congress, if we are lucky enough to come back, Mr. Speaker, that we will look to these issues that are very important, that the training dollars will not randomly be sent to the State, but they will be designated to work on these issues that we think are so very important.

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman from Texas (Ms. JACKSON-LEE) because she had a bill directed at the points that she made; unfortunately, it was unable to be heard in the committee on which she is the ranking member. I think it gives us a direction for where we really must go in the next Congress. This is a good start, but it is only that.

I hope that the gentlewoman will join in the dialogue that I have just begun today with members of the committee to put together an omnibus package that goes way beyond just increasing the fee and passing it on.

We have to have a targeted national program if we are to get these youngsters that we all want to train into the pipeline to be able to get into the technical courses that would make them prepared to go into the high-tech field.

And so I only remind the Members of this, because the gentlewoman has been working tirelessly on this subject ever since she became the ranking member on the Subcommittee on Immigration and Claims.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentleman would continue to yield so I may respond. I look forward to working with the gentleman on this omnibus effort as I think my colleague who will speak next, and we will continue to work in every direction that we can to really respond to the general need that we have on this very important issue of technology in America.

Mr. CONYERS. Mr. Speaker, continuing my reservation, I yield to the gentlewoman from North Carolina (Mrs. CLAYTON) for her discussion under our reservation.

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for his generosity in yielding the time. I thank him for his leadership, and I thank all of those who are interested in raising the fees so that American workers can have the opportunity for training. I certainly thank the gentlewoman from Texas (Ms. JACKSON-LEE) who has provided untireless hours and vigorous leadership on this issue.

I guess part of my reservation is both process and substance. The process is that we did not have an opportunity to have just this kind of dialogue which apparently we agree on when we could have had this opportunity to enhance this bill.

It is not the issue of not increasing it, because we are not anti the opportunity of getting the kind of technological skills in order to make our companies ever profitable and allow it to expand and the growth opportunities there but the uncertainty of the fact that we could not have this honest democratic discussion about how we bring various parts.

I represent rural America, so I bring that bias or that perspective. In rural America, we do not have access to the Internet, nor do we use the Internet in the same proportion, and that is exacerbated, obviously, by the persistent poverty, the sparsity of population, the distance they have to travel.

So we are finding ourselves with acts like this and others further disenfranchising digitally because we do not have the infrastructure, and to allow this opportunity to pass and not to allow American citizens and children and workers in rural America to benefit from this is not to suggest that we should not recruit others. And I agree with my colleague, the gentleman from California (Mr. DREIER), we certainly would be very narrow minded if we did not want to get the best minds worldwide.

But should we get the best minds at the expense of the best minds here? Should we indeed not do both? We can achieve both. I want to applaud what the gentleman is doing here, but I do not want the gentleman to think that I think we cannot do better this session. We ought to still stay engaged with the President and still stay engaged with that process to let him know we can perfect this.

The opportunity seems to me that we indeed ought to structure some of these funds so it, indeed, will go to those targeted areas.

My final comment is this, when America saw itself challenged 3 decades ago scientifically and astronomically, when we found ourselves behind the Russians, we made a commitment not just to recruit the Russian scientists here, we made a commitment to invest in our children, in our school. We are not making that kind of commitment.

And for my colleague from California (Mr. DREIER) who remarked this is short term; the gentleman is absolutely right, this is short term. It is short term, and if we keep doing it, it is going to become the most expedient way to do it, because it costs less to do this.

I want to make the plea to my colleague, we have to invest in our communities. We have to invest in our children. We have to invest in our workers. We have to invest in rural America so we can be a Nation that is proficient and enjoying the rising tide of this new economy, and we have to make that kind of effort.

It is not at the exclusion of bringing the best minds. This is not antiimmigration. This is an inclusive way, and it is to suggest that the information technology people, they understand the value of having a workforce here in America.

It seems to me that we short sighted their vision if we suggest that their only solution is that they must keep recruiting all their talents somewhere else. We did this in auto, and guess what? We found ourselves as American countries having competition all over.

I just want to challenge us, the most important integration bill we had on this House, we missed the opportunity to have this kind of give and take and discussion.

Mr. CONYERS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. EHLERS), a member of the Subcommittee on Energy and Environment.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for yielding. I appreciate the opportunity to speak on this important topic. I am in agreement with much of what I have heard today, but we have to recognize, as the previous speaker, the gentlewoman from North Carolina (Mrs. CLAYTON), commented, this is a long-term problem. It is also something that I have been involved in since 1967 when I was a physics professor and became very concerned with what was called at that time scientific illiteracy.

□ 1430

It was clear the Nation had a major problem, so I dedicated myself as a professor of physics, first at Berkeley, then at Calvin College in Grand Rapids, Michigan, to trying to eradicate scientific illiteracy in the areas in which I dealt. I taught special courses designed for students who were not scientists, so they would begin to understand science and comprehend it.

That interest has continued, and I agree with the previous speaker, that this is a long-term problem that we have to address.

I have developed three bills which I introduced this past year. We have over 110 cosponsors of those bills, and I had hoped that we could act on them this year, but due to various circumstances, that did not happen, although one of the bills was reported out of the Committee on Science.

It is essential that we continue this. I have a brochure which I have handed out to many Members, and I will be happy to make available to any other Members.

The key point to recognize, first of all, we have a very serious problem in this country, but we also have a real blessing going on right now. The blessing is the tremendous economic boom we have enjoyed for almost a decade, which, according to Alan Greenspan and many other experts, is grounded entirely in the science and math developments of the recent past.

The research we have done has paid off, but we have not produced the manpower to keep the boom going, so we are forced to import scientifically, technically trained people from other countries. That is why we need the H–1B visas.

But that is a short-term solution. We need to do a better job of educating our citizens in math, science, engineering, technology, from pre-school through graduate school, if we want to continue to be competitive as a nation.

It is absolutely essential that we do that. The best place to start is our weakest link, K through 12 education. For a series of reasons, we are not doing a good job there. Evidence of that, of course, is the H–1B visa problem. Another evidence is that in any graduate school of science and engineering in this country, we will find over half of the students are from other nations. Our students cannot compete with students from other nations.

Another example of this is that we have 365,000 jobs open in this country

unfilled because we do not have qualified people to fill those jobs.

So in an attempt to solve that, I have introduced these three bills. I hope next year we can get this through. I hope we will be able to use some of the funding from the H–1B visa fee to propagate this and actually get at and solve the problem.

The previous speaker referred to the effort after the Russians reached space first. I have given a number of speeches entitled, ''Where is Sputnik when we need it,'' because we need another Sputnik now to reenergize our people, to reenergize our Congress, and get this in, address this problem.

It can be addressed, and it is not all that expensive. We simply have to set our minds to it and do it, and do it right, so that we can produce a workforce that is technically trained, scientifically trained, and able to deal with the economy we have now, and keep this economic boom going so that we will all continue to enjoy a better life in the future.

Mr. CONYERS. Continuing my reservation of objection, Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding to me. I did not appropriately thank him for his leadership, and the members of the committee; and also for having the passion and understanding that though this came through the Subcommittee on Immigration and Claims, it is a Committee on the Judiciary issue, a full committee issue.

I am delighted that the gentleman from Michigan (Mr. EHLERS) talked about the reeducating of our youth. The point I wanted to focus on is that this is a continuing effort, this is not a one-time effort, as everyone has said.

But this is a time to speak to my colleagues who would think that it is a narrow issue. The issue should be that we leave, and I have heard this said before, we leave no one behind. Right now, even though we can focus on those K through 12 students which we want to excite about math and science, to project them into the future, let me just remind my colleagues that we do have existing American workers who, with cross-training, what we call incumbent worker training, engineers graduated from historically black colleges or Hispanic-serving institutions or individuals in rural America who are now ready to stand alongside of the immigrant visas we are giving.

It must be said as much as we fought on the issue of helping immigrants, particularly trying to restructure the INS, making things less bureaucratic, we know this is not an attempt to discard the talents that they bring, but it is to recognize that there are existing workers today, Hispanics, African-Americans, people who live in rural communities, people who live in urban communities, who can benefit from the recruitment of the industry that we would like to see, from the collaboration and training in institutions that these individuals could get cross-training in, and as an engineer, be able to write software technology.

That is why I was saddened at the opportunity we missed with this legislation. I am gratified that the fees are raised, so we know we are committed to training; gratified that those public schools that need teachers coming in from foreign countries to teach, because we have a teacher shortage, now do not have to pay the fee; gratified that we have the Kids 2000 technology aspect; but hope that my colleagues, in keeping with the comments of the gentleman from Michigan (Mr. CONYERS) about an omnibus approach in the future, that we will be reminded of those underserved, underutilized communities, and underutilized American workers we have.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Utah.

Mr. CANNON. Mr. Speaker, I thank the gentleman for yielding.

I want to take a moment to thank those involved in this bill, the gentleman from California (Mr. DREIER) has worked indefatigably on this issue, as has the gentlewoman from Texas (Ms. JACKSON-LEE). We appreciate that. Her great leadership on the committee has been helpful.

The gentleman from Michigan (Mr. EHLERS) has worked very, very hard on these issues. We appreciate his comments, and those of the gentlewoman from North Carolina (Mrs. CLAYTON), who just spoke eloquently. We appreciate her concerns and leadership on the issue.

Mr. MOAKLEY. Mr. Speaker, the bill before us contains technical corrections and clarifications to the H1–B visa legislation which passed the House by voice vote on Wednesday and the Senate 96 to 1. This bill will increase the H1–B visa fee which will be used to train American workers in high tech jobs. It also goes further to protect non-profits affiliated with educational institutions, like teaching hospitals. This training money is a positive step. It is overwhelmingly supported by members in both bodies and on both sides of the aisle. I want to thank my colleague DAVID DREIER for his leadership on this issue.

Mr. GREEN of Texas. Mr. Speaker, I would like to thank Chairman DREIER and Congressman JOE MOAKLEY for including my bill into the H–1B visa bill. The American Competitiveness and Workforce Improvement Act of 1998 developed a new filing fee which must be paid by employers when they file H–1B petitions for "aliens in specialty occupations" before October 1, 2001. Certain employers are exempt from paying the filing fee, including institutions of higher education, nonprofit organizations or a Government research institute, it is my regret that this preferential treatment does not extend to grades K–12. With this in mind, elementary and secondary-level education institutions that qualify as nonprofit organizations under the appropriate sections of the Internal Revenue Code do not qualify as "institutions of higher education," as defined by the ACWIA, and are thus not exempt.

In response to this confusion, The Department of Labor has identified the need to clarify the definition of exemption provisions as they apply to elementary and secondary-level education institutions. We offered H.R. 1573 to ensure that the same policies and objectives served by the ACWIA be extended to include elementary and secondary-level education providers.

The fee was paid by our public schools from property tax dollars to I.N.S. This bill will save our public schools scarce property tax funds to use for education.

I hope we can pass this legislation that would provide our elementary and secondary schools a chance to hire experts and teachers through the H1–B Visa program and save local tax dollars.

Mr. CONYERS. Mr. Speaker, because I support the bill, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5362

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

SECTION 1. AUTHORITIES RELATING TO THE IMPOSITION OF FEES.

Section 214(c)(9) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)) is amended—

(1) in subparagraph (A), by striking ''(excluding'' and all that follows through ''2001)'' and inserting ''(excluding any employer that is a primary or secondary education institution, an institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a), a nonprofit entity related to or affiliated with any such institution, a nonprofit entity which engages in established curriculum-related clinical training of students registered at any such institution, a nonprofit research organization, or a governmental research organization) filing before October 1, 2003''; and

(2) in subparagraph (B), by striking ''$500'' and inserting ''$1000''.

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1(2) shall apply only to petitions that are filed on or after the date that is two months after the date of enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANNON. 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. 5362.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregon, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4475) ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes.''.

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

S. 2547. An act to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes.

CONFERENCE REPORT ON H.R. 5408, FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. STUMP submitted the following conference report and statement on the bill (H.R. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–945)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4205), to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the 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 proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. ENACTMENT OF FISCAL YEAR 2001 NATIONAL DEFENSE AUTHORIZATION ACT.

The provisions of H.R. 5408 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

SEC. 2. PUBLICATION OF ACT.

In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1.

And the Senate agree to the same.

JOEL HEFLEY,
JIM SAXTON,
STEVE BUYER,
TILLIE K. FOWLER,
JOHN M. MCHUGH,
JAMES M. TALENT,
TERRY EVERETT,
ROSCOE G. BARTLETT,

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

FLOYD SPENCE,
BOB STUMP,
DUNCAN HUNTER,
JOHN R. KASICH,
JAMES V. HANSEN,
CURT WELDON,
HOWARD ''BUCK'' MCKEON,
J.C. WATTS, JR.,
MACK THORNBERRY,
JOHN N. HASTETTLER,
SAXBY CHAMBLISS,
IKE SKELTON,
NORMAN SISISKY
JOHN SPRATT,
SOLOMON P. ORTIZ,
OWEN B. PICKETT,
LANE EVANS,
GENE TAYLOR,
NEIL ABERCROMBIE,
MARTIN T. MEEHAN,
THOMAS ALLEN,
VIC SNYDER,
JAMES H. MALONEY,
MIKE MCINTYRE,
ELLEN O. TAUSCHER,
MIKE THOMPSON,

Provided that Mr. Kuykendall is appointed in lieu of Mr. Kasich for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference:

STEVEN T. KUYKENDALL,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,
JERRY LEWIS,
JULIAN C. DIXON,

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3131, 3133, 3134, 3138, 3152, 3154, 3155, 3167–3169, 3171, 3201, and 3301–3303 of the Senate amendment, and modifications committed to conference:

TOM BLILEY,
JOE BARTON,
JOHN D. DINGELL,

Provided that Mr. Bilirakis is appointed in lieu of Mr. Barton of Texas for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference:

MIKE BILIRAKIS,

Provided that Mr. Oxley is appointed in lieu of Mr. Barton of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and title XXXV of the Senate amendment, and modifications committed to conference:

BILL GOODLING,
VAN HILLEARY,
PASTY T. MINK,

From the Committee on Government Reform, for consideration of sections 518, 651, 723, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A 1044, 1057, 1063, 1069, 1073, 1101, 1102, 1004, and 1106–1118, title XIV, and sections 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

DAN BURTON,
JOE SCARBOROUGH,
HENRY A. WAXMAN,

Provided that Mr. Horn is appointed in lieu of Mr. Scarborough for consideration of section 801 of the House bill, and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, and 1101, title XIV, and sections 2871 and 2881 of the Senate amendment, and modifications committee to conference:

STEPHEN HORN,

Provided that Mr. McHugh is appointed in lieu of Mr. Scarborough for consideration of section 1073 of the Senate amendment, and modifications committed to conference:

JOHN M. MCHUGH,

From the Committee on House Administration, for consideration of sections 561–563 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
JOHN BOEHNER,
STENY H. HOYER,

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, and 1210, title XIII, and section 3136 of the House bill, and sections 1011, 1201–1203, 1206 1208, 1209, 1212, 1214, 3178, and 3193 of the Senate amendment, and modifications committed to conference:

BILL GOODLING,

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill, and sections 506, 645, 663, 668, 909, 1068, and 1106, title XV, and title XXXV of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
CHARLES T. CANADY,

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601 and 1059, title XIII, and sections 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

DON YOUNG of Alaska,
BILLY TAUZIN,

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
WAYNE T. GILCHREST
BRIAN BAIRD,

Provided that Mr. Pascrell is appointed in lieu of Mr. Baird for consideration of section 1072 of the Senate amendment, and modifications committed to conference:

BILL PASCRELL, Jr.,

From the Committee on Veterans' Affairs, for consideration of sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment, and modifications committed to conference:

MICHAEL BILIRAKIS,
JACK QUINN,
CORRINE BROWN of Florida,

From the Committee on Ways and Means, for consideration of section 725 of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,

Managers on the Part of the House.

JOHN W. WARNER,
STROM THURMOND,

JOHN MCCAIN,
BOB SMITH of New Hampshire,
JAMES INHOFE,
RICK SANTORUM,
OLYMPIA J. SNOWE,
PAT ROBERTS,
WAYNE ALLARD,
TIM HUTCHINSON,
JEFF SESSIONS,
CARL LEVIN,
EDWARD KENNEDY,
JEFF BINGAMAN,
ROBERT C. BYRD,
CHUCK ROBB,
JOE LIEBERMAN,
MAX CLELAND,
MS. MARY L. LANDRIEU,
JACK REED,
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. 4205) to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The House recedes from its disagreement to the amendment of the Senate with an amendment which is a substitute for the House bill and the Senate amendment. The differences between the House bill, the Senate amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

The conference agreement would enact the provisions of H.R. 5408 as introduced on October 6, 2000. The text of that bill follows:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001''.

(b) FINDINGS.—Congress makes the following findings:

(1) Representative Floyd D. Spence of South Carolina was elected to the House of Representatives in 1970, for service in the 92d Congress, after serving in the South Carolina legislature for 10 years, and he has been reelected to each subsequent Congress.

(2) Representative Spence came to Congress as a distinguished veteran of service in the Armed Forces of the United States.

(3) Upon graduation from college in 1952, Representative Spence was commissioned as an ensign in the United States Naval Reserve. After entering active duty, he served with distinction aboard the USS CARTER HALL and the USS LSM–397 during the Korean War and later served as commanding officer of a Naval Reserve Surface Division and as group commander of all Naval Reserve units in Columbia, South Carolina. Representative Spence retired from the Naval Reserve in 1988 in the grade of captain, after 41 years of dedicated service.

(4) Upon election to the House of Representatives, Representative Spence became a member of the Committee on Armed Services of that body. During 30 years of service on that committee (4 years of which were served while the committee was known as the Committee on National Security), Representative Spence's contributions to the national defense and security of the United States have been profound and long lasting.

(5) Representative Spence served as chairman of that committee while known as the Committee on National Security during the 104th and 105th Congresses and serves as chairman of that committee for the 106th Congress. In addition, Representative Spence served as the ranking minority member of the Committee on Armed Services during the 103d Congress.

(6) Dozens of awards from active duty and reserve military, veterans service, military retiree, and industry organizations and associations have recognized the distinguished character of Representative Spence's service to the Nation.

(7) Representative Spence has been a leading figure in the debate over many of the most critical military readiness, health care, recruiting, and retention issues currently confronting the Nation's military. His concern for the men and women in uniform has been unwavering, and his accomplishments in promoting and gaining support for those issues that preserve the combat effectiveness, morale, and quality of life of the Nation's military personnel have been unparalleled.

(8) During his tenure as chairman of the Committee on National Security and the Committee on Armed Services of the House of Representatives, Representative Spence has—

(A) led efforts to identify and reverse the effect that declining resources and rising commitments have had on military quality of life for service members and their families, on combat readiness, and on equipment modernization, with a direct result of those diligent efforts and of his willingness to be an outspoken proponent for America's military being that Congress has added nearly $50,000,000,000 to the President's defense budgets over the past 5 years;

(B) been a leading proponent of the need to expeditiously develop and field a national missile defense to protect American citizens and forward deployed military forces from growing ballistic missile threats;

(C) advocated reversing the growing disparity between actual military capability and the requirements associated with the National Military Strategy; and

(D) led efforts in Congress to reform Department of Defense acquisition and management headquarters and infrastructure and business practices.

(9) This Act is the 30th annual authorization bill for the Department of Defense for which Representative Spence has taken a major responsibility as a member of the Committee on Armed Services of the House of Representatives (including 4 years while that committee was known as the Committee on National Security).

(10) In light of the findings in the preceding paragraphs, it is altogether fitting and proper that this Act be named in honor of Representative Floyd D. Spence of South Carolina, as provided in subsection (a).

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

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

Sec. 1. Short title; findings.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 105. Defense Inspector General.
Sec. 106. Defense Health Program.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority.
Sec. 112. Increase in limitation on number of bunker defeat munitions that may be acquired.
Sec. 113. Reports and limitations relating to Army transformation.

Subtitle C—Navy Programs

Sec. 121. CVNX–1 nuclear aircraft carrier program.
Sec. 122. Arleigh Burke class destroyer program.
Sec. 123. Virginia class submarine program.
Sec. 124. Limitation during fiscal year 2001 on changes in submarine force structure.
Sec. 125. ADC(X) ship program.
Sec. 126. Refueling and complex overhaul program of the U.S.S. Dwight D. Eisenhower.
Sec. 127. Analysis of certain shipbuilding programs.
Sec. 128. Helicopter support of FFG–7 frigates during fiscal year 2001.
Sec. 129. V–22 cockpit aircraft voice and flight data recorders.

Subtitle D—Air Force Programs

Sec. 131. Annual report on B–2 bomber.
Sec. 132. Report on modernization of Air National Guard F–16A units.

Subtitle E—Joint Programs

Sec. 141. Study of final assembly and checkout alternatives for the Joint Strike Fighter program.

Subtitle F—Chemical Demilitarization

Sec. 151. Pueblo Chemical Depot chemical agent and munitions destruction technologies.
Sec. 152. Report on assessment of need for Federal economic assistance for communities impacted by chemical demilitarization activities.
Sec. 153. Prohibition against disposal of nonstockpile chemical warfare material at Anniston chemical stockpile disposal facility.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Management of Space-Based Infrared System—Low.
Sec. 212. Joint Strike Fighter program.
Sec. 213. Fiscal year 2002 joint field experiment.
Sec. 214. Nuclear aircraft carrier design and production modeling.
Sec. 215. DD–21 class destroyer program.
Sec. 216. Limitation on Russian American Observation Satellites program.
Sec. 217. Joint biological defense program.
Sec. 218. Report on biological warfare defense vaccine research and development programs.

Sec. 219. Cost limitations applicable to F–22 aircraft program.
Sec. 220. Unmanned advanced capability combat aircraft and ground combat vehicles.
Sec. 221. Global Hawk high altitude endurance unmanned aerial vehicle.
Sec. 222. Army space control technology development.

Subtitle C—Ballistic Missile Defense

Sec. 231. Funding for fiscal year 2001.
Sec. 232. Reports on ballistic missile threat posed by North Korea.
Sec. 233. Plan to modify ballistic missile defense architecture.
Sec. 234. Management of Airborne Laser program.

Subtitle D—High Energy Laser Programs

Sec. 241. Funding.
Sec. 242. Implementation of High Energy Laser Master Plan.
Sec. 243. Designation of senior official for high energy laser programs.
Sec. 244. Site for Joint Technology Office.
Sec. 245. High energy laser infrastructure improvements.
Sec. 246. Cooperative programs and activities.
Sec. 247. Technology plan.
Sec. 248. Annual report.
Sec. 249. Definition.
Sec. 250. Review of defense-wide directed energy programs.

Subtitle E—Other Matters

Sec. 251. Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept.
Sec. 252. Air Force science and technology planning.
Sec. 253. Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study.
Sec. 254. Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Armed Forces Retirement Home.
Sec. 304. Transfer from National Defense Stockpile Transaction Fund.
Sec. 305. Joint warfighting capabilities assessment teams.

Subtitle B—Environmental Provisions

Sec. 311. Establishment of additional environmental restoration account and use of accounts for operation and monitoring of environmental remedies.
Sec. 312. Certain environmental restoration activities.
Sec. 313. Annual reports under Strategic Environmental Research and Development Program.
Sec. 314. Payment of fines and penalties for environmental compliance at Fort Wainwright, Alaska.
Sec. 315. Payment of fines or penalties imposed for environmental compliance violations at other Department of Defense facilities.
Sec. 316. Reimbursement for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia.
Sec. 317. Necessity of military low-level flight training to protect national security and enhance military readiness.
Sec. 318. Ship disposal project.
Sec. 319. Defense Environmental Security Corporate Information Management Program.
Sec. 320. Report on Plasma Energy Pyrolysis System.
Sec. 321. Sense of Congress regarding environmental restoration of former defense manufacturing site, Santa Clarita, California.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Sec. 331. Use of appropriated funds to cover operating expenses of commissary stores.
Sec. 332. Adjustment of sales prices of commissary store goods and services to cover certain expenses.
Sec. 333. Use of surcharges for construction and improvement of commissary stores.
Sec. 334. Inclusion of magazines and other periodicals as an authorized commissary merchandise category.
Sec. 335. Use of most economical distribution method for distilled spirits.
Sec. 336. Report on effects of availability of slot machines on United States military installations overseas.

Subtitle D—Department of Defense Industrial Facilities

Sec. 341. Designation of Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such centers.
Sec. 342. Unutilized and underutilized plant-capacity costs of United States arsenals.
Sec. 343. Arsenal support program initiative.
Sec. 344. Codification and improvement of armament retooling and manufacturing support programs.

Subtitle E—Performance of Functions by Private-Sector Sources

Sec. 351. Inclusion of additional information in reports to Congress required before conversion of commercial or industrial type functions to contractor performance.
Sec. 352 Effects of outsourcing on overhead costs of Centers of Industrial and Technical Excellence and Army ammunition plants.
Sec. 353. Consolidation, restructuring, or reengineering of Department of Defense organizations, functions, or activities.
Sec. 354. Monitoring of savings resulting from workforce reductions as part of conversion of functions to performance by private sector or other strategic sourcing initiatives.
Sec. 355. Performance of emergency response functions at chemical weapons storage installations.
Sec. 356. Suspension of reorganization or relocation of Naval Audit Service.

Subtitle F—Defense Dependents Education

Sec. 361. Eligibility of dependents of American Red Cross employees for enrollment in Department of Defense domestic dependent schools in Puerto Rico.
Sec. 362. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 363. Impact aid for children with severe disabilities.
Sec. 364. Assistance for maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense civilian employees.

Subtitle G—Military Readiness Issues

Sec. 371. Measuring cannibalization of parts, supplies, and equipment under readiness reporting system.
Sec. 372. Reporting requirements regarding transfers from high-priority readiness appropriations.
Sec. 373. Effects of worldwide contingency operations on readiness of military aircraft and equipment.
Sec. 374. Identification of requirements to reduce backlog in maintenance and repair of defense facilities.
Sec. 375. New methodology for preparing budget requests to satisfy Army readiness requirements.
Sec. 376. Review of AH–64 aircraft program.
Sec. 377. Report on Air Force spare and repair parts program for C–5 aircraft.

Subtitle H—Other Matters

Sec. 381. Annual report on public sale of certain military equipment identified on United States Munitions List.
Sec. 382. Resale of armor-piercing ammunition disposed of by the Army.
Sec. 383. Reimbursement by civil air carriers for support provided at Johnston Atoll.
Sec. 384. Travel by Reserves on military aircraft.
Sec. 385. Overseas airlift service on Civil Reserve Air Fleet aircraft.
Sec. 386. Additions to plan for ensuring visibility over all in-transit end items and secondary items.
Sec. 387. Reauthorization of pilot program for acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft.
Sec. 388. Extension of authority to sell certain aircraft for use in wildfire suppression.
Sec. 389. Damage to aviation facilities caused by alkali silica reactivity.
Sec. 390. Demonstration project to increase reserve component internet access and services in rural communities.
Sec. 391. Additional conditions on implementation of Defense Joint Accounting System.
Sec. 392. Report on Defense Travel System.
Sec. 393. Review of Department of Defense costs of maintaining historical properties.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength minimum levels.
Sec. 403. Adjustment to end strength flexibility authority.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2001 limitation on non-dual status technicians.
Sec. 415. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency.
Sec. 422. Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands.
Sec. 423. Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve commissioned officers in grades below brigadier general.
Sec. 424. Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Eligibility of Army and Air Force Reserve colonels and brigadier generals for position vacancy promotions.
Sec. 502. Flexibility in establishing promotion zones for Coast Guard Reserve officers.
Sec. 503. Time for release of reports of officer promotion selection boards.
Sec. 504. Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration.
Sec. 505. Authority to issue posthumous commissions in the case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned.
Sec. 506. Technical corrections relating to retired grade of reserve commissioned officers.
Sec. 507. Grade of chiefs of reserve components and directors of National Guard components.
Sec. 508. Revision to rules for entitlement to separation pay for regular and reserve officers.

Subtitle B—Reserve Component Personnel Policy

Sec. 521. Exemption from active-duty list for reserve officers on active duty for a period of three years or less.
Sec. 522. Termination of application requirement for consideration of officers for continuation on the reserve active-status list.
Sec. 523. Authority to retain Air Force Reserve officers in all medical specialties until specified age.
Sec. 524. Authority for provision of legal services to reserve component members following release from active duty.
Sec. 525. Extension of involuntary civil service retirement date for certain reserve technicians.

Subtitle C—Education and Training

Sec. 531. Eligibility of children of Reserves for Presidential appointment to service academies.
Sec. 532. Selection of foreign students to receive instruction at service academies.
Sec. 533. Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program.
Sec. 534. Review of allocation of Junior Reserve Officers Training Corps units among the services.
Sec. 535. Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development.

Subtitle D—Decorations, Awards, and Commendations

Sec. 541. Limitation on award of Bronze Star to members in receipt of imminent danger pay.
Sec. 542. Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the Armed Forces and other qualified persons.
Sec. 543. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 544. Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941.
Sec. 545. Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, Commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel.
Sec. 546. Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941.
Sec. 547. Commendation of citizens of Remy, France, for World War II actions.
Sec. 548. Authority for Award of the Medal of Honor to William H. Pitsenbarger for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Sec. 551. Recognition by States of military testamentary instruments.
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SEC. . CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means—

(1) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

TITLE I—PROCUREMENT

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Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Army as follows:

(1) For aircraft, $1,550,012,000.

(2) For missiles, $1,320,681,000.

(3) For weapons and tracked combat vehicles, $2,436,324,000.

(4) For ammunition, $1,179,916,000.

(5) For other procurement, $4,235,719,000.

(6) For chemical agents and munitions destruction, $980,100,000, for—

(A) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(B) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Navy as follows:

(1) For aircraft, $8,394,338,000.

(2) For weapons, including missiles and torpedoes, $1,443,600,000.

(3) For shipbuilding and conversion, $12,826,919,000.

(4) For other procurement, $3,380,680,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Marine Corps in the amount of $1,212,768,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement of ammunition for the Navy and the Marine Corps in the amount of $487,749,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Air Force as follows:

(1) For aircraft, $9,923,868,000.

(2) For missiles, $2,863,778,000.

(3) For ammunition, $646,808,000.

(4) For other procurement, $7,711,647,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

(a) AMOUNT AUTHORIZED.—Funds are hereby authorized to be appropriated for fiscal year 2001 for Defense-wide procurement in the amount of $2,278,408,000.

(b) AMOUNT FOR NATIONAL MISSILE DEFENSE.—Of the funds authorized to be appropriated in subsection (a), $74,530,000 shall be available for the National Missile Defense program.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2001 for procurement for the Inspector General of the Department of Defense in the amount of $3,300,000.

SEC. 106. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $290,006,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY.

(a) M2A3 BRADLEY FIGHTING VEHICLE.—(1) Beginning with the fiscal year 2001 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into one or more multiyear contracts for procurement of M2A3 Bradley fighting vehicles.

(2) The Secretary of the Army may execute a contract authorized by paragraph (1) only after—

(A) there is a successful completion of a M2A3 Bradley initial operational test and evaluation (IOT&E); and

(B) the Secretary certifies in writing to the congressional defense committees that the vehicle met all required test parameters.

(b) UTILITY HELICOPTERS.—Beginning with the fiscal year 2002 program year, the Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into one or more multiyear contracts for procurement of UH–60 Blackhawk utility helicopters and, acting as executive agent for the Department of the Navy, CH–60 Knighthawk utility helicopters.

SEC. 112. INCREASE IN LIMITATION ON NUMBER OF BUNKER DEFEAT MUNITIONS THAT MAY BE ACQUIRED.

Section 116(2) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2682) is amended by striking ''6,000'' and inserting ''8,500''.

SEC. 113. REPORTS AND LIMITATIONS RELATING TO ARMY TRANSFORMATION.

(a) SECRETARY OF THE ARMY REPORT ON OBJECTIVE FORCE DEVELOPMENT PROCESS.—The Secretary of the Army shall submit to the congressional defense committees a report on the process for developing the objective force in the transformation of the Army. The report shall include the following:

(1) The operational environments envisioned for the objective force.

(2) The threat assumptions on which research and development efforts for transformation of the Army into the objective force are based.

(3) The potential operational and organizational concepts for the objective force.

(4) The operational requirements anticipated for the operational requirements document of the objective force.

(5) The anticipated schedule of Army transformation activities through fiscal year 2012, together with—

(A) the projected funding requirements through that fiscal year for research and development activities and procurement activities related to transition to the objective force; and

(B) a summary of the anticipated investments of the Defense Advanced Research Projects Agency in programs designed to lead to the fielding of future combat systems for the objective force.

(6) A proposed plan for the comparison referred to in subsection (c).

If any of the information required by paragraphs (1) through (5) is not available at the time the report is submitted, the Secretary shall include in the report the anticipated schedule for the availability of that information.

(b) SECRETARY OF DEFENSE REPORT ON OBJECTIVE FORCE DEVELOPMENT PROCESS.—Not later than March 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the process for developing the objective force in the transformation of the Army. The report shall include the following:

(1) The joint warfighting requirements that will be supported by the fielding of the objective force, together with a description of the adjustments that are planned to be made in the war plans of the commanders of the unified combatant commands in relation to the fielding of the objective force.

(2) The changes in lift requirements that may result from the establishment and fielding of the combat brigades of the objective force.

(3) The evaluation process that will be used to support decisionmaking on the course of the Army transformation, including a description of the operational evaluations and experimentation that will be used to validate the operational requirements for the operational requirements document of the objective force.

If any of the information required by paragraphs (1) through (3) is not available at the time the report is submitted, the Secretary shall include in the report the anticipated schedule for the availability of that information.

(c) COSTS AND EFFECTIVENESS OF MEDIUM ARMORED COMBAT VEHICLES FOR THE INTERIM BRIGADE COMBAT TEAMS.—(1) The Secretary of the Army shall develop a plan for comparing—

(A) the costs and operational effectiveness of the infantry carrier variant of the interim armored vehicles selected for the infantry battalions of the interim brigade combat teams; and

(B) the costs and operational effectiveness of the troop-carrying medium armored vehicles currently in the Army inventory for the use of infantry battalions.

(2) The Secretary of the Army may not carry out the comparison described in paragraph (1) until the Director of Operational Test and Evaluation of the Department of Defense approves the plan for that comparison developed under that paragraph.

(d) LIMITATION PENDING RECEIPT OF SECRETARY OF THE ARMY REPORT.—Not more than 80 percent of the amount appropriated for fiscal year 2001 for the procurement of armored vehicles in the family of new medium armored vehicles may be obligated until—

(1) the Secretary of the Army submits to the congressional defense committees the report required under subsection (a); and

(2) a period of 30 days has elapsed from the date of the submittal of such report.

(e) LIMITATION PENDING COMPARISON AND CERTIFICATION.—No funds appropriated or otherwise made available to the Department of the Army for any fiscal year may be obligated for acquisition of medium armored combat vehicles to equip a third interim brigade combat team until—

(1) the plan for a comparison of costs and operational effectiveness developed under subsection (c)(1), as approved under subsection (c)(2), is carried out;

(2) the Secretary of Defense submits to the congressional defense committees, after the completion of the comparison referred to in paragraph (1), a certification that—

(A) the Secretary approves of the obligation of funds for that purpose; and

(B) the force structure resulting from the acquisition and subsequent operational capability of interim brigade combat teams will not diminish the combat power of the Army; and

(3) a period of 30 days has elapsed from the date of the certification under paragraph (2).

(f) DEFINITIONS.—In this section:

(1) The term ''transformation'', with respect to the Army, means the actions being undertaken to transform the Army, as it is constituted in terms of organization, equipment, and doctrine in 2000, into the objective force.

(2) The term ''objective force'' means the Army that has the organizational structure, the most advanced equipment that early twenty-first century science and technology can provide, and the appropriate doctrine to ensure that the Army is responsive, deployable, agile, versatile, lethal, survivable, and sustainable for the full spectrum of the operations anticipated to be required of the Army during the early years of the twenty-first century following 2010.

(3) The term ''interim brigade combat team'' means an Army brigade that is designated by the Secretary of the Army as a brigade combat team and is reorganized and equipped with currently available equipment in a configuration that effectuates an evolutionary advancement toward transformation of the Army to the objective force.

Subtitle C—Navy Programs

SEC. 121. CVNX–1 NUCLEAR AIRCRAFT CARRIER PROGRAM.

(a) AUTHORIZATION OF SHIP.—The Secretary of the Navy is authorized to procure the aircraft carrier to be designated CVNX–1.

(b) ADVANCE PROCUREMENT AND CONSTRUCTION.—The Secretary may enter into one or more contracts for the advance procurement and advance construction of components for the ship authorized under subsection (a).

(c) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amounts authorized to be appropriated under section 102(a)(3) for fiscal year 2001, $21,869,000 is available for the advance procurement and advance construction of components (including nuclear components) for the CVNX–1 aircraft carrier program.

SEC. 122. ARLEIGH BURKE CLASS DESTROYER PROGRAM.

(a) ECONOMICAL MULTIYEAR PROCUREMENT OF PREVIOUSLY AUTHORIZED VESSELS AND ONE ADDITIONAL VESSEL.—(1) Subsection (b) of section 122 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2446), as amended by section 122(a) of Public Law 106–65 (113 Stat. 534), is further amended by striking ''a total of 18 Arleigh Burke class destroyers'' in the first sentence and all that follows through the period at the end of that sentence and inserting ''Arleigh Burke class destroyers in accordance with this subsection and subsection (a)(4) at procurement rates not in excess of three ships in each of the fiscal years beginning after September 30, 1998, and before October 1, 2005. The authority under the preceding sentence is subject to the availability of appropriations for such destroyers.''.

(2) The heading for such subsection is amended by striking ''18''.

(b) ECONOMICAL RATE OF PROCUREMENT.—It is the sense of Congress that, for the procurement of the Arleigh Burke class destroyers to be procured after fiscal year 2001 under multiyear contracts authorized under section 122(b) of Public Law 104–201, as amended by subsection (a)—

(1) the Secretary of the Navy should—

(A) achieve the most economical rate of procurement; and

(B) enter into such contracts for advance procurement as may be necessary to achieve that rate of procurement;

(2) the most economical rate of procurement would be achieved by procuring three of those vessels in each of fiscal years 2002 and 2003 and procuring another vessel in fiscal year 2004; and

(3) the Secretary has the authority under section 122(b) of Public Law 104–201 (110 Stat. 2446) and subsections (b) and (c) of section 122 of Public Law 106–65 (113 Stat. 534) to provide for procurement at the most economical rate, as described in paragraph (2).

(c) UPDATE OF 1993 REPORT ON DDG–51 CLASS SHIPS.—(1) The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than November 1, 2000, a report that updates the information provided in the report of the Secretary of the Navy entitled the ''Arleigh Burke (DDG–51) Class Industrial Base Study of 1993''. The Secretary shall transmit a copy of the updated report to the Comptroller General not later than the date on which the Secretary submits the report to the committees.

(2) The Comptroller General shall review the updated report submitted under paragraph (1) and, not later than December 1, 2000, submit to the Committees on Armed Services of the Senate and House of Representatives the Comptroller General's comments on the updated report.

SEC. 123. VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AMOUNTS AUTHORIZED FROM SCN ACCOUNT.—Of the amounts authorized to be appropriated by section 102(a)(3) for fiscal year 2001, $1,706,234,000 is available for the Virginia class submarine program.

(b) CONTRACT AUTHORITY.—(1) The Secretary of the Navy is authorized to enter into a contract for the procurement of up to five Virginia class submarines, including the procurement of material in economic order quantities when cost savings are achievable, during fiscal years 2003 through 2006. The submarines authorized under the preceding sentence are in addition to the submarines authorized under section 121(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648).

(2) A contract entered into under paragraph (1) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose.

(c) SHIPBUILDER TEAMING.—Paragraphs (2)(A), (3), and (4) of section 121(b) of Public Law 105–85 apply to the procurement of submarines under this section.

(d) LIMITATION OF LIABILITY.—If a contract entered into under this section is terminated, the United States shall not be liable for termination costs in excess of the total of the amounts appropriated for the Virginia class submarine program that remain available for the program.

(e) REPORT REQUIREMENT.—At that same time that the President submits the budget for fiscal year 2002 to Congress under section 1105(a) of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report on the Navy's fleet of fast attack submarines. The report shall include the following:

(1) A plan for maintaining at least 55 fast attack submarines in commissioned service through 2015, including, by 2015, 18 Virginia class submarines.

(2) Two assessments of the potential savings that would be achieved under the Virginia class submarine program if the production rate for that program were at least two submarines each fiscal year, as follows:

(A) An assessment if that were the production rate beginning in fiscal year 2004.

(B) An assessment if that were the production rate beginning in fiscal year 2006.

(3) An analysis of the advantages and disadvantages of various contracting strategies for the Virginia class submarine program, including one or more multiyear procurement strategies and one or more strategies for block buy with economic order quantity.

SEC. 124. LIMITATION DURING FISCAL YEAR 2001 ON CHANGES IN SUBMARINE FORCE STRUCTURE.

(a) LIMITATION ON RETIREMENT OF SUBMARINES.—During fiscal year 2001, the Secretary of the Navy may not retire from the active force structure of the Navy any Los Angeles class nuclear-powered attack submarine or any Ohio class nuclear-powered ballistic missile submarine unless the Secretary of the Navy certifies to Congress in writing that he cannot assure the continued safe and militarily effective operation of that submarine.

(b) REPORT.—Not later than April 15, 2001, the President shall submit to Congress a report on the required force structure for nuclear-powered submarines, including attack submarines (SSNs), ballistic missile submarines (SSBNs), and cruise missile submarines (SSGNs), to support the national military strategy through 2020. The report shall include a detailed discussion of the acquisition strategy and fleet maintenance requirements to achieve and maintain that force structure through—

(1) the procurement of new construction submarines;

(2) the refueling of Los Angeles class attack submarines (SSNs) to achieve the maximum amount of operational useful service; and

(3) the conversion of Ohio class submarines that are no longer required for the strategic deterrence mission from their current ballistic missile (SSBN) configuration to a cruise-missile (SSGN) configuration.

SEC. 125. ADC(X) SHIP PROGRAM.

The Secretary of the Navy may procure the construction of all ADC(X) class ships in one shipyard if the Secretary determines that it is more cost effective to do so than to procure the

construction of such ships from more than one shipyard.

SEC. 126. REFUELING AND COMPLEX OVERHAUL PROGRAM OF THE U.S.S. DWIGHT D. EISENHOWER.

(a) AMOUNT AUTHORIZED FROM SCN ACCOUNT.—Of the amount authorized to be appropriated by section 102(a)(3) for fiscal year 2001, $698,441,000 is available for the commencement of the nuclear refueling and complex overhaul of the U.S.S. Dwight D. Eisenhower (CVN–69) during fiscal year 2001. The amount made available in the preceding sentence is the first increment in the incremental funding planned for the nuclear refueling and complex overhaul of that vessel.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy is authorized to enter into a contract during fiscal year 2001 for the nuclear refueling and complex overhaul of the U.S.S. Dwight D. Eisenhower.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (b) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2001 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 127. ANALYSIS OF CERTAIN SHIPBUILDING PROGRAMS.

(a) ALTERNATIVE FUNDING ANALYSIS.—The Secretary of the Navy shall conduct an analysis on the potential benefits and risks associated with alternative funding mechanisms for the procurement of various classes of naval vessels and other naval capabilities beginning in fiscal year 2002.

(b) ALTERNATIVE FUNDING MECHANISMS.—For purposes of this section, the term ''alternative funding mechanism'' means any of the following:

(1) The use of multiyear procurement.

(2) The use of advance procurement for block buys of materials in economic order quantities.

(3) The use of advance procurement and advance construction required in the number of years appropriate to minimize the cost of ship construction.

(4) The use of advance procurement and advance construction apportioned roughly evenly across some number of fiscal years.

(5) The use of resources from the National Defense Sealift Fund to budget for auxiliary ships and strategic lift ships.

(6) The use of the resources from the National Defense Sealift Fund to provide advance payments for national defense features to establish an active Ready Reserve Force.

(c) REPORT.—The Secretary shall submit to the congressional defense committees a report providing the results of the analysis under subsection (a). The report shall be submitted concurrently with the submission of the President's budget for fiscal year 2002, but in no event later than February 5, 2001. The report shall include the following:

(1) A detailed description of the funding mechanisms considered.

(2) The potential savings or costs associated with each such funding mechanism.

(3) The year-to-year effect of each such funding mechanism on production stability of other shipbuilding programs funded within the Shipbuilding and Conversion, Navy, account, given the current acquisition plan of the Navy through fiscal year 2010.

(4) The variables and constants used in the analysis which should include economic, industrial base, and budget realities.

(5) A description and discussion of any statutory or regulatory restrictions that would preclude the use of any of the funding mechanisms considered.

SEC. 128. HELICOPTER SUPPORT OF FFG–7 FRIGATES DURING FISCAL YEAR 2001.

During fiscal year 2001, the Secretary of the Navy shall operate one squadron of six SH-2G helicopters to provide organic helicopter assets for operational support of missions that are to be carried out by FFG–7 Flight I and Flight II frigates during that fiscal year.

SEC. 129. V–22 COCKPIT AIRCRAFT VOICE AND FLIGHT DATA RECORDERS.

The Secretary of Defense shall require that all V–22 Osprey aircraft be equipped with a state-of-the-art cockpit voice recorder and a state-of-the-art flight data recorder each of which meets, at a minimum, the standards for such devices recommended by the National Transportation Safety Board.

Subtitle D—Air Force Programs

SEC. 131. ANNUAL REPORT ON B–2 BOMBER.

(a) IN GENERAL.—(1) Chapter 136 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2282. B–2 bomber: annual report

''Not later than March 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the B–2 bomber aircraft. Each such report shall include the following:

''(1) Identification of the average full-mission capable rate of B–2 aircraft for the preceding fiscal year and the Secretary's overall assessment of the implications of that full-mission capable rate on mission accomplishment for the B–2 aircraft, together with the Secretary's determination as to whether that rate is adequate for the accomplishment of each of the missions assigned to the B–2 aircraft as of the date of the assessment.

''(2) An assessment of the technical capabilities of the B–2 aircraft and whether these capabilities are adequate to accomplish each of the missions assigned to that aircraft as of the date of the assessment.

''(3) Identification of all ongoing and planned development of technologies to enhance the capabilities of that aircraft.

''(4) Identification and assessment of additional technologies that would make that aircraft more capable or survivable against known and evolving threats.

''(5) A fiscally phased program for each technology identified in paragraphs (3) and (4) for the budget year and the future-years defense program, based on the following three funding situations:

''(A) The President's current budget.

''(B) The President's current budget and the current Department of Defense unfunded priority list.

''(C) The maximum executable funding for the B–2 aircraft given the requirement to maintain enough operationally ready aircraft to accomplish missions assigned to the B-2 aircraft.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2282. B–2 bomber: annual report.''.

(b) REPEAL OF SUPERSEDED REPORTING REQUIREMENT.—Section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189) is repealed.

SEC. 132. REPORT ON MODERNIZATION OF AIR NATIONAL GUARD F–16A UNITS.

The Secretary of the Air Force shall, not later than February 1, 2001, submit to Congress a plan to modernize and upgrade the combat capabilities of those Air National Guard units that, as of the date of the enactment of this Act, are assigned F–16A aircraft so that those units can be deployed as part of Air Expeditionary Forces.

Subtitle E—Joint Programs

SEC. 141. STUDY OF FINAL ASSEMBLY AND CHECKOUT ALTERNATIVES FOR THE JOINT STRIKE FIGHTER PROGRAM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the award of a contract for engineering and manufacturing development for the Joint Strike Fighter aircraft program, the Secretary of Defense shall submit to Congress a report providing the results of a study of final assembly and checkout alternatives for that aircraft.

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall include the following:

(1) Examination of alternative final assembly and checkout strategies for the program, including—

(A) final assembly and checkout of all aircraft under the program at one location;

(B) final assembly and checkout at dual locations; and

(C) final assembly and checkout at multiple locations.

(2) Identification of each Government and industry facility that is a potential location for such final assembly and checkout.

(3) Identification of the anticipated costs of final assembly and checkout at each facility identified pursuant to paragraph (2), based upon a reasonable profile for the annual procurement of that aircraft once it enters production.

(4) A comparison of the anticipated costs of carrying out such final assembly and checkout at each such location.

(c) COST COMPARISON.—In identifying costs under subsection (b)(3) and carrying out the cost comparisons required by subsection (b)(4), the Secretary shall include consideration of each of the following factors:

(1) State tax credits.

(2) State and local incentives.

(3) Skilled resident workforce.

(4) Supplier and technical support bases.

(5) Available stealth production facilities.

(6) Environmental standards.

Subtitle F—Chemical Demilitarization

SEC. 151. PUEBLO CHEMICAL DEPOT CHEMICAL AGENT AND MUNITIONS DESTRUCTION TECHNOLOGIES.

(a) LIMITATION.—In determining the technologies to be used for the destruction of the stockpile of lethal chemical agents and munitions at Pueblo Chemical Depot, Colorado, whether under the assessment required by section 141(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 537; 50 U.S.C. 1521 note), the Assembled Chemical Weapons Assessment, or any other assessment, the Secretary of Defense may consider only the following technologies:

(1) Incineration.

(2) Any technologies demonstrated under the Assembled Chemical Weapons Assessment on or before May 1, 2000.

(b) ASSEMBLED CHEMICAL WEAPONS ASSESSMENT DEFINED.—As used in subsection (a), the term ''Assembled Chemical Weapons Assessment'' means the pilot program carried out under section 8065 of the Department of Defense Appropriations Act, 1997 (as contained in section 101(b) of Public Law 104–208; 110 Stat. 3009–101; 50 U.S.C. 1521 note).

SEC. 152. REPORT ON ASSESSMENT OF NEED FOR FEDERAL ECONOMIC ASSISTANCE FOR COMMUNITIES IMPACTED BY CHEMICAL DEMILITARIZATION ACTIVITIES.

(a) REPORT REQUIRED.—Not later than April 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report on the impact of the Department of Defense chemical agents and munitions destruction program

on the communities in the vicinity of the chemical weapons stockpile storage sites and associated chemical agent demilitarization activities at the following facilities:

(1) Anniston Chemical Activity, Alabama.

(2) Blue Grass Chemical Activity, Kentucky.

(3) Deseret Chemical Depot, Utah.

(4) Edgewood Chemical Activity, Maryland.

(5) Newport Chemical Activity, Indiana.

(6) Pine Bluff Chemical Activity, Arkansas.

(7) Pueblo Chemical Activity, Colorado.

(8) Umatilla Chemical Depot, Oregon.

(b) RECOMMENDATION.—The Secretary shall include in the report a recommendation regarding whether Federal economic assistance for any or all of those communities to assist in meeting the impact of that program is needed and appropriate. If the Secretary's recommendation is that such economic assistance is needed and appropriate for any or all of such communities, the Secretary shall include in the report criteria for determining the amount of such economic assistance.

(c) MATTERS TO BE CONSIDERED IN ASSESSING IMPACT.—In assessing the impact of the program referred to in subsection (a) for purposes of preparing the report required by that subsection and the recommendation required by subsection (b), the Secretary shall consider the following:

(1) The impact that any change in population as a result of chemical agent demilitarization activities would have on the community.

(2) The possible temporary nature of such a change in population and the long-range financial impact of such a change in population on the permanent residents of the community.

(3) The initial capitalization required for the services, facilities, or infrastructure to support any increase in population.

(4) The operating costs for sustaining or upgrading the services, facilities, or infrastructure to support any increase in population.

(5) The costs incurred by local government entities for improvements to emergency evacuation routes required by the chemical demilitarization activities.

(6) Such other factors as the Secretary considers appropriate.

SEC. 153. PROHIBITION AGAINST DISPOSAL OF NON-STOCKPILE CHEMICAL WARFARE MATERIAL AT ANNISTON CHEMICAL STOCKPILE DISPOSAL FACILITY.

No funds authorized to be made available under this or any other Act may be used to facilitate the disposal using the chemical stockpile disposal facility at Anniston, Alabama, of any non-stockpile chemical warfare material that is not stored (as of the date of the enactment of this Act) at the Anniston Army Depot.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Sec. 202. Amount for basic and applied research.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Management of Space-Based Infrared System—Low.

Sec. 212. Joint Strike Fighter program.

Sec. 213. Fiscal year 2002 joint field experiment.

Sec. 214. Nuclear aircraft carrier design and production modeling.

Sec. 215. DD–21 class destroyer program.

Sec. 216. Limitation on Russian American Observation Satellites program.

Sec. 217. Joint biological defense program.

Sec. 218. Report on biological warfare defense vaccine research and development programs.

Sec. 219. Cost limitations applicable to F–22 aircraft program.

Sec. 220. Unmanned advanced capability combat aircraft and ground combat vehicles.

Sec. 221. Global Hawk high altitude endurance unmanned aerial vehicle.

Sec. 222. Army space control technology development.

Subtitle C—Ballistic Missile Defense

Sec. 231. Funding for fiscal year 2001.

Sec. 232. Reports on ballistic missile threat posed by North Korea.

Sec. 233. Plan to modify ballistic missile defense architecture.

Sec. 234. Management of Airborne Laser program.

Subtitle D—High Energy Laser Programs

Sec. 241. Funding.

Sec. 242. Implementation of High Energy Laser Master Plan.

Sec. 243. Designation of senior official for high energy laser programs.

Sec. 244. Site for Joint Technology Office.

Sec. 245. High energy laser infrastructure improvements.

Sec. 246. Cooperative programs and activities.

Sec. 247. Technology plan.

Sec. 248. Annual report.

Sec. 249. Definition.

Sec. 250. Review of Defense-wide directed energy programs.

Subtitle E—Other Matters

Sec. 251. Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept.

Sec. 252. Air Force science and technology planning.

Sec. 253. Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study.

Sec. 254. Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $5,568,482,000.

(2) For the Navy, $8,715,335,000.

(3) For the Air Force, $13,779,144,000.

(4) For Defense-wide activities, $10,873,712,000, of which $192,060,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2001.—Of the amounts authorized to be appropriated by section 201, $4,557,188,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH DEFINED.—For purposes of this section, the term ''basic research and applied research'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MANAGEMENT OF SPACE-BASED INFRARED SYSTEM—LOW.

Not later than October 1, 2001, the Secretary of Defense shall direct that the Director of the Ballistic Missile Defense Organization shall have authority for program management for the ballistic missile defense program known on the date of the enactment of this Act as the Space-Based Infrared System—Low.

SEC. 212. JOINT STRIKE FIGHTER PROGRAM.

(a) REPORT.—Not later than December 15, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Joint Strike Fighter aircraft program describing the criteria for exit of the program from the demonstration and validation phase, and entry of the program into the engineering and manufacturing development phase, of the acquisition process.

(b) CERTIFICATION.—The Joint Strike Fighter program may not be approved for entry into the engineering and manufacturing development phase of the acquisition process until the Secretary of Defense certifies to the congressional defense committees that—

(1) the exit criteria established in the report submitted under subsection (a) have been accomplished;

(2) the technological maturity of key technologies for the program is sufficient to warrant entry of the program into the engineering and manufacturing development phase; and

(3) the short take-off, vertical-landing aircraft variant selected for engineering and manufacturing development has successfully flown at least 20 hours.

(c) TRANSFERS WITHIN THE JOINT STRIKE FIGHTER NAVY AND AIR FORCE ACCOUNTS.—(1) The Secretary of Defense may, subject to established congressional notification and reprogramming procedures, transfer within the Joint Strike Fighter program the following amounts:

(A) Of the funds authorized to be appropriated for PE 64800N, up to $100,000,000 to PE 63800N.

(B) Of the funds authorized to be appropriated for PE 64800F, up to $100,000,000 to PE 63800F.

(2) The transfer authority authorized in paragraph (1) is in addition to the transfer authority provided in section 1001.

SEC. 213. FISCAL YEAR 2002 JOINT FIELD EXPERIMENT.

(a) REQUIREMENTS.—The Secretary of Defense shall carry out a joint field experiment in fiscal year 2002. The Secretary shall ensure that the planning for the joint field experiment is carried out in fiscal year 2001.

(b) PURPOSE.—The purpose of the joint field experiment is to explore critical war fighting challenges at the operational level of war that will confront United States joint military forces after 2010.

(c) PARTICIPATING FORCES.—(1) The joint field experiment shall involve elements of the Army, Navy, Marine Corps, and Air Force, and shall include special operations forces.

(2) The forces designated to participate in the joint field experiment shall exemplify the concepts for organization, equipment, and doctrine that are conceived for the forces after 2010 under Joint Vision 2010 and Joint Vision 2020 (issued by the Joint Chiefs of Staff) and the current vision statements of the Chief of Staff of the Army, the Chief of Naval Operations, the Commandant of the Marine Corps, and the Chief of Staff of the Air Force, including the following concepts:

(A) Army medium weight brigades.

(B) Navy Forward-From-The-Sea.

(C) Air Force expeditionary aerospace forces.

(d) REPORT.—Not later than March 1, 2001, the Secretary shall submit to the congressional defense committees a report on the concept plan for the joint field experiment required under subsection (a). The report shall include the following:

(1) The objectives of the experiment.

(2) The forces participating in the experiment.

(3) The schedule and location of the experiment.

(4) For each joint command, defense agency, and service component participating in the experiment, an identification of—

(A) the funding required for the experiment by that command, agency, or component; and

(B) any shortfall in the budget request for the Department of Defense for fiscal year 2002 for that funding for that command, agency, or component.

SEC. 214. NUCLEAR AIRCRAFT CARRIER DESIGN AND PRODUCTION MODELING.

(a) ASSESSMENT REQUIRED.—The Secretary of the Navy shall conduct an assessment of the cost-effectiveness of—

(1) converting design data for the Nimitz-class aircraft carrier from non-electronic to electronic form; and

(2) developing an electronic, three-dimensional design product model for the CVNX class aircraft carrier.

(b) CONDUCT OF THE ASSESSMENT.—The Secretary of the Navy shall carry out the assessment in a manner that ensures the participation of the nuclear aircraft carrier shipbuilding industry.

(c) REPORT.—The Secretary of the Navy shall submit a report to the congressional defense committees on the assessment. The report shall include the results of the assessment and plans and funding requirements for developing the model specified in subsection (a)(2). The report shall be submitted with the submission of the budget request for the Department of Defense for fiscal year 2002.

(d) FUNDING.—Of the amount authorized to be appropriated under section 201(2) for research, development, test, and evaluation for the Navy, $8,000,000 shall be available to initiate the conversion and development of nuclear aircraft carrier design data into an electronic, three-dimensional product model.

SEC. 215. DD–21 CLASS DESTROYER PROGRAM.

(a) AUTHORITY.—The Secretary of the Navy is authorized to pursue a technology insertion approach for the construction of the DD–21 destroyer that is based on the assumption of the following schedule:

(1) Award of a contract for advance procurement for construction of components for the DD–21 destroyer during fiscal year 2004.

(2) Delivery of the completed ship during fiscal year 2009.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) there are compelling reasons for starting the program for constructing the DD–21 destroyer during fiscal year 2004 with available procurement funds and continuing with sequential construction of DD–21 class destroyers during the ensuing fiscal years until 32 DD–21 class destroyers have been constructed; and

(2) the Secretary of the Navy, in providing for the acquisition of DD–21 class destroyers, should consider that—

(A) the Marine Corps needs the surface fire-support capabilities of the DD–21 class destroyers as soon as possible in order to mitigate the inadequacies of the surface fire-support capabilities that are currently available;

(B) the Navy and Marine Corps need to resolve whether there is a requirement for surface fire-support missile weapon systems to be easily sustainable by means of replenishment while under way;

(C) the technology insertion approach has been successful for other ship construction programs and is being pursued for the CVNX aircraft carrier program and the Virginia class submarine program;

(D) the establishment of a stable configuration for the first 10 DD–21 class destroyers should enable the construction of those ships with the greatest capabilities at the lowest cost; and

(E) action to acquire DD–21 class destroyers should be taken as soon as possible in order to realize fully the cost savings that can be derived from the construction and operation of DD–21 class destroyers, including—

(i) savings in construction costs that would result from achievement of the Navy's target per-ship cost of $750,000,000 by the fifth ship constructed in each construction yard;

(ii) savings that would result from the estimated reduction of the crews of destroyers by 200 or more personnel for each ship; and

(iii) savings that would result from a reduction in the operating costs for destroyers by an estimated 70 percent.

(c) NAVY PLAN FOR USE OF TECHNOLOGY INSERTION APPROACH FOR CONSTRUCTION OF THE DD–21 SHIP.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than April 18, 2001, a plan for pursuing a technology insertion approach for the construction of the DD–21 destroyer as authorized under subsection (a). The plan shall include estimates of the resources necessary to carry out the plan.

(d) REPORT ON ACQUISITION AND MAINTENANCE PLAN FOR DD–21 CLASS SHIPS.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than April 18, 2001, a report on the Navy's plan for the acquisition and maintenance of DD–21 class destroyers. The report shall include a discussion of each of the following matters:

(1) The technical feasibility of contracting for, and commencing construction of, the first destroyer in that class during fiscal year 2004 and achieving delivery of the completed ship during fiscal year 2009.

(2) An analysis of alternative contracting strategies for the construction of the first 10 destroyers in that class, including one or more multiyear procurement strategies and one or more strategies for block buy in economic order quantity.

(3) A comparison of the effects on the destroyer industrial base and on costs to other Navy shipbuilding programs of the following two options:

(A) Commencing construction of the first destroyer in that class during fiscal year 2004, with delivery of the completed ship during fiscal year 2009, and delaying commencement of construction of the next destroyer in that class until fiscal year 2006.

(B) Commencing construction of the first destroyer in that class during fiscal year 2005 (rather than fiscal year 2004), with advance procurement during fiscal year 2004 and delivery of the completed ship during fiscal year 2010, and delaying commencement of construction of the next destroyer in that class until fiscal year 2007 (rather than fiscal year 2006).

(4) The effects on the fleet maintenance strategies of Navy fleet commanders, on commercial maintenance facilities in fleet concentration areas, and on the administration of funds in compliance with section 2466 of title 10, United States Code, of awarding to a contractor for the construction of a destroyer in that class all maintenance workloads for destroyers in that class that are below depot-level maintenance and above ship-level maintenance.

SEC. 216. LIMITATION ON RUSSIAN AMERICAN OBSERVATION SATELLITES PROGRAM.

None of the funds authorized to be appropriated under section 201(4) for the Russian American Observation Satellites program may be obligated or expended until 30 days after the Secretary of Defense submits to Congress a report explaining how the Secretary plans to protect United States advanced military technology that may be associated with the Russian American Observation Satellites program.

SEC. 217. JOINT BIOLOGICAL DEFENSE PROGRAM.

(a) LIMITATION.—Subject to subsection (c), funds authorized to be appropriated by this Act may not be obligated for the procurement of a vaccine for the biological agent anthrax until the Secretary of Defense has submitted to the congressional defense committees each of the following:

(1) A written notification that the Food and Drug Administration has approved the current manufacturer for production of the vaccine.

(2) A report on the contingencies associated with continuing to rely on the current manufacturer to supply the vaccine.

(b) CONTENT OF REPORT.—The report required under subsection (a)(2) shall include each of the following:

(1) Recommended strategies to mitigate the risk to the Department of Defense of losing the current manufacturer as a source of anthrax vaccine, together with a discussion of the criteria to be applied in determining whether to carry out any of the strategies and which strategy to carry out.

(2) Recommended strategies to ensure that the Department of Defense can procure, from one or more sources other than the current manufacturer, an anthrax vaccine approved by the Food and Drug Administration that meets the requirements of the Department if—

(A) the Food and Drug Administration does not approve the release of the anthrax vaccine available from the current manufacturer; or

(B) the current manufacturer terminates the production of anthrax vaccine permanently.

(3) A five-year budget to support each strategy recommended under paragraph (1) or (2).

(c) PERMISSIBLE OBLIGATIONS.—(1) This section does not limit the obligation of funds for any of the following purposes:

(A) The support of any action that is necessary for the current manufacturer to comply with standards of the Food and Drug Administration (including those purposes necessary to obtain or maintain a biological license application) applicable to anthrax vaccine.

(B) Establishing an additional source (other than or in conjunction with the current manufacturer) for the production of anthrax vaccine.

(C) Any action that the Secretary determines necessary to ensure production of anthrax vaccine for meeting an urgent and immediate national defense requirement.

(2) Not later than seven days after the total amount of the funds obligated (or obligated and expended) for purposes specified in paragraph (1) exceeds $5,000,000, the Secretary shall submit to Congress a notification that the total obligations exceed that amount, together with a written justification for the obligation of funds in excess of that amount.

(d) CURRENT MANUFACTURER.—In this section, the term ''current manufacturer'' means the manufacturing source from which the Department of Defense is procuring anthrax vaccine as of the date of the enactment of this Act.

SEC. 218. REPORT ON BIOLOGICAL WARFARE DEFENSE VACCINE RESEARCH AND DEVELOPMENT PROGRAMS.

(a) REPORT REQUIRED.—Not later than February 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the acquisition of biological warfare defense vaccines for the Department of Defense.

(b) CONTENTS.—The report shall include the following:

(1) The Secretary's evaluation of the implications of reliance on the commercial sector to meet the requirements of the Department of Defense for biological warfare defense vaccines.

(2) A design for a government-owned, contractor-operated facility for the production of biological warfare defense vaccines that meets the requirements of the Department for such vaccines, and the assumptions on which that design is based.

(3) A preliminary cost estimate of, and schedule for, establishing and bringing into operation

such a facility, and the estimated annual cost of operating such a facility thereafter.

(4) A determination, developed in consultation with the Surgeon General, of the utility of such a facility to support the production of vaccines for the civilian sector, and a discussion of the effects that the use of such a facility for that purpose might have on—

(A) the production of vaccines for the Armed Forces; and

(B) the annual cost of operating such a facility.

(5) An analysis of the effects that international requirements for vaccines, and the production of vaccines in response to those requirements, might have on—

(A) the production of vaccines for the Armed Forces; and

(B) the annual cost of operating such a facility.

(c) BIOLOGICAL WARFARE DEFENSE VACCINE DEFINED.—In this section, the term ''biological warfare defense vaccine'' means a vaccine useful for the immunization of military personnel to protect against biological agents on the Validated Threat List issued by the Joint Chiefs of Staff, whether such vaccine is in production or is being developed.

SEC. 219. COST LIMITATIONS APPLICABLE TO F–22 AIRCRAFT PROGRAM.

(a) FLEXIBILITY IN ENGINEERING AND MANUFACTURING DEVELOPMENT COST CAP.—Section 217(c) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660) is amended by adding at the end the following new paragraph:

''(3) With respect to the limitation in subsection (a), an increase by an amount that does not exceed 1½ percent of the total amount of that limitation (taking into account the increases and decreases, if any, under paragraphs (1) and (2)) if the Director of Operational Test and Evaluation, after consulting with the Under Secretary of Defense for Acquisition, Technology, and Logistics, determines that the increase is necessary in order to ensure adequate testing.''.

(b) REESTABLISHMENT OF SEPARATE ENGINEERING AND MANUFACTURING DEVELOPMENT COST CAP AND PRODUCTION COST CAP.—The provisions of subsections (a) and (b) of section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1660) shall continue to apply with respect to amounts obligated and expended for engineering and manufacturing development, and for production, respectively, for the F–22 aircraft program without regard to any provision of law establishing a single limitation on amounts obligated and expended for engineering and manufacturing development and for production for that program.

SEC. 220. UNMANNED ADVANCED CAPABILITY COMBAT AIRCRAFT AND GROUND COMBAT VEHICLES.

(a) GOAL.—It shall be a goal of the Armed Forces to achieve the fielding of unmanned, remotely controlled technology such that—

(1) by 2010, one-third of the aircraft in the operational deep strike force aircraft fleet are unmanned; and

(2) by 2015, one-third of the operational ground combat vehicles are unmanned.

(b) REPORT ON UNMANNED ADVANCED CAPABILITY COMBAT AIRCRAFT AND GROUND COMBAT VEHICLES.—(1) Not later than January 31, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the programs to demonstrate unmanned advanced capability combat aircraft and ground combat vehicles undertaken jointly between the Director of the Defense Advanced Research Projects Agency and any of the following:

(A) The Secretary of the Army.

(B) The Secretary of the Navy.

(C) The Secretary of the Air Force.

(2) The report shall include, for each program referred to in paragraph (1), the following:

(A) A schedule for the demonstration to be carried out under that program.

(B) An identification of the funding required for fiscal year 2002 and for the future-years defense program to carry out that program and for the demonstration to be carried out under that program.

(C) In the case of the program relating to the Army, the plan for modification of the existing memorandum of agreement with the Defense Advanced Research Projects Agency for demonstration and development of the Future Combat System to reflect an increase in unmanned, remotely controlled enabling technologies.

(3) The report shall also include, for each Secretary referred to in paragraphs (1)(A), (1)(B), and (1)(C), a description and assessment of the acquisition strategy for unmanned advanced capability combat aircraft and ground combat vehicles planned by that Secretary, which shall include a detailed estimate of all research and development, procurement, operation, support, ownership, and other costs required to carry out such strategy through the year 2030, and—

(A) in the case of the acquisition strategy relating to the Army, the transition from the planned acquisition strategy for the Future Combat System to an acquisition strategy capable of meeting the goal specified in subsection (a)(2);

(B) in the case of the acquisition strategy relating to the Navy—

(i) the plan to implement a program that examines the ongoing Air Force unmanned combat air vehicle program and identifies an approach to develop a Navy unmanned combat air vehicle program that has the goal of developing an aircraft that is suitable for aircraft carrier use and has maximum commonality with the aircraft under the Air Force program; and

(ii) an analysis of alternatives between the operational deep strike force aircraft fleet and that fleet together with an additional 10 to 20 unmanned advanced capability combat aircraft that are suitable for aircraft carrier use and capable of penetrating fully operational enemy air defense systems; and

(C) in the case of the acquisition strategy relating to the Air Force—

(i) the schedule for evaluation of demonstration results for the ongoing unmanned combat air vehicle program and the earliest possible transition of that program into engineering and manufacturing development and procurement; and

(ii) an analysis of alternatives between the currently planned deep strike force aircraft fleet and the operational deep strike force aircraft fleet that could be acquired by fiscal year 2010 to meet the goal specified in subsection (a)(1).

(c) FUNDS.—Of the amount authorized to be appropriated for Defense-wide activities under section 201(4) for the Defense Advanced Research Projects Agency, $100,000,000 shall be available only to carry out the programs referred to in subsection (b)(1).

(d) DEFINITIONS.—For purposes of this section:

(1) An aircraft or ground combat vehicle has ''unmanned advanced capability'' if it is an autonomous, semi-autonomous, or remotely controlled system that can be deployed, re-tasked, recovered, and re-deployed.

(2) The term ''currently planned deep strike force aircraft fleet'' means the early entry, deep strike aircraft fleet (composed of F–117 stealth aircraft and B–2 stealth aircraft) that is currently planned for fiscal year 2010.

(3) The term ''operational deep strike force aircraft fleet'' means the currently planned deep strike force aircraft fleet, together with at least 30 unmanned advanced capability combat aircraft that are capable of penetrating fully operational enemy air defense systems.

(4) The term ''operational ground combat vehicles'' means ground combat vehicles acquired through the Future Combat System acquisition program of the Army to equip the future objective force, as outlined in the vision statement of the Chief of Staff of the Army.

SEC. 221. GLOBAL HAWK HIGH ALTITUDE ENDURANCE UNMANNED AERIAL VEHICLE.

(a) CONCEPT DEMONSTRATION REQUIRED.—The Secretary of Defense shall require and coordinate a concept demonstration of the Global Hawk high altitude endurance unmanned aerial vehicle.

(b) PURPOSE OF DEMONSTRATION.—The purpose of the concept demonstration is to demonstrate the capability of the Global Hawk high altitude endurance unmanned aerial vehicle to operate in an airborne surveillance mode, using available, non-developmental technology.

(c) TIME FOR DEMONSTRATION.—The Secretary shall initiate the demonstration not later than March 1, 2001.

(d) PARTICIPATION BY CINCS.—The Secretary shall require the commander of the United States Joint Forces Command and the commander of the United States Southern Command jointly to provide guidance for the demonstration and otherwise to participate in the demonstration.

(e) SCENARIO FOR DEMONSTRATION.—The demonstration shall be conducted in a counter-drug surveillance scenario that is designed to replicate factual conditions typically encountered in the performance of the counter-drug surveillance mission of the commander of the United States Southern Command within that commander's area of responsibility.

(f) REPORT.—Not later than 45 days after the demonstration is completed, the Secretary shall submit to Congress a report on the results of the demonstration. The report shall include the following:

(1) The Secretary's assessment of the technical feasibility of using the Global Hawk high altitude endurance unmanned aerial vehicle for airborne air surveillance.

(2) A discussion of the operational concept for the use of the vehicle for that purpose.

(g) FUNDING.—Of the funds authorized to be appropriated by section 301(20) for Drug Interdiction and Counter-drug Activities, Defense-wide, $18,000,000 shall be available for the concept demonstration required by subsection (a), including initiation of concurrent development for an improved surveillance radar.

SEC. 222. ARMY SPACE CONTROL TECHNOLOGY DEVELOPMENT.

Of the funds authorized to be appropriated under section 201(1) for Army space control technology, $3,000,000 shall be available for the kinetic energy anti-satellite technology program.

Subtitle C—Ballistic Missile Defense

SEC. 231. FUNDING FOR FISCAL YEAR 2001.

Of the funds authorized to be appropriated in section 201(4), $1,875,238,000 shall be available for the National Missile Defense program.

SEC. 232. REPORTS ON BALLISTIC MISSILE THREAT POSED BY NORTH KOREA.

(a) REPORT ON BALLISTIC MISSILE THREAT.—Not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress, in classified and unclassified form, a report on the North Korean ballistic missile threat to the United States. The report shall include the following:

(1) An assessment of the current North Korean missile threat to the United States.

(2) An assessment of whether the United States is capable of defeating the North Korean

long-range missile threat to the United States as of the date of the report.

(3) An assessment of when the United States will be capable of defeating the North Korean missile threat to the United States.

(4) An assessment of the potential for proliferation of North Korean missile technologies to other states and whether such proliferation will accelerate the development of additional long-range ballistic missile threats to the United States.

(b) REPORT ON REDUCING VULNERABILITY.—Not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress a report providing the following:

(1) Any additional steps the President intends to take to reduce the period of time during which the Nation is vulnerable to the North Korean long-range ballistic missile threat.

(2) The technical and programmatic viability of testing any other missile defense systems against targets with flight characteristics similar to the North Korean long-range missile threat, and plans to do so if such tests are considered to be a viable alternative.

(c) DEFINITION.—For purposes of this section, the term ''United States'', when used in a geographic sense, means the 50 States, the District of Columbia, and any Commonwealth, territory, or possession of the United States.

SEC. 233. PLAN TO MODIFY BALLISTIC MISSILE DEFENSE ARCHITECTURE.

(a) PLAN.—The Director of the Ballistic Missile Defense Organization shall develop a plan to adapt ballistic missile defense systems and architectures to counter potential threats to the United States, United States forces deployed outside the United States, and other United States national security interests that are posed by longer range medium-range ballistic missiles and intermediate-range ballistic missiles.

(b) USE OF SPACE-BASED SENSORS INCLUDED.—The plan shall include—

(1) potential use of space-based sensors, including the Space-Based Infrared System (SBIRS) Low and Space-Based Infrared System (SBIRS) High, Navy theater missile defense assets, upgrades of land-based theater missile defenses, the airborne laser, and other assets available in the European theater; and

(2) a schedule for ground and flight testing against the identified threats.

(c) REPORT.—The Secretary of Defense shall assess the plan and, not later than February 15, 2001, shall submit to the congressional defense committees a report on the results of the assessment.

SEC. 234. MANAGEMENT OF AIRBORNE LASER PROGRAM.

(a) OVERSIGHT OF FUNDING, SCHEDULE, AND TECHNICAL REQUIREMENTS.—With respect to the program known as of the date of the enactment of this Act as the ''Airborne Laser'' program, the Secretary of Defense shall require that the Secretary of the Air Force obtain the concurrence of the Director of the Ballistic Missile Defense Organization before the Secretary—

(1) makes any change to the funding plan or schedule for that program that would delay to a date later than September 30, 2003, the first test of the airborne laser that is intended to destroy a ballistic missile in flight;

(2) makes any change to the funding plan for that program in the future-years defense program that would delay the initial operational capability of the airborne laser; and

(3) makes any change to the technical requirements of the airborne laser that would significantly reduce its ballistic missile defense capabilities.

(b) REPORT.—Not later than February 15, 2001, the Director of the Ballistic Missile Defense Organization shall submit to the congressional defense committees a report, to be prepared in coordination with the Secretary of the Air Force, on the role of the airborne laser in the family of systems missile defense architecture developed by the Director of the Ballistic Missile Defense Organization and the Director of the Joint Theater Air and Missile Defense Organization. The report shall be submitted in unclassified and, if necessary, classified form. The report shall include the following:

(1) An assessment by the Secretary of the Air Force and the Director of the Ballistic Missile Defense Organization of the funding plan for that program required to achieve the schedule identified in paragraphs (1) and (2) of subsection (a).

(2) Potential future airborne laser roles in that architecture.

(3) An assessment of the effect of deployment of the airborne laser on requirements for theater ballistic missile defense systems.

(4) An assessment of the cost effectiveness of the airborne laser compared to other ballistic missile defense systems.

(5) An assessment of the relative significance of the airborne laser in the family of systems missile defense architecture.

Subtitle D—High Energy Laser Programs

SEC. 241. FUNDING.

(a) FUNDING FOR FISCAL YEAR 2001.—(1) Of the amount authorized to be appropriated by section 201(4), $30,000,000 is authorized for high energy laser development.

(2) Funds available under this subsection are available to supplement the high energy laser programs of the military departments and Defense Agencies, as determined by the official designated under section 243.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Department of Defense should establish funding for high energy laser programs within the science and technology programs of each of the military departments and the Ballistic Missile Defense Organization; and

(2) the Secretary of Defense should establish a goal that basic, applied, and advanced research in high energy laser technology should constitute at least 4.5 percent of the total science and technology budget of the Department of Defense by fiscal year 2004.

SEC. 242. IMPLEMENTATION OF HIGH ENERGY LASER MASTER PLAN.

The Secretary of Defense shall implement the management and organizational structure specified in the Department of Defense High Energy Laser Master Plan of March 24, 2000.

SEC. 243. DESIGNATION OF SENIOR OFFICIAL FOR HIGH ENERGY LASER PROGRAMS.

(a) DESIGNATION.—The Secretary of Defense shall designate a single senior civilian official in the Office of the Secretary of Defense (in this subtitle referred to as the ''designated official'') to chair the High Energy Laser Technology Council called for in the master plan referred to in section 242 and to carry out responsibilities for the programs for which funds are provided under this subtitle. The designated official shall report directly to the Under Secretary of Defense for Acquisition, Technology, and Logistics for matters concerning the responsibilities specified in subsection (b).

(b) RESPONSIBILITIES.—The primary responsibilities of the designated official shall include the following:

(1) Establishment of priorities for the high energy laser programs of the military departments and the Defense Agencies.

(2) Coordination of high energy laser programs among the military departments and the Defense Agencies.

(3) Identification of promising high energy laser technologies for which funding should be a high priority for the Department of Defense and establishment of priority for funding among those technologies.

(4) Preparation, in coordination with the Secretaries of the military departments and the Directors of the Defense Agencies, of a detailed technology plan to develop and mature high energy laser technologies.

(5) Planning and programming appropriate to rapid evolution of high energy laser technology.

(6) Ensuring that high energy laser programs of each military department and the Defense Agencies are initiated and managed effectively and are complementary with programs managed by the other military departments and Defense Agencies and by the Office of the Secretary of Defense.

(7) Ensuring that the high energy laser programs of the military departments and the Defense Agencies comply with the requirements specified in subsection (c).

(c) COORDINATION AND FUNDING BALANCE.—In carrying out the responsibilities specified in subsection (b), the designated official shall ensure that—

(1) high energy laser programs of each military department and of the Defense Agencies are consistent with the priorities identified in the designated official's planning and programming activities;

(2) funding provided by the Office of the Secretary of Defense for high energy laser research and development complements high energy laser programs for which funds are provided by the military departments and the Defense Agencies;

(3) programs, projects, and activities to be carried out by the recipients of such funds are selected on the basis of appropriate competitive procedures or Department of Defense peer review process;

(4) beginning with fiscal year 2002, funding from the Office of the Secretary of Defense in applied research and advanced technology development program elements is not applied to technology efforts in support of high energy laser programs that are not funded by a military department or the Defense Agencies; and

(5) funding from the Office of the Secretary of Defense to complement an applied research or advanced technology development high energy laser program for which funds are provided by one of the military departments or the Defense Agencies do not exceed the amount provided by the military department or the Defense Agencies for that program.

SEC. 244. SITE FOR JOINT TECHNOLOGY OFFICE.

(a) DEADLINE FOR SELECTION OF SITE.—The Secretary of Defense shall locate the Joint Technology Office called for in the High Energy Laser Master Plan referred to in section 242 at a location determined appropriate by the Secretary not later than 30 days after the date of the enactment of this Act.

(b) CONSIDERATION OF SITE.—In determining the location of the Joint Technology Office, the Secretary shall, in consultation with the Deputy Under Secretary of Defense for Science and Technology, assess—

(1) cost;

(2) accessibility between the Office and the Armed Forces and senior Department of Defense leaders; and

(3) the advantages and disadvantages of locating the Office at a site at which occurs a substantial proportion of the directed energy research, development, test, and evaluation activities of the Department of Defense.

SEC. 245. HIGH ENERGY LASER INFRASTRUCTURE IMPROVEMENTS.

(a) ENHANCEMENT OF INDUSTRIAL BASE.—The Secretary of Defense shall consider, evaluate, and undertake to the extent appropriate initiatives, including investment initiatives, to enhance the industrial base to support military applications of high energy laser technologies and systems.

(b) ENHANCEMENT OF TEST AND EVALUATION CAPABILITIES.—The Secretary of Defense shall consider modernizing the High Energy Laser Test Facility at White Sands Missile Range, New Mexico, in order to enhance the test and evaluation capabilities of the Department of Defense with respect to high energy laser weapons.

SEC. 246. COOPERATIVE PROGRAMS AND ACTIVITIES.

(a) MEMORANDUM OF AGREEMENT WITH NNSA.—(1) The Secretary of Defense and the Administrator for Nuclear Security of the Department of Energy shall enter into a memorandum of agreement to conduct joint research and development on military applications of high energy lasers.

(2) The projects pursued under the memorandum of agreement—

(A) shall be of mutual benefit to the national security programs of the Department of Defense and the National Nuclear Security Administration of the Department of Energy;

(B) shall be prioritized jointly by officials designated to do so by the Secretary of Defense and the Administrator; and

(C) shall be consistent with the technology plan prepared pursuant to section 243(b)(4) and the requirements identified in section 243(c).

(3) The costs of each project pursued under the memorandum of agreement shall be shared equally by the Department of Defense and the National Nuclear Security Administration.

(4) The memorandum of agreement shall provide for appropriate peer review of projects pursued under the memorandum of agreement.

(b) EVALUATION OF OTHER COOPERATIVE PROGRAMS AND ACTIVITIES.—The Secretary of Defense shall evaluate the feasibility and advisability of entering into cooperative programs or activities with other Federal agencies, institutions of higher education, and the private sector for the purpose of enhancing the programs, projects, and activities of the Department of Defense relating to high energy laser technologies, systems, and weapons.

SEC. 247. TECHNOLOGY PLAN.

The designated official shall submit to the congressional defense committees by February 15, 2001, the technology plan prepared pursuant to section 243(b)(4). The report shall be submitted in unclassified and, if necessary, classified form.

SEC. 248. ANNUAL REPORT.

Not later than February 15 of 2001, 2002, and 2003, the Secretary of Defense shall submit to the congressional defense committees a report on the high energy laser programs of the Department of Defense. Each report shall include an assessment of the following:

(1) The adequacy of the management structure of the Department of Defense for the high energy laser programs.

(2) The funding available for the high energy laser programs.

(3) The technical progress achieved for the high energy laser programs.

(4) The extent to which goals and objectives of the high energy laser technology plan have been met.

SEC. 249. DEFINITION.

For purposes of this subtitle, the term ''high energy laser'' means a laser that has average power in excess of one kilowatt and that has potential weapons applications.

SEC. 250. REVIEW OF DEFENSE-WIDE DIRECTED ENERGY PROGRAMS.

(a) EVALUATION.—The Secretary of Defense, in consultation with the Deputy Under Secretary of Defense for Science and Technology, shall evaluate expansion of the High Energy Laser management structure specified in section 242 for possible inclusion in that management structure of science and technology programs in related areas, including the following:

(1) High power microwave technologies.

(2) Low energy and nonlethal laser technologies.

(3) Other directed energy technologies.

(b) CONSIDERATION OF PRIOR STUDY.—The evaluation under subsection (a) shall take into consideration the July 1999 Department of Defense study on streamlining and coordinating science and technology and research, development, test, and evaluation within the Department of Defense.

(c) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a report on the findings of the evaluation under subsection (a). The report shall be submitted not later than March 15, 2001.

Subtitle E—Other Matters

SEC. 251. REPORTS ON MOBILE OFFSHORE BASE CONCEPT AND POTENTIAL USE FOR CERTAIN PURPOSES OF TECHNOLOGIES ASSOCIATED WITH THAT CONCEPT.

(a) REPORT ON MERITS OF MOBILE OFFSHORE BASE CONCEPT.—Not later than March 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the mobile offshore base concept. The report shall include the following:

(1) A cost-benefit analysis of the mobile offshore base, using operational concepts that would support the National Military Strategy.

(2) A recommendation regarding whether to proceed with the mobile offshore base as a program and, if so—

(A) a statement regarding which of the Armed Forces is to be designated to have the lead responsibility for the program; and

(B) a schedule for the program.

(b) REPORT ON POTENTIAL USE FOR CERTAIN PURPOSES OF ASSOCIATED TECHNOLOGIES.—Not later than March 1, 2001, the Secretary of the Navy shall submit to the congressional defense committees a report on the potential use of technologies associated with the mobile offshore base concept. The report shall include an assessment of the potential application and feasibility of using existing technologies, including those technologies associated with the mobile offshore base concept, to a sea-based landing platform for support of naval aviation training.

SEC. 252. AIR FORCE SCIENCE AND TECHNOLOGY PLANNING.

(a) REQUIREMENT FOR REVIEW.—The Secretary of the Air Force shall conduct a review of the long-term challenges and short-term objectives of the Air Force science and technology programs. The Secretary shall complete the review not later than one year after the date of the enactment of this Act.

(b) MATTERS TO BE REVIEWED.—The review shall include the following:

(1) An assessment of the budgetary resources that are being used for fiscal year 2001 for addressing the long-term challenges and the short-term objectives of the Air Force science and technology programs.

(2) The budgetary resources that are necessary to address those challenges and objectives adequately.

(3) A course of action for each projected or ongoing Air Force science and technology program that does not address either the long-term challenges or the short-term objectives.

(4) The matters required under subsection (c)(5) and (d)(6).

(c) LONG-TERM CHALLENGES.—(1) The Secretary of the Air Force shall establish an integrated product team to identify high-risk, high-payoff challenges that will provide a long-term focus and motivation for the Air Force science and technology programs over the next 20 to 50 years following the enactment of this Act. The integrated product team shall include representatives of the Office of Scientific Research and personnel from the Air Force Research Laboratory.

(2) The team shall solicit views from the entire Air Force science and technology community on the matters under consideration by the team.

(3) The team—

(A) shall select for consideration science and technology challenges that involve—

(i) compelling requirements of the Air Force;

(ii) high-risk, high-payoff areas of exploration; and

(iii) very difficult, but probably achievable, results; and

(B) should not select a linear extension of any ongoing Air Force science and technology program for consideration as a science and technology challenge under subparagraph (A).

(4) The Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering shall designate a technical coordinator and a management coordinator for each science and technology challenge identified pursuant to this subsection. Each technical coordinator shall have sufficient expertise in fields related to the challenge to be able to identify other experts in such fields and to affirm the credibility of the challenge. The coordinator for a science and technology challenge shall conduct workshops within the relevant scientific and technological community to obtain suggestions for possible approaches to addressing the challenge and to identify ongoing work that addresses the challenge, deficiencies in current work relating to the challenge, and promising areas of research.

(5) In carrying out subsection (a), the Secretary of the Air Force shall review the science and technology challenges identified pursuant to this subsection and, for each such challenge, at a minimum—

(A) consider the results of the workshops conducted pursuant to paragraph (4); and

(B) identify any work not currently funded by the Air Force that should be performed to meet the challenge.

(d) SHORT-TERM OBJECTIVES.—(1) The Secretary of the Air Force shall establish a task force to identify short-term technological objectives of the Air Force science and technology programs. The task force shall be chaired by the Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering and shall include representatives of the Chief of Staff of the Air Force and the specified combatant commands of the Air Force.

(2) The task force shall solicit views from the entire Air Force requirements community, user community, and acquisition community.

(3) The task force shall select for consideration short-term objectives that involve—

(A) compelling requirements of the Air Force;

(B) support in the user community; and

(C) likely attainment of the desired benefits within a five-year period.

(4) The Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering shall establish an integrated product team for each short-term objective identified pursuant to this subsection. Each integrated product team shall include representatives of the requirements community, the user community, and the science and technology community with relevant expertise.

(5) The integrated product team for a short-term objective shall be responsible for—

(A) identifying, defining, and prioritizing the enabling capabilities that are necessary for achieving the objective;

(B) identifying deficiencies in the enabling capabilities that must be addressed if the short-term objective is to be achieved; and

(C) working with the Air Force science and technology community to identify science and technology projects and programs that should be undertaken to eliminate each deficiency in an enabling capability.

(6) In carrying out subsection (a), the Secretary of the Air Force shall review the short-term science and technology objectives identified pursuant to this subsection and, for each such objective, at a minimum—

(A) consider the work of the integrated product team conducted pursuant to paragraph (5); and

(B) identify the science and technology work of the Air Force that should be undertaken to eliminate each deficiency in enabling capabilities that is identified by the integrated product team pursuant to subparagraph (B) of that paragraph.

(e) COMPTROLLER GENERAL REVIEW.—(1) Not later than 90 days after the Secretary of the Air Force completes the review required by subsection (a), the Comptroller General shall submit to Congress a report on the results of the review. The report shall include the Comptroller General's assessment regarding the extent to which the review was conducted in compliance with the requirements of this section.

(2) Immediately upon completing the review required by subsection (a), the Secretary of Defense shall notify the Comptroller General of the completion of the review. For the purposes of paragraph (1), the date of the notification shall be considered the date of the completion of the review.

SEC. 253. ENHANCEMENT OF AUTHORITIES REGARDING EDUCATION PARTNERSHIPS FOR PURPOSES OF ENCOURAGING SCIENTIFIC STUDY.

(a) ASSISTANCE IN SUPPORT OF PARTNERSHIPS.—Subsection (b) of section 2194 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting '', and is encouraged to provide,'' after ''may provide'';

(2) in paragraph (1), by inserting before the semicolon the following: ''for any purpose and duration in support of such agreement that the director considers appropriate''; and

(3) by striking paragraph (2) and inserting the following new paragraph (2):

''(2) notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or any provision of law or regulation relating to transfers of surplus property, transferring to the institution any computer equipment, or other scientific equipment, that is—

''(A) commonly used by educational institutions;

''(B) surplus to the needs of the defense laboratory; and

''(C) determined by the director to be appropriate for support of such agreement;''.

(b) DEFENSE LABORATORY DEFINED.—Subsection (e) of that section is amended to read as follows:

''(e) In this section:

''(1) The term 'defense laboratory' means any laboratory, product center, test center, depot, training and educational organization, or operational command under the jurisdiction of the Department of Defense.

''(2) The term 'local educational agency' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).''.

SEC. 254. RECOGNITION OF THOSE INDIVIDUALS INSTRUMENTAL TO NAVAL RESEARCH EFFORTS DURING THE PERIOD FROM BEFORE WORLD WAR II THROUGH THE END OF THE COLD WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) The contributions of the Nation's scientific community and of science research to the victory of the United States and its allies in World War II resulted in the understanding that science and technology are of critical importance to the future security of the Nation.

(2) Academic institutions and oceanographers provided vital support to the Navy and the Marine Corps during World War II.

(3) Congress created the Office of Naval Research in the Department of the Navy in 1946 to ensure the availability of resources for research in oceanography and other fields related to the missions of the Navy and Marine Corps.

(4) The Office of Naval Research of the Department of the Navy, in addition to its support of naval research within the Federal Government, has also supported the conduct of oceanographic and scientific research through partnerships with educational and scientific institutions throughout the Nation.

(5) These partnerships have long been recognized as among the most innovative and productive research partnerships ever established by the Federal Government and have resulted in a vast improvement in understanding of basic ocean processes and the development of new technologies critical to the security and defense of the Nation.

(b) CONGRESSIONAL RECOGNITION AND APPRECIATION.—Congress—

(1) applauds the commitment and dedication of the officers, scientists, researchers, students, and administrators who were instrumental to the program of partnerships for oceanographic and scientific research between the Federal Government and academic institutions, including those individuals who helped forge that program before World War II, implement it during World War II, and improve it throughout the Cold War;

(2) recognizes that the Nation, in ultimately prevailing in the Cold War, relied to a significant extent on research supported by, and technologies developed through, those partnerships and, in particular, on the superior understanding of the ocean environment generated through that research;

(3) supports efforts by the Secretary of the Navy and the Chief of Naval Research to honor those individuals, who contributed so greatly and unselfishly to the naval mission and the national defense, through those partnerships during the period beginning before World War II and continuing through the end of the Cold War; and

(4) expresses appreciation for the ongoing efforts of the Office of Naval Research to support oceanographic and scientific research and the development of researchers in those fields, to ensure that such partnerships will continue to make important contributions to the defense and the general welfare of the Nation.

TITLE III—OPERATION AND MAINTENANCE

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Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $19,280,381,000.
(2) For the Navy, $23,766,610,000.
(3) For the Marine Corps, $2,826,291,000.
(4) For the Air Force, $22,395,221,000.
(5) For Defense-wide activities, $11,740,569,000.
(6) For the Army Reserve, $1,561,418,000.
(7) For the Naval Reserve, $978,946,000.
(8) For the Marine Corps Reserve, $144,159,000.
(9) For the Air Force Reserve, $1,903,859,000.
(10) For the Army National Guard, $3,233,835,000.
(11) For the Air National Guard, $3,468,375,000.
(12) For the Defense Inspector General, $144,245,000.
(13) For the United States Court of Appeals for the Armed Forces, $8,574,000.
(14) For Environmental Restoration, Army, $389,932,000.
(15) For Environmental Restoration, Navy, $294,038,000.
(16) For Environmental Restoration, Air Force, $376,300,000.
(17) For Environmental Restoration, Defense-wide, $21,412,000.
(18) For Environmental Restoration, Formerly Used Defense Sites, $231,499,000.
(19) For Overseas Humanitarian, Disaster, and Civic Aid programs, $55,900,000.
(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $869,000,000.
(21) For the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $25,000,000.
(22) For Defense Health Program, $11,480,123,000.
(23) For Cooperative Threat Reduction programs, $443,400,000.
(24) For Overseas Contingency Operations Transfer Fund, $4,100,577,000.
(25) For Quality of Life Enhancements, Defense-Wide, $10,500,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2001 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

(1) For the Defense Working Capital Funds, $916,276,000.
(2) For the National Defense Sealift Fund, $388,158,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2001 from the Armed Forces Retirement Home Trust Fund the sum of $69,832,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers' and Airmen's Home and the Naval Home.

SEC. 304. TRANSFER FROM NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) TRANSFER AUTHORITY.—To the extent provided in appropriations Acts, not more than $150,000,000 is authorized to be transferred from the National Defense Stockpile Transaction Fund to operation and maintenance accounts for fiscal year 2001 in amounts as follows:

(1) For the Army, $50,000,000.
(2) For the Navy, $50,000,000.
(3) For the Air Force, $50,000,000.

(b) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

(1) shall be merged with, and be available for the same purposes and the same period as, the amounts in the accounts to which transferred; and

(2) may not be expended for an item that has been denied authorization of appropriations by Congress.

(c) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—The transfer authority provided in this section is in addition to the transfer authority provided in section 1001.

SEC. 305. JOINT WARFIGHTING CAPABILITIES ASSESSMENT TEAMS.

Of the total amount authorized to be appropriated under section 301(5) for operation and maintenance for Defense-wide activities for the Joint Staff, $4,000,000 is available only for the improvement of the performance of analyses by the joint warfighting capabilities assessment teams of the Joint Requirements Oversight Council.

Subtitle B—Environmental Provisions

SEC. 311. ESTABLISHMENT OF ADDITIONAL ENVIRONMENTAL RESTORATION ACCOUNT AND USE OF ACCOUNTS FOR OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.

(a) ACCOUNT FOR FORMERLY USED DEFENSE SITES.—Subsection (a) of section 2703 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) An account to be known as the 'Environmental Restoration Account, Formerly Used Defense Sites'.''.

(b) OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.—Such section is further amended by adding at the end the following new subsection:

''(f) SOLE SOURCE OF FUNDS FOR OPERATION AND MONITORING OF ENVIRONMENTAL REMEDIES.—(1) The sole source of funds for all phases of an environmental remedy at a site under the jurisdiction of the Department of Defense or a formerly used defense site shall be the applicable environmental restoration account established under subsection (a).

''(2) In this subsection, the term 'environmental remedy' has the meaning given the term 'remedy' in section 101 of CERCLA (42 U.S.C. 9601).''.

SEC. 312. CERTAIN ENVIRONMENTAL RESTORATION ACTIVITIES.

Subsection (b) of section 2703 of title 10, United States Code, is amended to read as follows:

''(b) OBLIGATION OF AUTHORIZED AMOUNTS.—(1) Funds authorized for deposit in an account under subsection (a) may be obligated or expended from the account only—

''(A) to carry out the environmental restoration functions of the Secretary of Defense and the Secretaries of the military departments under this chapter and under any other provision of law; and

''(B) to pay for the costs of permanently relocating a facility because of a release or threatened release of hazardous substances, pollutants, or contaminants from—

''(i) real property on which the facility is located and that is currently under the jurisdiction of the Secretary of Defense or the Secretary of a military department; or

''(ii) real property on which the facility is located and that was under the jurisdiction of the Secretary of Defense or the Secretary of a military department at the time of the actions leading to the release or threatened release.

''(2) The authority provided by paragraph (1)(B) expires September 30, 2003. The Secretary of Defense or the Secretary of a military department may not pay the costs of permanently relocating a facility under such paragraph unless the Secretary—

''(A) determines that permanent relocation—

''(i) is the most cost effective method of responding to the release or threatened release of hazardous substances, pollutants, or contaminants from the real property on which the facility is located;

''(ii) has the approval of relevant regulatory agencies; and

''(iii) is supported by the affected community; and

''(B) submits to Congress written notice of the determination before undertaking the permanent relocation of the facility, including a description of the response action taken or to be taken in connection with the permanent relocation and a statement of the costs incurred or to be incurred in connection with the permanent relocation.

''(3) If relocation costs are to be paid under paragraph (1)(B) with respect to a facility located on real property described in clause (ii) of such paragraph, the Secretary of Defense or the Secretary of the military department concerned may use only fund transfer mechanisms otherwise available to the Secretary.

''(4) Funds authorized for deposit in an account under subsection (a) shall remain available until expended. Not more than 5 percent of the funds deposited in an account under subsection (a) for a fiscal year may be used to pay relocation costs under paragraph (1)(B).''.

SEC. 313. ANNUAL REPORTS UNDER STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM.

(a) REPEAL OF REQUIREMENT FOR ANNUAL REPORT FROM SCIENTIFIC ADVISORY BOARD.—Section 2904 of title 10, United States Code, is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(b) INCLUSION OF ACTIONS OF BOARD IN ANNUAL REPORTS OF COUNCIL.—Section 2902(d)(3) of such title is amended by adding at the end the following new subparagraph:

''(D) A summary of the actions of the Strategic Environmental Research and Development Program Scientific Advisory Board during the year preceding the year in which the report is submitted and any recommendations, including recommendations on program direction and legislation, that the Advisory Board considers appropriate regarding the program.''.

SEC. 314. PAYMENT OF FINES AND PENALTIES FOR ENVIRONMENTAL COMPLIANCE AT FORT WAINWRIGHT, ALASKA.

The Secretary of Defense, or the Secretary of the Army, may pay, as part of a settlement of liability, a fine or penalty of not more than $2,000,000 for matters addressed in the Notice of Violation issued on March 5, 1999, by the Administrator of the Environmental Protection Agency to Fort Wainwright, Alaska.

SEC. 315. PAYMENT OF FINES OR PENALTIES IMPOSED FOR ENVIRONMENTAL COMPLIANCE VIOLATIONS AT OTHER DEPARTMENT OF DEFENSE FACILITIES.

(a) ARMY VIOLATIONS.—Using amounts authorized to be appropriated by section 301(1) for operation and maintenance for the Army, the Secretary of the Army may pay the following amounts in connection with environmental compliance violations at the following locations:

(1) $993,000 for a supplemental environmental project to implement an installation-wide hazardous substance management system at Walter Reed Army Medical Center, Washington, District of Columbia, in satisfaction of a fine imposed by Environmental Protection Agency Region 3 under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) $377,250 for a supplemental environmental project to install new parts washers at Fort Campbell, Kentucky, in satisfaction of a fine imposed by Environmental Protection Agency Region 4 under the Solid Waste Disposal Act.

(3) $20,701 for a supplemental environmental project to upgrade the wastewater treatment plant at Fort Gordon, Georgia, in satisfaction of a fine imposed by the State of Georgia under the Solid Waste Disposal Act.

(4) $78,500 for supplemental environmental projects to reduce the generation of hazardous waste at Pueblo Chemical Depot, Colorado, in satisfaction of a fine imposed by the State of Colorado under the Solid Waste Disposal Act.

(5) $20,000 for a supplemental environmental project to repair cracks in floors of igloos used to store munitions hazardous waste at Deseret Chemical Depot, Utah, in satisfaction of a fine imposed by the State of Utah under the Solid Waste Disposal Act.

(6) $7,975 for payment to the Texas Natural Resource Conservation Commission of a cash penalty for permit violations assessed with respect to Fort Sam Houston, Texas, under the Solid Waste Disposal Act.

(b) NAVY VIOLATIONS.—Using amounts authorized to be appropriated by section 301(2) for operation and maintenance for the Navy, the Secretary of the Navy may pay the following amounts in connection with environmental compliance violations at the following locations:

(1) $108,800 for payment to the West Virginia Division of Environmental Protection of a cash penalty with respect to Allegany Ballistics Laboratory, West Virginia, under the Solid Waste Disposal Act.

(2) $5,000 for payment to Environmental Protection Agency Region 6 of a cash penalty with respect to Naval Air Station, Corpus Christi, Texas, under the Clean Air Act (42 U.S.C. 7401).

(3) $1,650 for payment to Environmental Protection Agency Region 3 of a cash penalty with respect to Marine Corps Combat Development Command, Quantico, Virginia, under the Clean Air Act.

SEC. 316. REIMBURSEMENT FOR CERTAIN COSTS IN CONNECTION WITH THE FORMER NANSEMOND ORDNANCE DEPOT SITE, SUFFOLK, VIRGINIA.

(a) AUTHORITY.—The Secretary of Defense may pay, using funds described in subsection(b), not more than $98,210 to the Former Nansemond Ordnance Depot Site Special Account within the Hazardous Substance Superfund established by section 9507 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency for costs incurred by the agency in overseeing a time critical removal action under CERCLA being performed by the Department of Defense under the Defense Environmental Restoration Program for ordnance and explosive safety hazards at the Former Nansemond Ordnance Depot Site, Suffolk, Virginia, pursuant to an Interagency Agreement entered into by the Department of the Army and the Environmental Protection Agency on January 3, 2000.

(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using amounts authorized to be appropriated by section 301 to the Environmental Restoration Account, Formerly Used Defense Sites, established by paragraph (5) of section 2703(a) of title 10, United States Code, as added by section 311(a) of this Act.

(c) DEFINITIONS.—In this section:

(1) The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(2) The term ''Defense Environmental Restoration Program'' means the program of environmental restoration carried out under chapter 160 of title 10, United States Code.

SEC. 317. NECESSITY OF MILITARY LOW-LEVEL FLIGHT TRAINING TO PROTECT NATIONAL SECURITY AND ENHANCE MILITARY READINESS.

Nothing in the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the regulations implementing such law shall require the Secretary of Defense or the Secretary ofa military department to prepare a programmatic, nation-wide environmental impact statement for low-level flight training as a precondition to the use by the Armed Forces of an airspace for the performance of low-level training flights.

SEC. 318. SHIP DISPOSAL PROJECT.

(a) CONTINUATION OF PROJECT; PURPOSE.—During fiscal year 2001, the Secretary of the Navy shall continue to carry out the ship disposal project within the United States to permit the Secretary to assemble appropriate data on the cost of scrapping naval vessels.

(b) USE OF COMPETITIVE PROCEDURES.—The Secretary shall use competitive procedures to award all task orders under the primary contracts under the ship disposal project.

(c) REPORT.—Not later than December 31, 2000, the Secretary shall submit to the congressional defense committees a report on the ship disposal project. The report shall contain the following:

(1) A description of the competitive procedures used for the solicitation and award of all task orders under the project.

(2) A description of the task orders awarded under the project.

(3) An assessment of the results of the project as of the date of the report, including the performance of contractors under the project.

(4) The proposed strategy of the Navy for future procurement of ship scrapping activities.

SEC. 319. DEFENSE ENVIRONMENTAL SECURITY CORPORATE INFORMATION MANAGEMENT PROGRAM.

(a) MANAGEMENT AND OVERSIGHT OF PROGRAM.—The Chief Information Officer of the Department of Defense shall ensure that management and oversight of the Defense Environmental Security Corporate Information Management Program is consistent with the requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106), section 2223 of title 10, United States Code, Department of Defense Directives 5000.1, 5000.2-R, and 5137.1, and all other laws, directives, regulations, and management controls applicable to investment in information technology and related services.

(b) PROGRAM REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Environmental Security Corporate Information Management Program.

(c) MISSION.—The report shall include a mission statement and strategic objectives for the Defense Environmental Security Corporate Information Management Program, including the recommendations of the Secretary for the future mission and objectives of the Program.

(d) PERSONNEL, ORGANIZATION, AND OVERSIGHT.—The report shall include—

(1) the personnel requirements and organizational structure of the Defense Environmental Security Corporate Information Management Program to carry out the mission statement; and

(2) a discussion of—

(A) the means by which the Program will ensure program accountability, including accountability for all past, current, and future activities funded under the Program; and

(B) the role of the Chief Information Officer of the Department of Defense in ensuring program accountability as required by subsection (a).

(e) PROGRAM ACTIVITIES.—The report shall include a discussion of the means by which the Defense Environmental Security Corporate Information Management Program will address or provide—

(1) information access procedures that keep pace with current and evolving requirements for information access;

(2) data standardization and systems integration;

(3) product failures and cost-effective results;

(4) user confidence and utilization; and

(5) program continuity.

SEC. 320. REPORT ON PLASMA ENERGY PYROLYSIS SYSTEM.

(a) REPORT REQUIRED.—Not later than February 1, 2001, the Secretary of the Army shall submit to the congressional defense committees a report on the Plasma Energy Pyrolysis System.

(b) REPORT ELEMENTS.—The report on the Plasma Energy Pyrolysis System shall include the following:

(1) An analysis of available information and data on the fixed-transportable unit demonstration phase of the System and on the mobile unit demonstration phase of the System.

(2) Recommendations regarding future applications for each phase of the System described in paragraph (1).

(3) A statement of the projected funding for such future applications.

SEC. 321. SENSE OF CONGRESS REGARDING ENVIRONMENTAL RESTORATION OF FORMER DEFENSE MANUFACTURING SITE, SANTA CLARITA, CALIFORNIA.

It is the sense of the Congress that—

(1) there exists a 1,000-acre former defense manufacturing site in Santa Clarita, California (known as the ''Santa Clarita site''), that could be environmentally restored to serve a future role in the community, and every effort should be made to apply all known public and private sector innovative technologies to restore the Santa Clarita site to productive use for the benefit of the community; and

(2) the experience gained from environmental restoration at the Santa Clarita site by private and public sector partnerships has the potential to benefit not only the community of Santa Clarita, but all sites in need of environmental restoration.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

SEC. 331. USE OF APPROPRIATED FUNDS TO COVER OPERATING EXPENSES OF COMMISSARY STORES.

(a) IN GENERAL.—(1) Section 2484 of title 10, United States Code, is amended to read as follows:

''§2484. Commissary stores: use of appropriated funds to cover operating expenses

''(a) OPERATION OF AGENCY AND SYSTEM.—Except as otherwise provided in this title, the operation of the Defense Commissary Agency and the defense commissary system may be funded using such amounts as are appropriated for such purpose.

''(b) OPERATING EXPENSES OF COMMISSARY STORES.—Appropriated funds may be used to cover the expenses of operating commissary stores and central product processing facilities of the defense commissary system. For purposes of this subsection, operating expenses include the following:

''(1) Salaries and wages of employees of the United States, host nations, and contractors supporting commissary store operations.

''(2) Utilities.

''(3) Communications.

''(4) Operating supplies and services.

''(5) Second destination transportation costs within or outside the United States.

''(6) Any cost associated with above-store-level management or other indirect support of a commissary store or a central product processing facility, including equipment maintenance and information technology costs.''.

(2) The table of sections at the beginning of chapter 147 of such title is amended by striking the item relating to section 2484 and inserting the following new item:

''2484. Commissary stores: use of appropriated funds to cover operating expenses.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001.

SEC. 332. ADJUSTMENT OF SALES PRICES OF COMMISSARY STORE GOODS AND SERVICES TO COVER CERTAIN EXPENSES.

(a) ADJUSTMENT REQUIRED.—Section 2486 of title 10, United States Code, is amended—

(1) in subsection (c), by striking ''section 2484(b) or'' and inserting ''subsection (d) or section''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''sections 2484 and'' and inserting ''section''; and

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

''(3) The sales price of merchandise and services sold in, at, or by commissary stores shall be adjusted to cover the following:

''(A) The cost of first destination commercial transportation of the merchandise in the United States to the place of sale.

''(B) The actual or estimated cost of shrinkage, spoilage, and pilferage of merchandise under the control of commissary stores.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001.

SEC. 333. USE OF SURCHARGES FOR CONSTRUCTION AND IMPROVEMENT OF COMMISSARY STORES.

(a) EXPANSION OF AUTHORIZED USES.—Subsection (b) of section 2685 of title 10, United States Code, is amended to read as follows:

''(b) USE FOR CONSTRUCTION, REPAIR, IMPROVEMENT, AND MAINTENANCE.—(1) The Secretary of Defense may use the proceeds from the adjustments or surcharges authorized by subsection (a) only—

''(A) to acquire (including acquisition by lease), construct, convert, expand, improve, repair, maintain, and equip the physical infrastructure of commissary stores and central product processing facilities of the defense commissary system; and

''(B) to cover environmental evaluation and construction costs related to activities described in paragraph (1), including costs for surveys, administration, overhead, planning, and design.

''(2) In paragraph (1), the term 'physical infrastructure' includes real property, utilities, and equipment (installed and free standing and including computer equipment), necessary to provide a complete and usable commissary store or central product processing facility.''.

(b) AUTHORITY OF SECRETARY OF DEFENSE.—Such section is further amended—

(1) in subsection (a), by striking ''Secretary of a military department, under regulations established by him and approved by the Secretary of Defense,'' and inserting ''Secretary of Defense'';

(2) in subsection (c)—

(A) by striking ''Secretary of a military department, with the approval of the Secretary of Defense and'' and inserting ''Secretary of Defense, with the approval of''; and

(B) by striking ''Secretary of the military department determines'' and inserting ''Secretary determines''; and

(3) in subsection (d)(1), by striking ''Secretary of a military department'' and inserting ''Secretary of Defense''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001.

SEC. 334. INCLUSION OF MAGAZINES AND OTHER PERIODICALS AS AN AUTHORIZED COMMISSARY MERCHANDISE CATEGORY.

(a) ADDITIONAL AUTHORIZED CATEGORY.—Subsection (b) of section 2486 of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

''(11) Magazines and other periodicals.''.

(b) CONFORMING AMENDMENTS.—Subsection (f) of such section is amended—

(1) by striking ''(1)'' before ''Notwithstanding'';

(2) by striking ''items in the merchandise categories specified in paragraph (2)'' and inserting ''tobacco products''; and

(3) by striking paragraph (2).

SEC. 335. USE OF MOST ECONOMICAL DISTRIBUTION METHOD FOR DISTILLED SPIRITS.

Section 2488(c) of title 10, United States Code, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 336. REPORT ON EFFECTS OF AVAILABILITY OF SLOT MACHINES ON UNITED STATES MILITARY INSTALLATIONS OVERSEAS.

(a) REPORT REQUIRED.—Not later than March 31, 2001, the Secretary of Defense shall submit to Congress a report evaluating the effect that the ready availability of slot machines as a morale, welfare, and recreation activity on United States military installations outside of the United States has on members of the Armed Forces, their dependents, and other persons who use such slot machines, the morale of military communities overseas, and the personal financial stability of members of the Armed Forces.

(b) MATTERS TO BE INCLUDED.—The Secretary shall include in the report—

(1) an estimate of the number of persons who used such slot machines during the preceding two years and, of such persons, the percentage who were enlisted members (shown both in the aggregate and by pay grade), officers (shown both in the aggregate and by pay grade), Department of Defense civilians, other United States persons, and foreign nationals;

(2) to the extent feasible, information with respect to military personnel referred to in paragraph (1) showing the number (as a percentage and by pay grade) who have—

(A) sought financial services counseling at least partially due to the use of such slot machines;

(B) qualified for Government financial assistance at least partially due to the use of such slot machines; or

(C) had a personal check returned for insufficient funds or received any other nonpayment notification from a creditor at least partially due to the use of such slot machines; and

(3) to the extent feasible, information with respect to the average amount expended by each category of persons referred to in paragraph (1) in using such slot machines per visit, to be shown by pay grade in the case of military personnel.

Subtitle D—Department of Defense Industrial Facilities

SEC. 341. DESIGNATION OF CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE AND PUBLIC-PRIVATE PARTNERSHIPS TO INCREASE UTILIZATION OF SUCH CENTERS.

(a) DESIGNATION METHOD.—Subsection (a) of section 2474 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''The Secretary of Defense'' and inserting ''The Secretary concerned, or the Secretary of Defense in the case of a Defense Agency,''; and

(B) by striking ''of the activity'' and inserting ''of the designee'';

(2) in paragraph (2)—

(A) by inserting ''of Defense'' after ''The Secretary''; and

(B) by striking ''depot-level activities'' and inserting ''Centers of Industrial and Technical Excellence''; and

(3) in paragraph (3)—

(A) by striking ''depot-level operations'' and inserting ''operations at Centers of Industrial and Technical Excellence'';

(B) by striking ''depot-level activities'' and inserting ''the Centers''; and

(C) by striking ''such activities'' and inserting ''the Centers''.

(b) PUBLIC-PRIVATE PARTNERSHIPS.—Subsection (b) of such section is amended to read as follows:

''(b) PUBLIC-PRIVATE PARTNERSHIPS.—(1) To achieve one or more objectives set forth in paragraph (2), the Secretary designating a Center of

Industrial and Technical Excellence under subsection (a) may authorize and encourage the head of the Center to enter into public-private cooperative arrangements (in this section referred to as a 'public-private partnership') to provide for any of the following:

''(A) For employees of the Center, private industry, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any depot-level maintenance and repair work that involves one or more core competencies of the Center.

''(B) For private industry or other entities outside the Department of Defense to use, for any period of time determined to be consistent with the needs of the Department of Defense, any facilities or equipment of the Center that are not fully utilized for a military department's own production or maintenance requirements.

''(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

''(A) To maximize the utilization of the capacity of a Center of Industrial and Technical Excellence.

''(B) To reduce or eliminate the cost of ownership of a Center by the Department of Defense in such areas of responsibility as operations and maintenance and environmental remediation.

''(C) To reduce the cost of products of the Department of Defense produced or maintained at a Center.

''(D) To leverage private sector investment in—

''(i) such efforts as plant and equipment recapitalization for a Center; and

''(ii) the promotion of the undertaking of commercial business ventures at a Center.

''(E) To foster cooperation between the armed forces and private industry.

''(3) If the Secretary concerned, or the Secretary of Defense in the case of a Defense Agency, authorizes the use of public-private partnerships under this subsection, the Secretary shall submit to Congress a report evaluating the need for loan guarantee authority, similar to the ARMS Initiative loan guarantee program under section 4555 of this title, to facilitate the establishment of public-private partnerships and the achievement of the objectives set forth in paragraph (2).''.

(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Such section is further amended—

(1) by striking subsection (d);

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) PRIVATE SECTOR USE OF EXCESS CAPACITY.—Any facilities or equipment of a Center of Industrial and Technical Excellence made available to private industry may be used to perform maintenance or to produce goods in order to make more efficient and economical use of Government-owned industrial plants and encourage the creation and preservation of jobs to ensure the availability of a workforce with the necessary manufacturing and maintenance skills to meet the needs of the armed forces.''.

(d) CREDITING OF AMOUNTS FOR PERFORMANCE.—Subsection (d) of such section, as redesignated by subsection (c)(2), is amended by adding at the end the following new sentences: ''Consideration in the form of rental payments or (notwithstanding section 3302(b) of title 31) in other forms may be accepted for a use of property accountable under a contract performed pursuant to this section. Notwithstanding section 2667(d) of this title, revenues generated pursuant to this section shall be available for facility operations, maintenance, and environmental restoration at the Center where the leased property is located.''.

(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Such section is further amended by adding at the end the following new subsections:

''(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Equipment or facilities of a Center of Industrial and Technical Excellence may be made available for use by a private-sector entity under this section only if—

''(1) the use of the equipment or facilities will not have a significant adverse effect on the readiness of the armed forces, as determined by the Secretary concerned or, in the case of a Center in a Defense Agency, by the Secretary of Defense; and

''(2) the private-sector entity agrees—

''(A) to reimburse the Department of Defense for the direct and indirect costs (including any rental costs) that are attributable to the entity's use of the equipment or facilities, as determined by that Secretary; and

''(B) to hold harmless and indemnify the United States from—

''(i) any claim for damages or injury to any person or property arising out of the use of the equipment or facilities, except in a case of willful conduct or gross negligence; and

''(ii) any liability or claim for damages or injury to any person or property arising out of a decision by the Secretary concerned or the Secretary of Defense to suspend or terminate that use of equipment or facilities during a war or national emergency.

''(f) CONSTRUCTION OF PROVISION.—Nothing in this section may be construed to authorize a change, otherwise prohibited by law, from the performance of work at a Center of Industrial and Technical Excellence by Department of Defense personnel to performance by a contractor.''.

(f) USE OF WORKING CAPITAL-FUNDED FACILITIES.—Section 2208(j)(1) of title 10, United States Code, is amended—

(1) by striking ''contract; and'' at the end of subparagraph (A) and all that follows through ''(B) the solicitation'' and inserting ''contract, and the solicitation'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(B) the Secretary would advance the objectives set forth in section 2474(b)(2) of this title by authorizing the facility to do so.''.

(g) REPEAL OF GENERAL AUTHORITY TO LEASE EXCESS DEPOT-LEVEL EQUIPMENT AND FACILITIES TO OUTSIDE TENANTS.—(1) Section 2471 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2471.

SEC. 342. UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS OF UNITED STATES ARSENALS.

(a) TREATMENT OF UNUTILIZED AND UNDERUTILIZED PLANT-CAPACITY COSTS.—Chapter 433 of title 10, United States Code, is amended by inserting after section 4540 the following new section:

''§4541. Army arsenals: treatment of unutilized or underutilized plant-capacity costs

''(a) ESTIMATE OF COSTS.—The Secretary of the Army shall include in the budget justification documents submitted to Congress in support of the President's budget for a fiscal year submitted under section 1105 of title 31 an estimate of the funds to be required in that fiscal year to cover unutilized and underutilized plant-capacity costs at Army arsenals.

''(b) USE OF FUNDS.—Funds appropriated to the Secretary of the Army for a fiscal year to cover unutilized and underutilized plant-capacity costs at Army arsenals shall be used in such fiscal year only for such costs.

''(c) TREATMENT OF COSTS.—(1) The Secretary of the Army shall not include unutilized and underutilized plant-capacity costs when evaluating the bid of an Army arsenal for purposes of the arsenal's contracting to provide a good or service to a Government agency.

''(2) When an Army arsenal is serving as a subcontractor to a private-sector entity with respect to a good or service to be provided to a Government agency, the cost charged by the arsenal shall not include unutilized and underutilized plant-capacity costs that are funded by a direct appropriation.

''(d) DEFINITIONS.—In this section:

''(1) The term 'Army arsenal' means a Government-owned, Government-operated defense plant of the Department of the Army that manufactures weapons, weapon components, or both.

''(2) The term 'unutilized and underutilized plant-capacity costs' means the costs associated with operating and maintaining the facilities and equipment of an Army arsenal that the Secretary of the Army determines are required to be kept for mobilization needs, in those months in which the facilities and equipment are not used or are used only 20 percent or less of available work days.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4540 the following new item:

''4541. Army arsenals: treatment of unutilized or underutilized plant-capacity costs.''.

SEC. 343. ARSENAL SUPPORT PROGRAM INITIATIVE.

(a) DEMONSTRATION PROGRAM REQUIRED.—To help maintain the viability of the Army manufacturing arsenals and the unique capabilities of these arsenals to support the national security interests of the United States, the Secretary of the Army shall carry out a demonstration program under this section during fiscal years 2001 and 2002 at each manufacturing arsenal of the Department of the Army.

(b) PURPOSES OF DEMONSTRATION PROGRAM.—The purposes of the demonstration program are as follows:

(1) To provide for the utilization of the existing skilled workforce at the Army manufacturing arsenals by commercial firms.

(2) To provide for the reemployment and retraining of skilled workers who, as a result of declining workload and reduced Army spending on arsenal production requirements at these Army arsenals, are idled or underemployed.

(3) To encourage commercial firms, to the maximum extent practicable, to use these Army arsenals for commercial purposes.

(4) To increase the opportunities for small businesses (including socially and economically disadvantaged small business concerns and new small businesses) to use these Army arsenals for those purposes.

(5) To maintain in the United States a work force having the skills in manufacturing processes that are necessary to meet industrial emergency planned requirements for national security purposes.

(6) To demonstrate innovative business practices, to support Department of Defense acquisition reform, and to serve as both a model and a laboratory for future defense conversion initiatives of the Department of Defense.

(7) To the maximum extent practicable, to allow the operation of these Army arsenals to be rapidly responsive to the forces of free market competition.

(8) To reduce or eliminate the cost of Government ownership of these Army arsenals, including the costs of operations and maintenance, the costs of environmental remediation, and other costs.

(9) To reduce the cost of products of the Department of Defense produced at these Army arsenals.

(10) To leverage private investment at these Army arsenals through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the demonstration program for the following activities:

(A) Recapitalization of plant and equipment.

(B) Environmental remediation.

(C) Promotion of commercial business ventures.

(D) Other activities approved by the Secretary of the Army.

(11) To foster cooperation between the Department of the Army, property managers, commercial interests, and State and local agencies in the implementation of sustainable development strategies and investment in these Army arsenals.

(c) CONTRACT AUTHORITY.—(1) In the case of each Army manufacturing arsenal, the Secretary of the Army may enter into contracts with commercial firms to authorize the contractors, consistent with section 4543 of title 10, United States Code—

(A) to use the arsenal, or a portion of the arsenal, and the skilled workforce at the arsenal to manufacture weapons, weapon components, or related products consistent with the purposes of the program; and

(B) to enter into subcontracts for the commercial use of the arsenal consistent with such purposes.

(2) A contract under paragraph (1) shall require the contractor to contribute toward the operation and maintenance of the Army manufacturing arsenal covered by the contract.

(3) In the event an Army manufacturing arsenal is converted to contractor operation, the Secretary may enter into a contract with the contractor to authorize the contractor, consistent with section 4543 of title 10, United States Code—

(A) to use the facility during the period of the program in a manner consistent with the purposes of the program; and

(B) to enter into subcontracts for the commercial use of the facility consistent with such purposes.

(d) LOAN GUARANTEES.—(1) Subject to paragraph (2), the Secretary of the Army may guarantee the repayment of any loan made to a commercial firm to fund, in whole or in part, the establishment of a commercial activity at an Army manufacturing arsenal under this section.

(2) Loan guarantees under this subsection may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

(3) The Secretary of the Army may enter into agreements with the Administrator of the Small Business Administration or the Administrator of the Farmers Home Administration, the Administrator of the Rural Development Administration, or the head of other appropriate agencies of the Department of Agriculture, under which such Administrators may, under this subsection—

(A) process applications for loan guarantees;

(B) guarantee repayment of loans; and

(C) provide any other services to the Secretary of the Army to administer this subsection.

(4) An Administrator referred to in paragraph (3) may guarantee loans under this section to commercial firms of any size, notwithstanding any limitations on the size of applicants imposed on other loan guarantee programs that the Administrator administers. To the extent practicable, each Administrator shall use the same procedures for processing loan guarantee applications under this subsection as the Administrator uses for processing loan guarantee applications under other loan guarantee programs that the Administrator administers.

(e) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under subsection (d) may not exceed—

(1) $20,000,000, with respect to any single borrower; and

(2) $320,000,000 with respect to all borrowers.

(f) TRANSFER OF FUNDS.—The Secretary of the Army may transfer to an Administrator providing services under subsection (d), and the Administrator may accept, such funds as may be necessary to administer loan guarantees under such subsection.

(g) REPORTING REQUIREMENTS.—(1) Not later than July 1 of each year in which a guarantee issued under subsection (d) is in effect, the Secretary of the Army shall submit to Congress a report specifying the amounts of loans guaranteed under such subsection during the preceding calendar year. No report is required after fiscal year 2002.

(2) Not later than July 1, 2001, the Secretary of the Army shall submit to the congressional defense committees a report on the implementation of the demonstration program. The report shall contain a comprehensive review of contracting at the Army manufacturing arsenals covered by the program and such recommendations as the Secretary considers appropriate regarding changes to the program.

SEC. 344. CODIFICATION AND IMPROVEMENT OF ARMAMENT RETOOLING AND MANUFACTURING SUPPORT PROGRAMS.

(a) IN GENERAL.—(1) Part IV of subtitle B of title 10, United States Code, is amended by inserting after chapter 433 the following new chapter:

"CHAPTER 434—ARMAMENTS INDUSTRIAL BASE

''Sec.
''4551. Definitions.
''4552. Policy.
''4553. Armament Retooling and Manufacturing Support Initiative.
''4554. Property management contracts and leases.
''4555. ARMS Initiative loan guarantee program.

"§ 4551. Definitions

''In this chapter:

''(1) The term 'ARMS Initiative' means the Armament Retooling and Manufacturing Support Initiative authorized by this chapter.

''(2) The term 'eligible facility' means a Government-owned, contractor-operated ammunition manufacturing facility of the Department of the Army that is in an active, inactive, layaway, or caretaker status.

''(3) The term 'property manager' includes any person or entity managing an eligible facility made available under the ARMS Initiative through a property management contract.

''(4) The term 'property management contract' includes facility use contracts, site management contracts, leases, and other agreements entered into under the authority of this chapter.

''(5) The term 'Secretary' means the Secretary of the Army.

"§ 4552. Policy

''It is the policy of the United States—

''(1) to encourage, to the maximum extent practicable, commercial firms to use Government-owned, contractor-operated ammunition manufacturing facilities of the Department of the Army;

''(2) to use such facilities for supporting programs, projects, policies, and initiatives that promote competition in the private sector of the United States economy and that advance United States interests in the global marketplace;

''(3) to increase the manufacture of products inside the United States;

''(4) to support policies and programs that provide manufacturers with incentives to assist the United States in making more efficient and economical use of eligible facilities for commercial purposes;

''(5) to provide, as appropriate, small businesses (including socially and economically disadvantaged small business concerns and new small businesses) with incentives that encourage those businesses to undertake manufacturing and other industrial processing activities that contribute to the prosperity of the United States;

''(6) to encourage the creation of jobs through increased investment in the private sector of the United States economy;

''(7) to foster a more efficient, cost-effective, and adaptable armaments industry in the United States;

''(8) to achieve, with respect to armaments manufacturing capacity, an optimum level of readiness of the national technology and industrial base within the United States that is consistent with the projected threats to the national security of the United States and the projected emergency requirements of the armed forces; and

''(9) to encourage facility use contracting where feasible.

"§ 4553. Armament Retooling and Manufacturing Support Initiative

''(a) AUTHORITY FOR INITIATIVE.—The Secretary may carry out a program to be known as the 'Armament Retooling and Manufacturing Support Initiative'.

''(b) PURPOSES.—The purposes of the ARMS Initiative are as follows:

''(1) To encourage commercial firms, to the maximum extent practicable, to use eligible facilities for commercial purposes.

''(2) To increase the opportunities for small businesses (including socially and economically disadvantaged small business concerns and new small businesses) to use eligible facilities for those purposes.

''(3) To maintain in the United States a work force having the skills in manufacturing processes that are necessary to meet industrial emergency planned requirements for national security purposes.

''(4) To demonstrate innovative business practices, to support Department of Defense acquisition reform, and to serve as both a model and a laboratory for future defense conversion initiatives of the Department of Defense.

''(5) To the maximum extent practicable, to allow the operation of eligible facilities to be rapidly responsive to the forces of free market competition.

''(6) To reduce or eliminate the cost of Government ownership of eligible facilities, including the costs of operations and maintenance, the costs of environmental remediation, and other costs.

''(7) To reduce the cost of products of the Department of Defense produced at eligible facilities.

''(8) To leverage private investment at eligible facilities through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the policies and purposes of this chapter, for the following activities:

''(A) Recapitalization of plant and equipment.

''(B) Environmental remediation.

''(C) Promotion of commercial business ventures.

''(D) Other activities approved by the Secretary.

''(9) To foster cooperation between the Department of the Army, property managers, commercial interests, and State and local agencies in the implementation of sustainable development strategies and investment in eligible facilities made available for purposes of the ARMS Initiative.

''(10) To reduce or eliminate the cost of asset disposal that would be incurred if property at an eligible facility was declared excess to the needs of the Department of the Army.

''(c) AVAILABILITY OF FACILITIES.—The Secretary may make any eligible facility available for the purposes of the ARMS Initiative.

''(d) CONSIDERATION FOR LEASES.—Section 321 of the Act of June 30, 1932 (40 U.S.C. 303b), shall not apply to uses of property or facilities in accordance with the ARMS Initiative.

''(e) PROGRAM SUPPORT.—(1) Funds appropriated for purposes of the ARMS Initiative may be used for administrative support and management.

''(2) A full annual accounting of such expenses for each fiscal year shall be provided to the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives not later than March 30 of the following fiscal year.

''§ 4554. Property management contracts and leases

''(a) IN GENERAL.—In the case of each eligible facility that is made available for the ARMS Initiative, the Secretary—

''(1) shall make full use of facility use contracts, leases, and other such commercial contractual instruments as may be appropriate;

''(2) shall evaluate, on the basis of efficiency, cost, emergency mobilization requirements, and the goals and purposes of the ARMS Initiative, the procurement of services from the property manager, including maintenance, operation, modification, infrastructure, environmental restoration and remediation, and disposal of ammunition manufacturing assets, and other services; and

''(3) may, in carrying out paragraphs (1) and (2)—

''(A) enter into contracts, and provide for subcontracts, for terms up to 25 years, as the Secretary considers appropriate and consistent with the needs of the Department of the Army and the goals and purposes of the ARMS Initiative; and

''(B) use procedures that are authorized to be used under section 2304(c)(5) of this title when the contractor or subcontractor is a source specified in law.

''(b) CONSIDERATION FOR USE.—(1) To the extent provided in a contract entered into under this section for the use of property at an eligible facility that is accountable under the contract, the Secretary may accept consideration for such use that is, in whole or in part, in a form other than—

''(A) rental payments; or

''(B) revenue generated at the facility.

''(2) Forms of consideration acceptable under paragraph (1) for a use of an eligible facility or any property at an eligible facility include the following:

''(A) The improvement, maintenance, protection, repair, and restoration of the facility, the property, or any property within the boundaries of the installation where the facility is located.

''(B) Reductions in overhead costs.

''(C) Reductions in product cost.

''(3) The authority under paragraph (1) may be exercised without regard to section 3302(b) of title 31 and any other provision of law.

''§ 4555. ARMS Initiative loan guarantee program

''(a) PROGRAM AUTHORIZED.—Subject to subsection (b), the Secretary may carry out a loan guarantee program to encourage commercial firms to use eligible facilities under this chapter. Under any such program, the Secretary may guarantee the repayment of any loan made to a commercial firm to fund, in whole or in part, the establishment of a commercial activity to use an eligible facility under this chapter.

''(b) ADVANCED BUDGET AUTHORITY.—Loan guarantees under this section may not be committed except to the extent that appropriations of budget authority to cover their costs are made in advance, as required by section 504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

''(c) PROGRAM ADMINISTRATION.—(1) The Secretary may enter into an agreement with any of the officials named in paragraph (2) under which that official may, for the purposes of this section—

''(A) process applications for loan guarantees;

''(B) guarantee repayment of loans; and

''(C) provide any other services to the Secretary to administer the loan guarantee program.

''(2) The officials referred to in paragraph (1) are as follows:

''(A) The Administrator of the Small Business Administration.

''(B) The head of any appropriate agency in the Department of Agriculture, including—

''(i) the Administrator of the Farmers Home Administration; and

''(ii) the Administrator of the Rural Development Administration.

''(3) Each official authorized to do so under an agreement entered into under paragraph (1) may guarantee loans under this section to commercial firms of any size, notwithstanding any limitations on the size of applicants imposed on other loan guarantee programs that the official administers.

''(4) To the extent practicable, each official processing loan guarantee applications under this section pursuant to an agreement entered into under paragraph (1) shall use the same processing procedures as the official uses for processing loan guarantee applications under other loan guarantee programs that the official administers.

''(d) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under this section may not exceed—

''(1) $20,000,000, with respect to any single borrower; and

''(2) $320,000,000 with respect to all borrowers.

''(e) TRANSFER OF FUNDS.—The Secretary may transfer to an official providing services under subsection (c), and that official may accept, such funds as may be necessary to administer the loan guarantee program under this section.''.

(2) The tables of chapters at the beginning of subtitle B of such title and at the beginning of part IV of such subtitle are amended by inserting after the item relating to chapter 433 the following new item:

''434. Armaments Industrial Base ..... 4551''.

(b) IMPLEMENTATION REPORT.—Not later than July 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report on the procedures and controls implemented to carry out section 4554 of title 10, United States Code, as added by subsection (a).

(c) RELATIONSHIP TO NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE.—(1) Subchapter IV of chapter 148 of title 10, United States Code, is amended—

(A) by redesignating section 2525 as section 2521; and

(B) by adding at the end the following new section:

''§ 2522. Armament retooling and manufacturing

''The Secretary of the Army is authorized by chapter 434 of this title to carry out programs for the support of armaments retooling and manufacturing in the national defense industrial and technology base.''.

(2) The table of sections at the beginning of such subchapter is amended by striking the item relating to section 2525 and inserting the following new items:

''2521. Manufacturing Technology Program.
''2522. Armament retooling and manufacturing.''.

(d) REPEAL OF SUPERSEDED LAW.—The Armament Retooling and Manufacturing Support Act of 1992 (subtitle H of title I of Public Law 102–484; 10 U.S.C. 2501 note) is repealed.

Subtitle E—Performance of Functions by Private-Sector Sources

SEC. 351. INCLUSION OF ADDITIONAL INFORMATION IN REPORTS TO CONGRESS REQUIRED BEFORE CONVERSION OF COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS TO CONTRACTOR PERFORMANCE.

(a) INFORMATION REQUIRED BEFORE COMMENCEMENT OF CONVERSION ANALYSIS.—Subsection (b)(1)(D) of section 2461 of title 10, United States Code, is amended by inserting before the period the following: '', and a specific identification of the budgetary line item from which funds will be used to cover the cost of the analysis''.

(b) INFORMATION REQUIRED IN NOTIFICATION OF DECISION.—Subsection (c)(1) of such section is amended—

(1) by redesignating subparagraphs (A), (B), (C), (D), and (E) as subparagraphs (B), (C), (F), (H), and (I), respectively;

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph:

''(A) The date when the analysis of that commercial or industrial type function for possible change to performance by the private sector was commenced.'';

(3) by inserting after subparagraph (C), as so redesignated, the following new subparagraphs:

''(D) The number of Department of Defense civilian employees who were performing the function when the analysis was commenced, the number of such employees whose employment was terminated or otherwise affected in implementing the most efficient organization of the function, and the number of such employees whose employment would be terminated or otherwise affected by changing to performance of the function by the private sector.

''(E) The Secretary's certification that the factors considered in the examinations performed under subsection (b)(3), and in the making of the decision to change performance, did not include any predetermined personnel constraint or limitation in terms of man years, end strength, full-time equivalent positions, or maximum number of employees.''; and

(4) by inserting after subparagraph (F), as so redesignated, the following new subparagraph:

''(G) A statement of the potential economic effect of the change on each affected local community, as determined in the examination under subsection (b)(3)(B)(ii).''.

SEC. 352. EFFECTS OF OUTSOURCING ON OVERHEAD COSTS OF CENTERS OF INDUSTRIAL AND TECHNICAL EXCELLENCE AND ARMY AMMUNITION PLANTS.

Section 2461(c) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) If the commercial or industrial type function to be changed to performance by the private sector is performed at a Center of Industrial and Technical Excellence designated under section 2474(a) of this title or an Army ammunition plant—

''(A) the report required by this subsection shall also include a description of the effect that the performance and administration of the resulting contract will have on the overhead costs

of the center or ammunition plant, as the case may be; and

''(B) notwithstanding paragraph (3), the change of the function to contractor performance may not begin until at least 60 days after the submission of the report.''.

SEC. 353. CONSOLIDATION, RESTRUCTURING, OR REENGINEERING OF DEPARTMENT OF DEFENSE ORGANIZATIONS, FUNCTIONS, OR ACTIVITIES.

(a) IN GENERAL.—Chapter 146 of title 10, United States Code, is amended by adding at the end the following new section:

''§2475. Consolidation, restructuring, or reengineering of organizations, functions, or activities: notification requirements

''(a) REQUIREMENT TO SUBMIT PLAN ANNUALLY—Concurrently with the submission of the President's annual budget request under section 1105 of title 31, the Secretary of Defense shall submit to Congress each Strategic Sourcing Plan of Action for the Department of Defense (as identified in the Department of Defense Interim Guidance dated February 29, 2000, or any successor Department of Defense guidance or directive), for the following year.

''(b) NOTIFICATION OF DECISION TO EXECUTE PLAN.—If a decision is made to consolidate, restructure, or reengineer an organization, function, or activity of the Department of Defense pursuant to a Strategic Sourcing Plan of Action described in subsection (a), and such consolidation, restructuring, or reengineering would result in a manpower reduction affecting 50 or more personnel of the Department of Defense (including military and civilian personnel)—

''(1) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing that decision, including—

''(A) a projection of the savings that will be realized as a result of the consolidation, restructuring, or reengineering, compared with the cost incurred by the Department of Defense to perform the function or to operate the organization or activity prior to such proposed consolidation, restructuring, or reengineering;

''(B) a description of all missions, duties, or military requirements that will be affected as a result of the decision to consolidate, restructure, or reengineer the organization, function, or activity that was analyzed;

''(C) the Secretary's certification that the consolidation, restructuring, or reengineering will not result in any diminution of military readiness;

''(D) a schedule for performing the consolidation, restructuring, or reengineering; and

''(E) the Secretary's certification that the entire analysis for the consolidation, restructuring, or reengineering is available for examination; and

''(2) the head of the Defense Agency or the Secretary of the military department concerned may not implement the plan until 30 days after the date that the agency head or Secretary submits notification to the Committees on Armed Services of the Senate and House of Representatives of the intent to carry out such plan.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2475. Consolidation, restructuring, or reengineering of organizations, functions, or activities: notification requirements.''.

SEC. 354. MONITORING OF SAVINGS RESULTING FROM WORKFORCE REDUCTIONS AS PART OF CONVERSION OF FUNCTIONS TO PERFORMANCE BY PRIVATE SECTOR OR OTHER STRATEGIC SOURCING INITIATIVES.

(a) REQUIREMENT FOR A MONITORING SYSTEM.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2461 the following new section:

''§2461a. Development of system for monitoring cost savings resulting from workforce reductions

''(a) WORKFORCE REVIEW DEFINED.—In this section, the term 'workforce review', with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A–76 (or any successor administrative regulation or policy), the Strategic Sourcing Program Plan of Action (or any successor Department of Defense guidance or directive), or any other authority to determine whether the function—

''(1) should be performed by a workforce composed of Department of Defense civilian employees or by a private sector workforce; or

''(2) should be reorganized or otherwise reengineered to improve the effeciency or effectiveness of the performance of the function, with a resulting decrease in the number of Department of Defense civilian employees performing the function.

''(b) SYSTEM FOR MONITORING PERFORMANCE.—(1) The Secretary of Defense shall establish a system for monitoring the performance, including the cost of performance, of each function of the Department of Defense that, after the date of the enactment of this section, is the subject of a workforce review.

''(2) The monitoring system shall be designed to compare the following:

''(A) The costs to perform a function before the workforce review to the costs actually incurred to perform the function after implementing the conversion, reorganization, or reengineering actions recommended by the workforce review.

''(B) The anticipated savings to the actual savings, if any, resulting from conversion, reorganization, or reengineering actions undertaken in response to the workforce review.

''(3) The monitoring of a function shall continue under this section for at least five years after the conversion, reorganization, or reengineering of the function.

''(c) WAIVER FOR CERTAIN WORKFORCE REVIEWS.—Subsection (b) shall not apply to a workforce review that would result in a manpower reduction affecting fewer than 50 Department of Defense civilian employees.

''(d) ANNUAL REPORT.—Not later than February 1 of each fiscal year, the Secretary of Defense shall submit to Congress a report on the results of the monitoring performed under the system established under subsection (b). For each function subject to monitoring during the previous fiscal year, the report shall indicate the following:

''(1) The cost of the workforce review.

''(2) The cost of performing the function before the workforce review compared to the costs incurred after implementing the conversion, reorganization, or reengineering actions recommended by the workforce review.

''(3) The actual savings derived from the implementation of the recommendations of the workforce review, if any, compared to the anticipated savings that were to result from the conversion, reorganization, or reengineering actions.

''(e) CONSIDERATION IN PREPARATION OF FUTURE-YEARS DEFENSE PROGRAM.—In preparing the future-years defense program under section 221 of this title, the Secretary of Defense shall, for the fiscal years covered by the program, estimate and take into account the costs to be incurred and the savings to be derived from the performance of functions by workforces selected in workforce reviews. The Secretary shall consider the results of the monitoring under this section in making the estimates.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2461 the following new item:

''2461a. Development of system for monitoring cost savings resulting from workforce reductions.''.

SEC. 355. PERFORMANCE OF EMERGENCY RESPONSE FUNCTIONS AT CHEMICAL WEAPONS STORAGE INSTALLATIONS.

(a) RESTRICTION ON CONVERSION.—The Secretary of the Army may not convert to contractor performance the emergency response functions of any chemical weapons storage installation that, as of the date of the enactment of this Act, are performed for that installation by employees of the United States until the certification required by subsection (c) has been submitted in accordance with that subsection.

(b) COVERED INSTALLATIONS.—For the purposes of this section, a chemical weapons storage installation is any installation of the Department of Defense on which lethal chemical agents or munitions are stored.

(c) CERTIFICATION REQUIREMENT.—The Secretary of the Army shall certify in writing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that, to ensure that there will be no lapse of capability to perform the chemical weapon emergency response mission at a chemical weapons storage installation during any transition to contractor performance of those functions at the installation, the plan for conversion of the performance of those functions—

(1) is consistent with the recommendation contained in General Accounting Office Report NSIAD–00–88, entitled ''DoD Competitive Sourcing'', dated March 2000;

(2) provides for a transition to contractor performance of emergency response functions which ensures an adequate transfer of the relevant knowledge and expertise regarding chemical weapon emergency response to the contractor personnel; and

(3) complies with section 2465 of title 10, United States Code.

SEC. 356. SUSPENSION OF REORGANIZATION OR RELOCATION OF NAVAL AUDIT SERVICE.

(a) SUSPENSION.—During the period specified in subsection (b), the Secretary of the Navy may not commence or continue any consolidation, involuntary transfer, buy-out, or other reduction in force of the workforce of auditors and administrative support personnel of the Naval Audit Service if the consolidation, involuntary transfer, buy-out, or other reduction in force is associated with the reorganization or relocation of the performance of the auditing functions of the Naval Audit Service.

(b) DURATION.—Subsection (a) applies during the period beginning on the date of the enactment of this Act and ending 180 days after the date on which the Secretary submits to the congressional defense committees a report that sets forth in detail the Navy's plans and justification for the reorganization or relocation of the performance of the auditing functions of the Naval Audit Service, as the case may be.

Subtitle F—Defense Dependents Education

SEC. 361. ELIGIBILITY OF DEPENDENTS OF AMERICAN RED CROSS EMPLOYEES FOR ENROLLMENT IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT SCHOOLS IN PUERTO RICO.

Section 2164 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(i) AMERICAN RED CROSS EMPLOYEE DEPENDENTS IN PUERTO RICO.—(1) The Secretary may authorize the dependent of an American Red Cross employee described in paragraph (2) to enroll in an education program provided by the

Secretary pursuant to subsection (a) in Puerto Rico if the American Red Cross agrees to reimburse the Secretary for the educational services so provided.

''(2) An employee referred to in paragraph (1) is an American Red Cross employee who—

''(A) resides in Puerto Rico; and

''(B) performs, on a full-time basis, emergency services on behalf of members of the armed forces.

''(3) In determining the dependency status of any person for the purposes of paragraph (1), the Secretary shall apply the same definitions as apply to the determination of such status with respect to Federal employees in the administration of this section.

''(4) Subsection (g) shall apply with respect to determining the reimbursement rates for educational services provided pursuant to this subsection. Amounts received as reimbursement for such educational services shall be treated in the same manner as amounts received under subsection (g).''.

SEC. 362. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) CONTINUATION OF DEPARTMENT OF DEFENSE PROGRAM FOR FISCAL YEAR 2001.—Of the amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-wide activities, $35,000,000 shall be available only for the purpose of providing educational agencies assistance (as defined in subsection (d)(1)) to local educational agencies.

(b) NOTIFICATION.—Not later than June 30, 2001, the Secretary of Defense shall notify each local educational agency that is eligible for educational agencies assistance for fiscal year 2001 of—

(1) that agency's eligibility for educational agencies assistance; and

(2) the amount of the educational agencies assistance for which that agency is eligible.

(c) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse funds made available under subsection (a) not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term ''educational agencies assistance'' means assistance authorized under section 386(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 20 U.S.C. 7703 note).

(2) The term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 363. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

(a) PAYMENTS.—Subject to subsection (f), the Secretary of Defense shall make a payment for fiscal years after fiscal year 2001, to each local educational agency eligible to receive a payment for a child described in subparagraph (A)(ii), (B), (D)(i) or (D)(ii) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) that serves two or more such children with severe disabilities, for costs incurred in providing a free appropriate public education to each such child.

(b) PAYMENT AMOUNT.—The amount of the payment under subsection (a) to a local educational agency for a fiscal year for each child referred to in such subsection with a severe disability shall be—

(1) the payment made on behalf of the child with a severe disability that is in excess of the average per pupil expenditure in the State in which the local educational agency is located; less

(2) the sum of the funds received by the local educational agency—

(A) from the State in which the child resides to defray the educational and related services for such child;

(B) under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) to defray the educational and related services for such child; and

(C) from any other source to defray the costs of providing educational and related services to the child which are received due to the presence of a severe disabling condition of such child.

(c) EXCLUSIONS.—No payment shall be made under subsection (a) on behalf of a child with a severe disability whose individual cost of educational and related services does not exceed—

(1) five times the national or State average per pupil expenditure (whichever is lower), for a child who is provided educational and related services under a program that is located outside the boundaries of the school district of the local educational agency that pays for the free appropriate public education of the student; or

(2) three times the State average per pupil expenditure, for a child who is provided educational and related services under a program offered by the local educational agency, or within the boundaries of the school district served by the local educational agency.

(d) RATABLE REDUCTION.—If the amount available for a fiscal year for payments under subsection (a) is insufficient to pay the full amount all local educational agencies are eligible to receive under such subsection, the Secretary of Defense shall ratably reduce the amounts of the payments made under such subsection to all local educational agencies by an equal percentage.

(e) REPORT.—Each local educational agency desiring a payment under subsection (a) shall report to the Secretary of Defense—

(1) the number of severely disabled children for which a payment may be made under this section; and

(2) a breakdown of the average cost, by placement (inside or outside the boundaries of the school district of the local educational agency), of providing education and related services to such children.

(f) PAYMENTS SUBJECT TO APPROPRIATION.—Payments shall be made for any period in a fiscal year under this section only to the extent that funds are appropriated specifically for making such payments for that fiscal year.

(g) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 364. ASSISTANCE FOR MAINTENANCE, REPAIR, AND RENOVATION OF SCHOOL FACILITIES THAT SERVE DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) REPAIR AND RENOVATION ASSISTANCE.—(1) During fiscal year 2001, the Secretary of Defense may make a grant to an eligible local educational agency to assist the agency to repair and renovate—

(A) an impacted school facility that is used by significant numbers of military dependent students; or

(B) a school facility that was a former Department of Defense domestic dependent elementary or secondary school.

(2) Authorized repair and renovation projects may include repairs and improvements to an impacted school facility (including the grounds of the facility) designed to ensure compliance with the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) or local health and safety ordinances, to meet classroom size requirements, or to accommodate school population increases.

(3) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $2,500,000 during fiscal year 2001.

(b) MAINTENANCE ASSISTANCE.—(1) During fiscal year 2001, the Secretary of Defense may make a grant to an eligible local educational agency whose boundaries are the same as a military installation to assist the agency to maintain an impacted school facility, including the grounds of such a facility.

(2) The total amount of assistance provided under this subsection to an eligible local educational agency may not exceed $250,000 during fiscal year 2001.

(c) DETERMINATION OF ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—(1) A local educational agency is an eligible local educational agency under this section only if the Secretary of Defense determines that the local educational agency has—

(A) one or more federally impacted school facilities; and

(B) satisfies at least one of the following eligibility requirements:

(i) The local educational agency is eligible to receive assistance under subsection (f) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) and at least 10 percent of the students who were in average daily attendance in the schools of such agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

(ii) At least 35 percent of the students who were in average daily attendance in the schools of the local educational agency during the preceding school year were students described under paragraph (1)(A) or (1)(B) of section 8003(a) of the Elementary and Secondary Education Act of 1965.

(iii) The State education system and the local educational agency are one and the same.

(2) A local educational agency is also an eligible local educational agency under this section if the local educational agency has a school facility that was a former Department of Defense domestic dependent elementary or secondary school, but assistance provided under subsection (a) may only be used to repair and renovate that specific facility.

(d) NOTIFICATION OF ELIGIBILITY.—Not later than April 30, 2001, the Secretary of Defense shall notify each local educational agency identified under subsection (c) that the local educational agency is eligible to apply for a grant under subsection (a), subsection (b), or both subsections.

(e) RELATION TO IMPACT AID CONSTRUCTION ASSISTANCE.—A local education agency that receives a grant under subsection (a) to repair and renovate a school facility may not also receive a payment for school construction under section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) for fiscal year 2001.

(f) GRANT CONSIDERATIONS.—In determining which eligible local educational agencies will receive a grant under this section, the Secretary of Defense shall take into consideration the following conditions and needs at impacted school facilities of eligible local educational agencies:

(1) The repair or renovation of facilities is needed to meet State mandated class size requirements, including student-teacher ratios and instructional space size requirements.

(2) There is an increase in the number of military dependent students in facilities of the agency due to increases in unit strength as part of military readiness.

(3) There are unhoused students on a military installation due to other strength adjustments at military installations.

(4) The repair or renovation of facilities is needed to address any of the following conditions:

(A) The condition of the facility poses a threat to the safety and well-being of students.

(B) The requirements of the Americans with Disabilities Act of 1990.

(C) The cost associated with asbestos removal, energy conservation, or technology upgrades.

(D) Overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment.

(5) The repair or renovation of facilities is needed to meet any other Federal or State mandate.

(6) The number of military dependent students as a percentage of the total student population in the particular school facility.

(7) The age of facility to be repaired or renovated.

(g) DEFINITIONS.—In this section:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(2) IMPACTED SCHOOL FACILITY.—The term ''impacted school facility'' means a facility of a local educational agency—

(A) that is used to provide elementary or secondary education at or near a military installation; and

(B) at which the average annual enrollment of military dependent students is a high percentage of the total student enrollment at the facility, as determined by the Secretary of Defense.

(3) MILITARY DEPENDENT STUDENTS.—The term ''military dependent students'' means students who are dependents of members of the armed forces or Department of Defense civilian employees.

(4) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2687(e) of title 10, United States Code.

(h) FUNDING SOURCE.—The amount authorized to be appropriated under section 301(25) for Quality of Life Enhancements, Defense-Wide, shall be available to the Secretary of Defense to make grants under this section.

Subtitle G—Military Readiness Issues

SEC. 371. MEASURING CANNIBALIZATION OF PARTS, SUPPLIES, AND EQUIPMENT UNDER READINESS REPORTING SYSTEM.

Section 117(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) Measure, on a quarterly basis, the extent to which units of the armed forces remove serviceable parts, supplies, or equipment from one vehicle, vessel, or aircraft in order to render a different vehicle, vessel, or aircraft operational.''.

SEC. 372. REPORTING REQUIREMENTS REGARDING TRANSFERS FROM HIGH-PRIORITY READINESS APPROPRIATIONS.

(a) CONTINUATION OF REPORTING REQUIREMENTS.—Section 483 of title 10, United States Code, is amended by striking subsection (e).

(b) LEVEL OF DETAIL.—Subsection (c)(2) of such section is amended by inserting before the period the following: '', including identification of the sources from which funds were transferred into that activity and identification of the recipients of the funds transferred out of that activity''.

(c) ADDITIONAL COVERED BUDGET ACTIVITIES.—Subsection (d)(5) of such section is amended by adding at the end the following new subparagraphs:

''(G) Combat Enhancement Forces.

''(H) Combat Communications.''.

SEC. 373. EFFECTS OF WORLDWIDE CONTINGENCY OPERATIONS ON READINESS OF MILITARY AIRCRAFT AND EQUIPMENT.

(a) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report assessing the effects of worldwide contingency operations on—

(1) the readiness of aircraft and ground equipment of the Armed Forces; and

(2) the capability of the Armed Forces to maintain a high level of equipment readiness and to manage a high operating tempo for the aircraft and ground equipment.

(b) EFFECTS ON AIRCRAFT.—With respect to aircraft, the assessment contained in the report shall address the following effects:

(1) The effects of the contingency operations carried out during fiscal years 1995 through 2000 on the aircraft of each of the Armed Forces in each category of aircraft, as follows:

(A) Combat tactical aircraft.

(B) Strategic aircraft.

(C) Combat support aircraft.

(D) Combat service support aircraft.

(2) The types of adverse effects on the aircraft of each of the Armed Forces in each category of aircraft specified in paragraph (1) resulting from contingency operations, as follows:

(A) Patrolling in no-fly zones over Iraq in Operation Northern Watch and Operation Southern Watch and over the Balkans in Operation Allied Force.

(B) Air operations in the North Atlantic Treaty Organization air war against Serbia in Operation Sky Anvil, Operation Noble Anvil, and Operation Allied Force.

(C) Air operations in Operation Shining Hope in Kosovo.

(D) All other activities within the general context of worldwide contingency operations.

(3) Any other effects that the Secretary of Defense considers appropriate in carrying out subsection (a).

(c) EFFECTS ON GROUND EQUIPMENT.—With respect to ground equipment, the assessment contained in the report shall address following effects:

(1) The effects of the contingency operations carried out during fiscal years 1995 through 2000 on the ground equipment of each of the Armed Forces.

(2) Any other effects that the Secretary of Defense considers appropriate in carrying out subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term ''Armed Forces'' means the Army, Navy, Marine Corps, and Air Force.

(2) The term ''contingency operation'' has the meaning given the term in section 101(a)(13) of title 10, United States Code.

SEC. 374. IDENTIFICATION OF REQUIREMENTS TO REDUCE BACKLOG IN MAINTENANCE AND REPAIR OF DEFENSE FACILITIES.

(a) REPORT TO ADDRESS MAINTENANCE AND REPAIR BACKLOG.—Not later than March 15, 2001, the Secretary of Defense shall submit to Congress a report identifying a list of requirements to reduce the backlog in maintenance and repair needs of facilities and infrastructure under the jurisdiction of the Department of Defense or a military department.

(b) ELEMENTS OF REPORT.—At a minimum, the report shall include or address the following:

(1) The extent of the work necessary to repair and revitalize facilities and infrastructure, or to demolish and replace unusable facilities, carried as backlog by the Secretary of Defense or the Secretary of a military department.

(2) Measurable goals, over specified time frames, for addressing all of the identified requirements.

(3) Expected funding for each military department and Defense Agency to address the identified requirements during the period covered by the most recent future-years defense program submitted to Congress pursuant to section 221 of title 10, United States Code.

(4) The cost of the current backlog in maintenance and repair for each military department and Defense Agency, which shall be determined using the standard costs to standard facility categories in the Department of Defense Facilities Cost Factors Handbook, shown both in the aggregate and individually for each major military installation.

(5) The total number of square feet of building space of each military department and DefenseAgency to be demolished or proposed for demolition, shown both in the aggregate and individually for each major military installation.

(6) The initiatives underway to identify facility and infrastructure requirements at military installation to accommodate new and developing weapons systems and to prepare installations to accommodate these systems.

(c) ANNUAL UPDATES.—The Secretary of Defense shall update the report required under subsection (a) annually. The annual updates shall be submitted to Congress at or about the time that the budget is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code.

SEC. 375. NEW METHODOLOGY FOR PREPARING BUDGET REQUESTS TO SATISFY ARMY READINESS REQUIREMENTS.

(a) REQUIREMENT FOR NEW METHODOLOGY.—The Secretary of the Army shall develop a new methodology for preparing budget requests for operation and maintenance for the Army that can be used to ensure that the budget requests for operation and maintenance for future fiscal years more accurately reflect the Army's requirements than did the budget requests submitted to Congress for fiscal year 2001 and preceding fiscal years.

(b) SENSE OF CONGRESS REGARDING NEW METHODOLOGY.—It is the sense of Congress that—

(1) the methodology required by subsection (a) should provide for the determination of the budget levels to request for operation and maintenance for the Army to be based on—

(A) the level of training that must be conducted in order for the Army to execute successfully the full range of missions called for in the national defense strategy delineated pursuant to section 118 of title 10, United States Code, at a low-to-moderate level of risk;

(B) the cost of conducting training at the level of training described in subparagraph (A); and

(C) the costs of all other Army operations, including the cost of meeting infrastructure requirements; and

(2) the Secretary of the Army should use the new methodology in the preparation of the budget requests for operation and maintenance for the Army for fiscal years after fiscal year 2001.

SEC. 376. REVIEW OF AH–64 AIRCRAFT PROGRAM.

(a) REQUIREMENT FOR REVIEW.—The Comptroller General shall conduct a review of the Army's AH–64 aircraft program to determine—

(1) whether obsolete spare parts, rather than spare parts for the latest aircraft configuration, are being procured;

(2) whether there is insufficient sustaining system technical support;

(3) whether technical data packages and manuals are obsolete;

(4) whether there are unfunded requirements for airframe and component upgrades; and

(5) if one or more of the conditions described in the preceding paragraphs exist, whether the readiness of the aircraft is impaired by the conditions.

(b) REPORT.—Not later than March 1, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review under subsection (a).

SEC. 377. REPORT ON AIR FORCE SPARE AND REPAIR PARTS PROGRAM FOR C–5 AIRCRAFT.

(a) FINDINGS.—Congress makes the following findings:

(1) There exists a significant shortfall in the Nation's current strategic airlift requirement, even though strategic airlift remains critical to the national security strategy of the United States.

(2) This shortfall results from the slow phase-out of C–141 aircraft and their replacement with C–17 aircraft and from lower than optimal reliability rates for the C–5 aircraft.

(3) One of the primary causes of these reliability rates for C–5 aircraft, and especially for operational unit aircraft, is the shortage of spare repair parts. Over the past 5 years, this shortage has been particularly evident in the C–5 fleet.

(4) Not Mission Capable for Supply rates for C–5 aircraft have increased significantly in the period between 1997 and 1999. At Dover Air Force Base, Delaware, for example, an average of 7 to 9 C–5 aircraft were not available during that period because of a lack of parts.

(5) Average rates of cannibalization of C–5 aircraft per 100 sorties of such aircraft have also increased during that period and are well above the Air Mobility Command standard. In any given month, this means devoting additional manhours to cannibalization of C–5 aircraft. At Dover Air Force Base, for example, an average of 800 to 1,000 additional manhours were required for cannibalization of C–5 aircraft during that period. Cannibalization is often required for aircraft that transit through a base such as Dover Air Force Base, as well as those that are based there.

(6) High cannibalization rates indicate a significant problem in delivering spare parts in a timely manner and systemic problems within the repair and maintenance process, and also demoralize overworked maintenance crews.

(7) The C–5 aircraft remains an absolutely critical asset in air mobility and airlifting heavy equipment and personnel to both military contingencies and humanitarian relief efforts around the world.

(8) Despite increased funding for spare and repair parts and other efforts by the Air Force to mitigate the parts shortage problem, Congress continues to receive reports of significant cannibalization to airworthy C–5 aircraft and parts backlogs.

(b) REPORT REQUIRED.—Not later than January 1, 2001, and September 30, 2001, the Secretary of the Air Force shall submit to Congress a report on the overall status of the spare and repair parts program of the Air Force for the C–5 aircraft.

(c) ELEMENTS OF REPORT.—Each report shall include the following:

(1) A statement of the funds currently allocated to the acquisition of spare and repair parts for the C–5 aircraft and the adequacy of such funds to meet current and future repair and maintenance requirements for that aircraft.

(2) A description of current efforts to address shortfalls in the availability of spare and repair parts for the C–5 aircraft, including an assessment of potential short-term and long-term effects of such efforts.

(3) An assessment of the effects of such parts shortfalls on readiness and reliability ratings for the C–5 aircraft.

(4) A description of rates at which spare and repair parts for one C–5 aircraft are taken from another C–5 aircraft (known as parts cannibalization) and the manhours devoted to part cannibalization of such aircraft.

(5) An assessment of the effects of parts shortfalls and parts cannibalization with respect to C–5 aircraft on readiness and retention.

Subtitle H—Other Matters

SEC. 381. ANNUAL REPORT ON PUBLIC SALE OF CERTAIN MILITARY EQUIPMENT IDENTIFIED ON UNITED STATES MUNITIONS LIST.

(a) ANNUAL REPORT REQUIRED.—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2582. Military equipment identified on United States munitions list: annual report of public sales

''(a) REPORT REQUIRED.—The Secretary of Defense shall prepare an annual report identifying each public sale conducted by a military department or Defense Agency of military items that are—

''(1) identified on the United States Munitions List maintained under section 121.1 of title 22, Code of Federal Regulations; and

''(2) assigned a demilitarization code of 'B' or its equivalent.

''(b) ELEMENTS OF REPORT.—(1) A report under this section shall cover all public sales described in subsection (a) that were conducted during the preceding fiscal year.

''(2) The report shall specify the following for each sale:

''(A) The date of the sale.

''(B) The military department or Defense Agency conducting the sale.

''(C) The manner in which the sale was conducted.

''(D) The military items described in subsection (a) that were sold or offered for sale.

''(E) The purchaser of each item.

''(F) The stated end-use of each item sold.

''(c) SUBMISSION OF REPORT.—Not later than March 31 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate the report required by this section for the preceding fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2582. Military equipment identified on United States munitions list: annual report of public sales.''.

SEC. 382. RESALE OF ARMOR-PIERCING AMMUNITION DISPOSED OF BY THE ARMY.

(a) RESTRICTION.—(1) Chapter 443 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4688. Armor-piercing ammunition and components: condition on disposal

''(a) LIMITATION ON RESALE OR OTHER TRANSFER.—Except as provided in subsection (b), whenever the Secretary of the Army carries out a disposal (by sale or otherwise) of armor-piercing ammunition, or a component of armor-piercing ammunition, the Secretary shall require as a condition of the disposal that the recipient agree in writing not to sell or otherwise transfer any of the ammunition (reconditioned or otherwise), or any armor-piercing component of that ammunition, to any purchaser in the United States other than a law enforcement or other governmental agency.

''(b) EXCEPTION.—Subsection (a) does not apply to a transfer of a component of armor-piercing ammunition solely for the purpose of metal reclamation by means of a destructive process such as melting, crushing, or shredding.

''(c) SPECIAL RULE FOR NON-ARMOR-PIERCING COMPONENTS.—A component of the armor-piercing ammunition that is not itself armor-piercing and is not subjected to metal reclamation as described in subsection (b) may not be used as a component in the production of new or remanufactured armor-piercing ammunition other than for sale to a law enforcement or other governmental agency or for a government-to-government sale or commercial export to a foreign government under the Arms Export Control Act (22 U.S.C. 2751).

''(d) DEFINITION.—In this section, the term 'armor-piercing ammunition' means a center-fire cartridge the military designation of which includes the term 'armor penetrator' or 'armor-piercing', including a center-fire cartridge designated as armor-piercing incendiary (API) or armor-piercing incendiary-tracer (API–T).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4688. Armor-piercing ammunition and components: condition on disposal.''.

(b) APPLICABILITY.—Section 4688 of title 10, United States Code, as added by subsection (a), shall apply with respect to any disposal of ammunition or components referred to in that section after the date of the enactment of this Act.

SEC. 383. REIMBURSEMENT BY CIVIL AIR CARRIERS FOR SUPPORT PROVIDED AT JOHNSTON ATOLL.

(a) IN GENERAL.—Chapter 949 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 9783. Johnston Atoll: reimbursement for support provided to civil air carriers

''(a) AUTHORITY OF THE SECRETARY.—The Secretary of the Air Force may, under regulations prescribed by the Secretary, require payment by a civil air carrier for support provided by the United States to the carrier at Johnston Atoll that is either—

''(1) requested by the civil air carrier; or

''(2) determined under the regulations as being necessary to accommodate the civil air carrier's use of Johnston Atoll.

''(b) AMOUNT OF CHARGES.—Any amount charged an air carrier under subsection (a) for support shall be equal to the total amount of the actual costs to the United States of providing the support. The amount charged may not include any amount for an item of support that does not satisfy a condition described in paragraph (1) or (2) of subsection (a).

''(c) RELATIONSHIP TO LANDING FEES.—No landing fee shall be charged an air carrier for a landing of an aircraft of the air carrier at Johnston Atoll if the air carrier is charged under subsection (a) for support provided to the air carrier.

''(d) DISPOSITION OF PAYMENTS.—(1) Amounts collected from an air carrier under this section shall be credited to appropriations available for the fiscal year in which collected, as follows:

''(A) For support provided by the Air Force, to appropriations available for the Air Force for operation and maintenance.

''(B) For support provided by the Army, to appropriations available for the Army for chemical demilitarization.

''(2) Amounts credited to an appropriation under paragraph (1) shall be merged with funds in that appropriation and shall be available, without further appropriation, for the purposes and period for which the appropriation is available.

''(e) DEFINITIONS.—In this section:

''(1) The term 'civil air carrier' means an air carrier (as defined in section 40101(a)(2) of title 49) that is issued a certificate of public convenience and necessity under section 41102 of such title.

''(2) The term 'support' includes fuel, fire rescue, use of facilities, improvements necessary to accommodate use by civil air carriers, police, safety, housing, food, air traffic control, suspension of military operations on the island (including operations at the Johnston Atoll Chemical Agent Demilitarization System), repairs, and any other construction, services, or supplies.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''9783. Johnston Atoll: reimbursement for support provided to civil air carriers.''.

SEC. 384. TRAVEL BY RESERVES ON MILITARY AIRCRAFT.

(a) SPACE-REQUIRED TRAVEL FOR TRAVEL TO DUTY STATIONS.—Subsection (a) of section 18505 of title 10, United States Code, is amended to read as follows:

''(a) A member of a reserve component traveling for annual training duty or inactive-duty training (including a place other than the place of the member's unit training assembly if the member is performing annual training duty or inactive-duty training in another location) may travel in a space-required status on aircraft of the armed forces between the member's home and the place of the annual training duty or inactive-duty training.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

''§ 18505. Reserves traveling for annual training duty or inactive-duty training: space-required travel on military aircraft''.

(2) The table of sections at the beginning of chapter 1805 of such title is amended by striking the item relating to section 18505 and inserting the following new item:

''18505. Reserves traveling for annual training duty or inactive-duty training: space-required travel on military aircraft.''.

SEC. 385. OVERSEAS AIRLIFT SERVICE ON CIVIL RESERVE AIR FLEET AIRCRAFT.

(a) IN GENERAL.—Section 41106 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by striking ''of at least 31 days'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

''(b) TRANSPORTATION BETWEEN THE UNITED STATES AND FOREIGN LOCATIONS.—Except as provided in subsection (d), the transportation of passengers or property by transport category aircraft between a place in the United States and a place outside the United States obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service shall be provided by an air carrier referred to in subsection (a).

''(c) TRANSPORTATION BETWEEN FOREIGN LOCATIONS.—The transportation of passengers or property by transport category aircraft between two places outside the United States obtained by the Secretary of Defense or the Secretary of a military department through a contract for airlift service shall be provided by an air carrier that has aircraft in the civil reserve air fleet whenever transportation by such an air carrier is reasonably available.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of such section is further amended by striking ''GENERAL.—(1) Except as provided in subsection (b) of this section,'' and inserting ''INTERSTATE TRANSPORTATION.—(1) Except as provided in subsection (d) of this section,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 386. ADDITIONS TO PLAN FOR ENSURING VISIBILITY OVER ALL IN-TRANSIT END ITEMS AND SECONDARY ITEMS.

(a) REQUIRED ADDITIONS.—Subsection (d) of section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1981; 10 U.S.C. 2458 note) is amended—

(1) in paragraph (1), by inserting before the period at the end the following: '', including specific actions to address underlying weaknesses in the controls over items being shipped''; and

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

''(5) The key management elements for monitoring, and for measuring the progress achieved in, the implementation of the plan, including—

''(A) the assignment of oversight responsibility for each action identified pursuant to paragraph (1);

''(B) a description of the resources required for oversight; and

''(C) an estimate of the annual cost of oversight.''.

(b) CONFORMING AMENDMENTS.—(1) Subsection (a) of such section is amended by striking ''Not later than'' and all that follows through ''Congress'' and inserting ''The Secretary of Defense shall prescribe and carry out''.

(2) Such section is further amended by adding at the end the following new subsection:

''(f) SUBMISSIONS TO CONGRESS.—The Secretary shall submit to Congress any revisions made to the plan that are required by any law enacted after October 17, 1998. The revisions so made shall be submitted not later than 180 days after the date of the enactment of the law requiring the revisions.''.

(3) Subsection (e)(1) of such section is amended by striking ''submits the plan'' and inserting ''submits the initial plan''.

SEC. 387. REAUTHORIZATION OF PILOT PROGRAM FOR ACCEPTANCE AND USE OF LANDING FEES CHARGED FOR USE OF DOMESTIC MILITARY AIRFIELDS BY CIVIL AIRCRAFT.

(a) REAUTHORIZATION.—Section 377 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1993; 10 U.S.C. 113 note) is amended—

(1) in subsection (a)—

(A) by striking ''during fiscal years 1999 and 2000''; and

(B) by striking the second sentence; and

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

''(e) DURATION OF PILOT PROGRAM.—The pilot program under this section may not be carried out after September 30, 2010.''.

(b) FEES COLLECTED.—Subsection (b) of such section is amended to read as follows:

''(b) LANDING FEE DEFINED.—In this section, the term 'landing fee' means any fee that is established under or in accordance with regulations of the military department concerned (whether prescribed in a fee schedule or imposed under a joint-use agreement) to recover costs incurred for use by civil aircraft of an airfield of the military department in the United States or in a territory or possession of the United States.''.

(c) USE OF PROCEEDS.—Subsection (c) of such section is amended by striking ''Amounts received for a fiscal year in payment of landing fees imposed under the pilot program for use of a military airfield'' and inserting ''Amounts received in payment of landing fees for use of a military airfield in a fiscal year of the pilot program''.

(d) REPORT.—Subsection (d) of such section is amended—

(1) by striking ''March 31, 2000,'' and inserting ''March 31, 2003,''; and

(2) by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

SEC. 388. EXTENSION OF AUTHORITY TO SELL CERTAIN AIRCRAFT FOR USE IN WILDFIRE SUPPRESSION.

Section 2 of the Wildfire Suppression Aircraft Transfer Act of 1996 (Public Law 104–307; 10 U.S.C. 2576 note) is amended—

(1) in subsection (a)(1), by striking ''September 30, 2000'' and inserting ''September 30, 2005'';

(2) in subsection (d)(1)—

(A) by striking ''the date of the enactment of this Act'' and inserting ''October 14, 1996''; and

(B) by adding at the end the following: ''The regulations prescribed under this paragraph shall be effective until the end of the period specified in subsection (a)(1).''; and

(3) in subsection (f), by striking ''March 31, 2000'' and inserting ''March 31, 2005''.

SEC. 389. DAMAGE TO AVIATION FACILITIES CAUSED BY ALKALI SILICA REACTIVITY.

(a) ASSESSMENT OF DAMAGE AND PREVENTION AND MITIGATION TECHNOLOGY.—The Secretary of Defense shall require the Secretaries of the military departments to assess—

(1) the damage caused to aviation facilities of the Armed Forces by alkali silica reactivity; and

(2) the availability of technologies capable of preventing, treating, or mitigating alkali silica reactivity in hardened concrete structures and pavements.

(b) EVALUATION OF TECHNOLOGIES.—(1) Taking into consideration the assessment under subsection (a), the Secretary of each military department may conduct a demonstration project at a location selected by the Secretary concerned to test and evaluate the effectiveness of technologies intended to prevent, treat, or mitigate alkali silica reactivity in hardened concrete structures and pavements.

(2) The Secretary of Defense shall ensure that the locations selected for the demonstration projects represent the diverse operating environments of the Armed Forces.

(c) NEW CONSTRUCTION.—The Secretary of Defense shall develop specific guidelines for appropriate testing and use of lithium salts to prevent alkali silica reactivity in new construction of the Department of Defense.

(d) COMPLETION OF ASSESSMENT AND DEMONSTRATION.—The assessment conducted under subsection (a) and the demonstration projects, if any, conducted under subsection (b) shall be completed not later than September 30, 2006.

(e) DELEGATION OF AUTHORITY.—The authority to conduct the assessment under subsection (a) may be delegated only to the Chief of Engineers of the Army, the Commander of the Naval Facilities Engineering Command, and the Civil Engineer of the Air Force.

(f) LIMITATION ON EXPENDITURES.—The Secretary of Defense and the Secretaries of the military departments may not expend more than a total of $5,000,000 to conduct both the assessment under subsection (a) and all of the demonstration projects under subsection (b).

SEC. 390. DEMONSTRATION PROJECT TO INCREASE RESERVE COMPONENT INTERNET ACCESS AND SERVICES IN RURAL COMMUNITIES.

(a) AUTHORIZATION AND PURPOSE OF PROJECT.—The Secretary of the Army, acting through the Chief of the National Guard Bureau, may carry out a demonstration project in rural communities that are unserved or underserved by the telecommunications medium known as the Internet to provide or increase Internet access and services to units and members of the National Guard and other reserve components located in these communities.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary may—

(1) establish and operate distance learning classrooms in communities described in subsection (a), including any support systems required for such classrooms; and

(2) provide Internet access and services in such classrooms through GuardNet, the telecommunications infrastructure of the National Guard.

(c) REPORT.—Not later than February 1, 2005, the Secretary shall submit to Congress a report on the demonstration project. The report shall

describe the activities conducted under the demonstration project and include any recommendations for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

SEC. 391. ADDITIONAL CONDITIONS ON IMPLEMENTATION OF DEFENSE JOINT ACCOUNTING SYSTEM.

(a) REPORT ON DEPLOYMENT OF SYSTEM.—The proposed Defense Joint Accounting System is not prohibited, but the Secretary of Defense may not grant a Milestone III decision for the system unless and until the Secretary of Defense submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report—

(1) explaining the reasons for the withdrawal of the Department of the Air Force from the proposed Defense Joint Accounting System and the effect of the withdrawal on the development of the system;

(2) explaining the reasons why the Department of the Navy is not required to participate in the system;

(3) identifying business process reengineering initiatives reviewed, considered, or undertaken by the Department of the Air Force and the Department of the Navy before the decisions were made to exclude the Department of the Navy from the system and to allow the Department of the Air Force to withdraw from the system; and

(4) containing an analysis, prepared with the participation of the Secretaries of the military departments, of alternatives to the system to determine whether the system warrants deployment.

(b) CERTIFICATION.—If the Secretary of Defense determines that the proposed Defense Joint Accounting System warrants a Milestone III decision, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a certification that the system will meet—

(1) the required functionality for users of the system;

(2) Department of Defense acquisition standards;

(3) the applicable requirements for Milestones I, II and III; and

(4) the applicable requirements of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106).

SEC. 392. REPORT ON DEFENSE TRAVEL SYSTEM.

(a) REQUIREMENT FOR REPORT.—Not later than November 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report on the Defense Travel System.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) A detailed discussion of the development, testing, and fielding of the system, including the performance requirements, the evaluation criteria, the funding that has been provided for the development, testing, and fielding of the system, and the funding that is projected to be required for completing the development, testing, and fielding of the system.

(2) The schedule for the testing of the system, including the initial operational test and evaluation and the finaloperational testing and evaluation, together with the results of the testing.

(3) The cost savings expected to result from the deployment of the system and from the completed implementation of the system, together with a discussion of how the savings are estimated and the expected schedule for the realization of the savings.

(4) An analysis of the costs and benefits of fielding the front-end software for the system throughout all 18 geographical areas selected for the original fielding of the system.

SEC. 393. REVIEW OF DEPARTMENT OF DEFENSE COSTS OF MAINTAINING HISTORICAL PROPERTIES.

(a) REQUIREMENT FOR REVIEW.—The Comptroller General shall conduct a review of the annual costs incurred by the Department of Defense to comply with the requirements of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(b) REPORT.—Not later than February 28, 2001, the Comptroller General shall submit to the congressional defense committees a report on the results of the review. The report shall contain the following:

(1) For each military department and Defense Agency and for the Department of Defense in the aggregate, the cost for fiscal year 2000 and the projected costs for the ensuing 10 fiscal years to comply with the requirements of the National Historic Preservation Act.

(2) Of the costs referred to in paragraph (1), the portion of such costs related to maintenance of those properties that qualified as historic properties under the National Historic Preservation Act when such Act was originally enacted in 1966.

(3) The accounts used for paying the costs of complying with the requirements of the National Historic Preservation Act.

(4) For each military department and Defense Agency, the identity of all properties that must be maintained in order to comply with the requirements of the National Historic Preservation Act.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent end strength minimum levels.
Sec. 403. Adjustment to end strength flexibility authority.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2001 limitation on non-dual status technicians.
Sec. 415. Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves.

Subtitle C—Other Matters Relating to Personnel Strengths

Sec. 421. Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency.
Sec. 422. Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands.
Sec. 423. Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve commissioned officers in grades below brigadier general.
Sec. 424. Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades.

Subtitle D—Authorization of Appropriations

Sec. 431. Authorization of appropriations for military personnel.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2001, as follows:

(1) The Army, 480,000.
(2) The Navy, 372,642.
(3) The Marine Corps, 172,600.
(4) The Air Force, 357,000.

SEC. 402. REVISION IN PERMANENT END STRENGTH MINIMUM LEVELS.

(a) REVISED END STRENGTH FLOORS.—Section 691(b) of title 10, United States Code, is amended—

(1) in paragraph (2), by striking ''371,781'' and inserting ''372,000'';

(2) in paragraph (3), by striking ''172,148'' and inserting ''172,600''; and

(3) in paragraph (4), by striking ''360,877'' and inserting ''357,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2000.

SEC. 403. ADJUSTMENT TO END STRENGTH FLEXIBILITY AUTHORITY.

Section 691(e) of title 10, United States Code, is amended by inserting ''or greater than'' after ''identical to''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2001, as follows:

(1) The Army National Guard of the United States, 350,526.
(2) The Army Reserve, 205,300.
(3) The Naval Reserve, 88,900.
(4) The Marine Corps Reserve, 39,558.
(5) The Air National Guard of the United States, 108,022.
(6) The Air Force Reserve, 74,358.
(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2001, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 22,974.
(2) The Army Reserve, 13,106.
(3) The Naval Reserve, 14,649.
(4) The Marine Corps Reserve, 2,261.
(5) The Air National Guard of the United States, 11,170.
(6) The Air Force Reserve, 1,336.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year

2001 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 23,128.

(2) For the Army Reserve, 5,921.

(3) For the Air National Guard of the United States, 22,247.

(4) For the Air Force Reserve, 9,785.

SEC. 414. FISCAL YEAR 2001 LIMITATION ON NON-DUAL STATUS TECHNICIANS.

(a) LIMITATION.—The number of non-dual status technicians employed by the reserve components of the Army and the Air Force as of September 30, 2001, may not exceed the following:

(1) For the Army Reserve, 1,195.

(2) For the Army National Guard of the United States, 1,600.

(3) For the Air Force Reserve, 10.

(4) For the Air National Guard of the United States, 326.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

(c) POSTPONEMENT OF PERMANENT LIMITATION.—Section 10217(c)(2) of title 10, United States Code, is amended by striking ''October 1, 2001'' and inserting ''October 1, 2002''.

SEC. 415. INCREASE IN NUMBERS OF MEMBERS IN CERTAIN GRADES AUTHORIZED TO BE ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

(a) OFFICERS.—The table in section 12011(a) of title 10, United States Code, is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,316	1,071	948	140
Lieutenant Colonel or Commander	1,759	520	852	90
Colonel or Navy Captain	529	188	317	30''.

(b) SENIOR ENLISTED MEMBERS.—The table in section 12012(a) of such title is amended to read as follows:

''Grade	Army	Navy	Air Force	Marine Corps
E–9	764	202	502	20
E–8	2,821	429	1,117	94''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

(d) REPORT.—(1) Not later than March 31, 2001, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on management of the grade structure for reserve-component officers who are subject to section 12011 of title 10, United States Code, and on the grade structure of enlisted members who are subject to section 12012 of that title. The Secretary of Defense shall include in the report recommendations for a permanent solution for managing the grade structures for those officers and enlisted members without requirement for frequent statutory adjustments to the limitations in those sections.

(2) In developing recommendations for the report under paragraph(1), the Secretary shall consider the following areas:

(A) The grade structure authorized for field-grade officers in the active-duty forces and the reasons why the grade structure for field-grade reserve officers on active duty in support of the reserves is different.

(B) The grade structure authorized for senior enlisted members in the active-duty forces and the reasons why the grade structure for senior enlisted reserve members on active duty in support of the reserves is different.

(C) The need for independent grade limits for each reserve component under sections 12011 and 12012 of title 10, United States Code.

(D) The advantages and disadvantage of replacing management by the current grade tables in those sections with management through a system based on the grade authorized for the position occupied by the member.

(E) The current mix within each reserve component, for each controlled grade, of (i) traditional reservists, (ii) military technicians, (iii) regular component members, and (iv) reserve members on active duty in support of the reserves, and how that mix, for each component, would shift over time under the Secretary's recommended solution as specified in paragraph (1).

Subtitle C—Other Matters Relating to Personnel Strengths

SEC. 421. AUTHORITY FOR SECRETARY OF DEFENSE TO SUSPEND CERTAIN PERSONNEL STRENGTH LIMITATIONS DURING WAR OR NATIONAL EMERGENCY.

(a) SENIOR ENLISTED MEMBERS ON ACTIVE DUTY.—Section 517 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

(b) FIELD GRADE RESERVE COMPONENT OFFICERS.—Section 12011 of such title is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

(c) SENIOR ENLISTED MEMBER IN RESERVE COMPONENTS.—Section 12012 of such title is amended by adding at the end the following new subsection:

''(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.''.

SEC. 422. EXCLUSION FROM ACTIVE COMPONENT END STRENGTHS OF CERTAIN RESERVE COMPONENT MEMBERS ON ACTIVE DUTY IN SUPPORT OF THE COMBATANT COMMANDS.

Section 115(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9) Members of reserve components (not described in paragraph (8)) on active duty for more than 180 days but less than 271 days to perform special work in support of the combatant commands, except that—

''(A) general and flag officers may not be excluded under this paragraph; and

''(B) the number of members of any of the armed forces excluded under this paragraph may not exceed the number equal to 0.2 percent of the end strength authorized for active-duty personnel of that armed force under subsection (a)(1)(A).''.

SEC. 423. EXCLUSION OF ARMY AND AIR FORCE MEDICAL AND DENTAL OFFICERS FROM LIMITATION ON STRENGTHS OF RESERVE COMMISSIONED OFFICERS IN GRADES BELOW BRIGADIER GENERAL.

Section 12005(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Medical officers and dental officers shall not be counted for the purposes of this subsection.''.

SEC. 424. AUTHORITY FOR TEMPORARY INCREASES IN NUMBER OF RESERVE COMPONENT PERSONNEL SERVING ON ACTIVE DUTY OR FULL-TIME NATIONAL GUARD DUTY IN CERTAIN GRADES.

(a) FIELD GRADE OFFICERS.—Section 12011 of title 10, United States Code, as amended by section 421(b), is amended by adding at the end the following new subsection:

''(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of officers of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.''.

(b) SENIOR ENLISTED PERSONNEL.—Section 12012 of such title, as amended by section 421(c), is amended by adding at the end the following new subsection:

''(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of enlisted members of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.''.

Subtitle D—Authorization of Appropriations

SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2001 a total of $75,801,666,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2001.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Eligibility of Army and Air Force Reserve colonels and brigadier generals for position vacancy promotions.

Sec. 502. Flexibility in establishing promotion zones for Coast Guard Reserve officers.

Sec. 503. Time for release of reports of officer promotion selection boards.

Sec. 504. Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration.
Sec. 505. Authority to issue posthumous commissions in the case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned.
Sec. 506. Technical corrections relating to retired grade of reserve commissioned officers.
Sec. 507. Grade of chiefs of reserve components and directors of National Guard components.
Sec. 508. Revision to rules for entitlement to separation pay for regular and reserve officers.

Subtitle B—Reserve Component Personnel Policy

Sec. 521. Exemption from active-duty list for reserve officers on active duty for a period of three years or less.
Sec. 522. Termination of application requirement for consideration of officers for continuation on the reserve active-status list.
Sec. 523. Authority to retain Air Force Reserve officers in all medical specialties until specified age.
Sec. 524. Authority for provision of legal services to reserve component members following release from active duty.
Sec. 525. Extension of involuntary civil service retirement date for certain reserve technicians.

Subtitle C—Education and Training

Sec. 531. Eligibility of children of Reserves for Presidential appointment to service academies.
Sec. 532. Selection of foreign students to receive instruction at service academies.
Sec. 533. Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program.
Sec. 534. Review of allocation of Junior Reserve Officers Training Corps units among the services.
Sec. 535. Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development.

Subtitle D—Decorations, Awards, and Commendations

Sec. 541. Limitation on award of Bronze Star to members in receipt of imminent danger pay.
Sec. 542. Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the Armed Forces and other qualified persons.
Sec. 543. Waiver of time limitations for award of certain decorations to certain persons.
Sec. 544. Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941.
Sec. 545. Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, Commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel.
Sec. 546. Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941.
Sec. 547. Commendation of citizens of Remy, France, for World War II actions.
Sec. 548. Authority for Award of the Medal of Honor to William H. Pitsenbarger for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Sec. 551. Recognition by States of military testamentary instruments.
Sec. 552. Policy concerning rights of individuals whose names have been entered into Department of Defense official criminal investigative reports.
Sec. 553. Limitation on Secretarial authority to grant clemency for military prisoners serving sentence of confinement for life without eligibility for parole.
Sec. 554. Authority for civilian special agents of military department criminal investigative organizations to execute warrants and make arrests.
Sec. 555. Requirement for verbatim record in certain special court-martial cases.
Sec. 556. Commemoration of the 50th anniversary of the Uniform Code of Military Justice.

Subtitle F—Matters Relating to Recruiting

Sec. 561. Army recruiting pilot programs.
Sec. 562. Enhancement of recruitment market research and advertising programs.
Sec. 563. Access to secondary schools for military recruiting purposes.
Sec. 564. Pilot program to enhance military recruiting by improving military awareness of school counselors and educators.

Subtitle G—Other Matters

Sec. 571. Extension to end of calendar year of expiration date for certain force drawdown transition authorities.
Sec. 572. Voluntary separation incentive.
Sec. 573. Congressional review period for assignment of women to duty on submarines and for any proposed reconfiguration or design of submarines to accommodate female crew members.
Sec. 574. Management and per diem requirements for members subject to lengthy or numerous deployments.
Sec. 575. Pay in lieu of allowance for funeral honors duty.
Sec. 576. Test of ability of reserve component intelligence units and personnel to meet current and emerging defense intelligence needs.
Sec. 577. National Guard Challenge Program.
Sec. 578. Study of use of civilian contractor pilots for operational support missions.
Sec. 579. Reimbursement for expenses incurred by members in connection with cancellation of leave on short notice.

SUBTITLE A—OFFICER PERSONNEL POLICY

SEC. 501. ELIGIBILITY OF ARMY AND AIR FORCE RESERVE COLONELS AND BRIGADIER GENERALS FOR POSITION VACANCY PROMOTIONS.

Section 14315(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting after ''(A) is assigned to the duties of a general officer of the next higher reserve grade in the Army Reserve'' the following: ''or is recommended for such an assignment under regulations prescribed by the Secretary of the Army''; and

(2) in paragraph (2), by inserting after ''(A) is assigned to the duties of a general officer of the next higher reserve grade'' the following: ''or is recommended for such an assignment under regulations prescribed by the Secretary of the Air Force''.

SEC. 502. FLEXIBILITY IN ESTABLISHING PROMOTION ZONES FOR COAST GUARD RESERVE OFFICERS.

(a) COAST GUARD RESERVE OFFICER PROMOTION SYSTEM BASED ON DOD ROPMA SYSTEM.—Section 729(d) of title 14, United States Code, is amended to read as follows:

''(d)(1) Before convening a selection board to recommend Reserve officers for promotion, the Secretary shall establish a promotion zone for officers serving in each grade to be considered by the board. The Secretary shall determine the number of officers in the promotion zone for officers serving in any grade from among officers who are eligible for promotion in that grade.

''(2)(A) Before convening a selection board to recommend Reserve officers for promotion to a grade (other than the grade of lieutenant (junior grade)), the Secretary shall determine the maximum number of officers in that grade that the board may recommend for promotion.

''(B) The Secretary shall make the determination under subparagraph (A) of the maximum number that may be recommended with a view to having in an active status a sufficient number of Reserve officers in each grade to meet the needs of the Coast Guard for Reserve officers in an active status.

''(C) In order to make the determination under subparagraph (B), the Secretary shall determine the following:

''(i) The number of positions needed to accomplish mission objectives that require officers in the grade to which the board will recommend officers for promotion.

''(ii) The estimated number of officers needed to fill vacancies in such positions during the period in which it is anticipated that officers selected for promotion will be promoted.

''(iii) The number of officers authorized by the Secretary to serve in an active status in the grade under consideration.

''(iv) Any statutory limitation on the number of officers in any grade authorized to be in an active status.

''(3)(A) The Secretary may, when the needs of the Coast Guard require, authorize the consideration of officers in a grade above lieutenant (junior grade) for promotion to the next higher grade from below the promotion zone.

''(B) When selection from below the promotion zone is authorized, the Secretary shall establish the number of officers that may be recommended for promotion from below the promotion zone. That number may not exceed the number equal to 10 percent of the maximum number of officers that the board is authorized to recommend for promotion, except that the Secretary may authorize a greater number, not to exceed 15 percent of the total number of officers that the board is authorized to recommend for promotion, if the Secretary determines that the needs of the Coast Guard so require. If the maximum number determined under this subparagraph is less than one, the board may recommend one officer for promotion from below the promotion zone.

''(C) The number of officers recommended for promotion from below the promotion zone does not increase the maximum number of officers that the board is authorized to recommend for promotion under paragraph (2).''.

(b) RUNNING MATE SYSTEM MADE OPTIONAL.—(1) Section 731 of such title is amended—

(A) by designating the text of such section as subsection (b);

(B) by inserting after the section heading the following:

''(a) AUTHORITY TO USE RUNNING MATE SYSTEM.—The Secretary may by regulation implement section 729(d)(1) of this title by requiring that the promotion zone for consideration of Reserve officers in an active status for promotion to the next higher grade be determined in accordance with a running mate system as provided in subsection (b).'';

(C) in subsection (b), as designated by subparagraph (A), by striking ''Subject to the eligibility requirements of this subchapter, a Reserve officer shall'' and inserting the following: ''CONSIDERATION FOR PROMOTION.—If promotion zones are determined as authorized under subsection (a), a Reserve officer shall, subject to the eligibility requirements of this subchapter,''; and

(D) by adding at the end the following:

''(c) CONSIDERATION OF OFFICERS BELOW THE ZONE.—If the Secretary authorizes the selection of officers for promotion from below the promotion zone in accordance with section 729(d)(3) of this title, the number of officers to be considered from below the zone may be established through the application of the running mate system under this subchapter or otherwise as the Secretary determines to be appropriate to meet the needs of the Coast Guard.''.

(2)(A) The heading for such section is amended to read as follows:

''§ 731. Establishment of promotion zones under running mate system''.

(B) The item relating to such section in the table of sections at the beginning of chapter 21 of such title is amended to read as follows:

''731. Establishment of promotion zones under running mate system.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to selection boards convened under section 730 of title 14, United States Code, on or after the date of the enactment of this Act.

SEC. 503. TIME FOR RELEASE OF REPORTS OF OFFICER PROMOTION SELECTION BOARDS.

(a) ACTIVE-DUTY LIST OFFICER BOARDS.—Section 618(e) of title 10, United States Code, is amended to read as follows:

''(e)(1) The names of the officers recommended for promotion in the report of a selection board shall be disseminated to the armed force concerned as follows:

''(A) In the case of officers recommended for promotion to a grade below brigadier general or rear admiral (lower half), such names may be disseminated upon, or at any time after, the transmittal of the report to the President.

''(B) In the case of officers recommended for promotion to a grade above colonel or, in the case of the Navy, captain, such names may be disseminated upon, or at any time after, the approval of the report by the President.

''(C) In the case of officers whose names have not been sooner disseminated, such names shall be promptly disseminated upon confirmation by the Senate.

''(2) A list of names of officers disseminated under paragraph (1) may not include—

''(A) any name removed by the President from the report of the selection board containing that name, if dissemination is under the authority of subparagraph (B) of such paragraph; or

''(B) the name of any officer whose promotion the Senate failed to confirm, if dissemination is under the authority of subparagraph (C) of such paragraph.''.

(b) RESERVE ACTIVE-STATUS LIST OFFICER BOARDS.—The text of section 14112 of title 10, United States Code, is amended to read as follows:

''(a) TIME FOR DISSEMINATION.—The names of the officers recommended for promotion in the report of a selection board shall be disseminated to the armed force concerned as follows:

''(1) In the case of officers recommended for promotion to a grade below brigadier general or rear admiral (lower half), such names may be disseminated upon, or at any time after, the transmittal of the report to the President.

''(2) In the case of officers recommended for promotion to a grade above colonel or, in the case of the Navy, captain, such names may be disseminated upon, or at any time after, the approval of the report by the President.

''(3) In the case of officers whose names have not been sooner disseminated, such names shall be promptly disseminated—

''(A) upon confirmation of the promotion of the officers by the Senate (in the case of promotions required to be submitted to the Senate for confirmation); or

''(B) upon the approval of the report by the President (in the case of promotions not required to be submitted to the Senate for confirmation).

''(b) NAMES NOT DISSEMINATED.—A list of names of officers disseminated under subsection (a) may not include—

''(1) any name removed by the President from the report of the selection board containing that name, if dissemination is under the authority of paragraph (2) or (3)(B) of that subsection; or

''(2) the name of any officer whose promotion the Senate failed to confirm, if dissemination is under the authority of paragraph (3)(A) of that subsection.''.

SEC. 504. CLARIFICATION OF REQUIREMENTS FOR COMPOSITION OF ACTIVE-DUTY LIST SELECTION BOARDS WHEN RESERVE OFFICERS ARE UNDER CONSIDERATION.

(a) CLARIFICATION.—Section 612(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''who are on the active-duty list'' in the second sentence; and

(B) by inserting after the second sentence the following new sentence: ''Each member of a selection board (except as provided in paragraphs (2), (3), and (4)) shall be an officer on the active-duty list.''; and

(2) in paragraph (3)—

(A) by striking ''of that armed force, with the exact number of reserve officers to be'' and inserting ''of that armed force on active duty (whether or not on the active-duty list). The actual number of reserve officers shall be''; and

(B) by striking ''his discretion, except that'' and inserting ''the Secretary's discretion. Notwithstanding the first sentence of this paragraph,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any selection board convened under section 611(a) of title 10, United States Code, on or after August 1, 1981.

SEC. 505. AUTHORITY TO ISSUE POSTHUMOUS COMMISSIONS IN THE CASE OF MEMBERS DYING BEFORE OFFICIAL RECOMMENDATION FOR APPOINTMENT OR PROMOTION IS APPROVED BY SECRETARY CONCERNED.

(a) REPEAL OF LIMITATION TO DEATHS OCCURRING AFTER SECRETARIAL APPROVAL.—Subsection (a)(3) of section 1521 of title 10, United States Code, is amended by striking ''and the recommendation for whose appointment or promotion was approved by the Secretary concerned''.

(b) EFFECTIVE DATE OF COMMISSION.—Subsection (b) of such section is amended by striking ''approval'' both places it appears and inserting ''official recommendation''.

SEC. 506. TECHNICAL CORRECTIONS RELATING TO RETIRED GRADE OF RESERVE COMMISSIONED OFFICERS.

(a) ARMY.—Section 3961(a) of title 10, United States Code, is amended by striking ''or for nonregular service under chapter 1223 of this title''.

(b) AIR FORCE.—Section 8961(a) of title 10, United States Code, is amended by striking ''or for nonregular service under chapter 1223 of this title''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to Reserve commissioned officers who are promoted to a higher grade as a result of selection for promotion by a board convened under chapter 36 or 1403 of title 10, United States Code, or having been found qualified for Federal recognition in a higher grade under chapter 3 of title 32, United States Code, after October 1, 1996.

SEC. 507. GRADE OF CHIEFS OF RESERVE COMPONENTS AND DIRECTORS OF NATIONAL GUARD COMPONENTS.

(a) CHIEF OF ARMY RESERVE.—Subsections (b) and (c) of section 3038 of title 10, United States Code, are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Army Reserve from general officers of the Army Reserve who have had at least 10 years of commissioned service in the Army Reserve.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Army Reserve unless the officer—

''(A) is recommended by the Secretary of the Army; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a resultof a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Army Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Army Reserve if the Secretary of the Army requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Army Reserve is appointed for a period of four years, but may be removed for cause at any time. An officer serving as Chief of Army Reserve may be reappointed for one additional four-year period.

''(2) The Chief of Army Reserve, while so serving, holds the grade of lieutenant general.''.

(b) CHIEF OF NAVAL RESERVE.—Subsections (b) and (c) of section 5143 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Naval Reserve from flag officers of the Navy (as defined in section 5001(1)) who have had at least 10 years of commissioned service.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Naval Reserve unless the officer—

''(A) is recommended by the Secretary of the Navy; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Naval Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Naval Reserve if the Secretary of the Navy requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Naval Reserve is appointed for a term determined by the Chief of Naval Operations, normally four years, but may be removed for cause at any time. An officer serving as Chief of Naval Reserve may be reappointed for one additional term of up to four years.

''(2) The Chief of Naval Reserve, while so serving, holds the grade of vice admiral.''.

(c) COMMANDER, MARINE FORCES RESERVE.—Subsections (b) and (c) of section 5144 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Commander, Marine Forces Reserve, from general officers of the Marine Corps (as defined in section 5001(2)) who have had at least 10 years of commissioned service.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Commander, Marine Forces Reserve, unless the officer—

''(A) is recommended by the Secretary of the Navy; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Commander, Marine Forces Reserve, shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Commander, Marine Forces Reserve, if the Secretary of the Navy requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Commander, Marine Forces Reserve, is appointed for a term determined by the Commandant of the Marine Corps, normally four years, but may be removed for cause at any time. An officer serving as Commander, Marine Forces Reserve, may be reappointed for one additional term of up to four years.

''(2) The Commander, Marine Forces Reserve, while so serving, holds the grade of lieutenant general.''.

(d) CHIEF OF AIR FORCE RESERVE.—Subsections (b) and (c) of section 8038 of such title are amended to read as follows:

''(b) APPOINTMENT.—(1) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Air Force Reserve from general officers of the Air Force Reserve who have had at least 10 years of commissioned service in the Air Force.

''(2) The Secretary of Defense may not recommend an officer to the President for appointment as Chief of Air Force Reserve unless the officer—

''(A) is recommended by the Secretary of the Air Force; and

''(B) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(3) An officer on active duty for service as the Chief of Air Force Reserve shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(4) Until October 1, 2003, the Secretary of Defense may waive subparagraph (B) of paragraph (2) with respect to the appointment of an officer as Chief of Air Force Reserve if the Secretary of the Air Force requests the waiver and, in the judgment of the Secretary of Defense—

''(A) the officer is qualified for service in the position; and

''(B) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(c) TERM; REAPPOINTMENT; GRADE.—(1) The Chief of Air Force Reserve is appointed for a period of four years, but may be removed for cause at any time. An officer serving as Chief of Air Force Reserve may be reappointed for one additional four-year period.

''(2) The Chief of Air Force Reserve, while so serving, holds the grade of lieutenant general.''.

(e) DIRECTORS IN THE NATIONAL GUARD BUREAU.—Section 10506(a) of such title is amended—

(1) in subparagraphs (A) and (B) of paragraph (1), by striking ''while so serving shall hold the grade of major general or, if appointed to that position in accordance with section 12505(a)(2) of this title, the grade of lieutenant general, and'' and inserting ''shall be appointed in accordance with paragraph (3), shall hold the grade of lieutenant general while so serving, and shall''; and

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

''(3)(A) The President, by and with the advice and consent of the Senate, shall appoint the Director, Army National Guard, from general officers of the Army National Guard of the United States and shall appoint the Director, Air National Guard, from general officers of the Air National Guard of the United States.

''(B) The Secretary of Defense may not recommend an officer to the President for appointment as Director, Army National Guard, or as Director, Air National Guard, unless the officer—

''(i) is recommended by the Secretary of the military department concerned; and

''(ii) is determined by the Chairman of the Joint Chiefs of Staff, in accordance with criteria and as a result of a process established by the Chairman, to have significant joint duty experience.

''(C) An officer on active duty for service as the Director, Army National Guard, or the Director, Air National Guard, shall be counted for purposes of the grade limitations under sections 525 and 526 of this title.

''(D) Until October 1, 2003, the Secretary of Defense may waive clause (ii) of subparagraph (B) with respect to the appointment of an officer as Director, Army National Guard, or as Director, Air National Guard, if the Secretary of the military department concerned requests the waiver and, in the judgment of the Secretary of Defense—

''(i) the officer is qualified for service in the position; and

''(ii) the waiver is necessary for the good of the service.

Any such waiver shall be made on a case-by-case basis.

''(E) The Director, Army National Guard, and the Director, Air National Guard, are appointed for a period of four years, but may be removed for cause at any time. An officer serving as either Director may be reappointed for one additional four-year period.''.

(f) REPEAL OF SUPERSEDED SECTION.—(1) Section 12505 of such title is repealed.

(2) The table of sections at the beginning of chapter 1213 is amended by striking the item relating to section 12505.

(g) CONFORMING INCREASE IN AUTHORIZED NUMBER OF O–9 POSITIONS.—Section 525(b) of such title is amended—

(1) in paragraph (1)—

(A) by striking ''Army, Air Force, or Marine Corps'' in the first sentence and inserting ''Army or Air Force'';

(B) by striking ''15 percent'' both places it appears and inserting ''15.7 percent'';

(C) by striking ''In the case of the Army and Air Force, of'' at the beginning of the second sentence and inserting ''Of''; and

(D) by inserting ''of the Army or Air Force'' in the second sentence after ''general officers''; and

(2) in paragraph (2)—

(A) by inserting ''(A)'' after ''(2)'';

(B) by striking ''15 percent'' both places it appears and inserting ''15.7 percent''; and

(C) by adding at the end the following:

''(B) No appointment may be made in a grade above major general in the Marine Corps if that appointment would result in more than 16.2 percent of the general officers of the Marine Corps on active duty being in grades above major general.''.

(h) STUDY OF INCREASE IN GRADE FOR VICE CHIEF OF NATIONAL GUARD BUREAU.—(1) The Secretary of Defense shall conduct a study of the advisability of changing the grade authorized for the Vice Chief of the National Guard Bureau from major general to lieutenant general.

(2) As part of the study, the Chief of the National Guard Bureau shall submit to the Secretary of Defense an analysis of the functions and responsibilities of the Vice Chief of the National Guard Bureau and the Chief's recommendation as to whether the grade for the Vice Chief should be changed from major general to lieutenant general.

(3) Not later than February 1, 2001, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the study. The report shall include the following—

(A) the recommendation of the Chief of the National Guard Bureau and any other information provided by the Chief to the Secretary of Defense pursuant to paragraph (2);

(B) the conclusions resulting from the study; and

(C) the Secretary's recommendations regarding whether the grade authorized for the Vice Chief of the National Guard Bureau should be changed to lieutenant general.

(i) IMPLEMENTATION.—(1) An appointment or reappointment, in the case of the incumbent in a reserve component chief position, shall be made to each of the reserve component chief positions not later than 12 months after the date of the enactment of this Act, in accordance with the amendments made by subsections (a) through (e).

(2) An officer serving in a reserve component chief position on the date of the enactment of this Act may be reappointed to that position under the amendments made by subsection (a) through (e), if eligible and otherwise qualified in accordance with those amendments. If such an officer is so reappointed, the appointment may be made for the remainder of the officer's original term or for a full new term, as specified at the time of the appointment.

(3) An officer serving on the date of the enactment of this Act in a reserve component chief position may continue to serve in that position in accordance with the provisions of law in effect immediately before the amendments made

by this section until a successor is appointed under paragraph (1) (or that officer is reappointed under paragraph (1)).

(4) The amendments made by subsection (g) shall be implemented so that each increase authorized by those amendments in the number of officers in the grades of lieutenant general and vice admiral is implemented on a case-by-case basis with an initial appointment made after the date of the enactment of this Act, as specified in paragraph (1), to a reserve component chief position.

(5) For purposes of this subsection, the term ''reserve component chief position'' means a position specified in section 3038, 5143, 5144, or 8038 of title 10, United States Code, or the position of Director, Army National Guard or Director, Air National Guard under section 10506(a)(1) of such title.

SEC. 508. REVISION TO RULES FOR ENTITLEMENT TO SEPARATION PAY FOR REGULAR AND RESERVE OFFICERS.

(a) REGULAR OFFICERS.—Subsection (a) of section 1174 of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Notwithstanding paragraphs (1) and (2), an officer who is subject to discharge under any provision of chapter 36 of this title or under section 580 or 6383 of this title by reason of having twice failed of selection for promotion to the next higher grade is not entitled to separation pay under this section if that officer, after such second failure of selection for promotion, is selected for, and declines, continuation on active duty for a period that is equal to or more than the amount of service required to qualify the officer for retirement.''.

(b) RESERVE OFFICERS.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(4) In the case of an officer who is subject to discharge or release from active duty under a law or regulation requiring that an officer who has failed of selection for promotion to the next higher grade for the second time be discharged or released from active duty and who, after such second failure of selection for promotion, is selected for, and declines, continuation on active duty—

''(A) if the period of time for which the officer was selected for continuation on active duty is less than the amount of service that would be required to qualify the officer for retirement, the officer's discharge or release from active duty shall be considered to be involuntary for purposes of paragraph (1)(A); and

''(B) if the period of time for which the officer was selected for continuation on active duty is equal to or more than the amount of service that would be required to qualify the officer for retirement, the officer's discharge or release from active duty shall not be considered to be involuntary for the purposes of paragraph (1)(A).''.

(c) EFFECTIVE DATE.—Paragraph (4) of section 1174(a) of title 10, United States Code, as added by subsection (a), and paragraph (4) of section 1174(c) of such title, as added by subsection (b), shall apply with respect to any offer of selective continuation on active duty that is declined on or after the date of the enactment of this Act.

Subtitle B—Reserve Component Personnel Policy

SEC. 521. EXEMPTION FROM ACTIVE-DUTY LIST FOR RESERVE OFFICERS ON ACTIVE DUTY FOR A PERIOD OF THREE YEARS OR LESS.

Section 641(1) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) on the reserve active-status list who are on active duty under section 12301(d) of this title, other than as provided in subparagraph (C), under a call or order to active duty specifying a period of three years or less;''.

SEC. 522. TERMINATION OF APPLICATION REQUIREMENT FOR CONSIDERATION OF OFFICERS FOR CONTINUATION ON THE RESERVE ACTIVE-STATUS LIST.

Section 14701(a)(1) of title 10, United States Code, is amended by striking ''Upon application, a reserve officer'' and inserting ''A reserve officer''.

SEC. 523. AUTHORITY TO RETAIN AIR FORCE RESERVE OFFICERS IN ALL MEDICAL SPECIALTIES UNTIL SPECIFIED AGE.

Section 14703(a)(3) of title 10, United States Code, is amended by striking ''veterinary officer'' and all that follows through the period and inserting ''Air Force nurse, Medical Service Corps officer, biomedical sciences officer, or chaplain.''.

SEC. 524. AUTHORITY FOR PROVISION OF LEGAL SERVICES TO RESERVE COMPONENT MEMBERS FOLLOWING RELEASE FROM ACTIVE DUTY.

(a) LEGAL SERVICES.—Section 1044(a) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) Members of reserve components not covered by paragraph (1) or (2) following release from active duty under a call or order to active duty for more than 30 days issued under a mobilization authority (as determined by the Secretary of Defense), for a period of time, prescribed by the Secretary of Defense, that begins on the date of the release and is not less than twice the length of the period served on active duty under that call or order to active duty.''.

(b) DEPENDENTS.—Paragraph (5) of such section, as redesignated by subsection (a)(1), is amended by striking ''and (3)'' and inserting ''(3), and (4)''.

(c) IMPLEMENTING REGULATIONS.—Regulations to implement the amendments made by this section shall be prescribed not later than 180 days after the date of the enactment of this Act.

SEC. 525. EXTENSION OF INVOLUNTARY CIVIL SERVICE RETIREMENT DATE FOR CERTAIN RESERVE TECHNICIANS.

(a) MANDATORY RETIREMENT NOT APPLICABLE UNTIL AGE 60.—Section 10218 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''and is age 60 or older at that time'' after ''unreduced annuity'' in paragraph (2);

(B) by inserting ''or is under age 60 at that time'' after ''unreduced annuity'' in paragraph (3)(A); and

(C) by inserting ''and becoming 60 years of age'' after ''unreduced annuity'' in paragraph (3)(B)(ii)(I); and

(2) in subsection (b)—

(A) by inserting ''and is age 60 or older'' after ''unreduced annuity'' in paragraph (1);

(B) by inserting ''or is under age 60'' after ''unreduced annuity'' in paragraph (2)(A); and

(C) by inserting ''and becoming 60 years of age'' after ''unreduced annuity'' in paragraph (2)(B)(ii)(I).

(b) TRANSITION PROVISION.—(1) An individual who before the date of the enactment of this Act was involuntarily separated or retired from employment as an Army Reserve or Air Force Reserve technician under section 10218 of title 10, United States Code, and who would not have been so separated if the provisions of subsection (c) of that section, as amended by subsection (a), had been in effect at the time of such separation may, with the approval of the Secretary concerned, be reinstated to the technician status held by that individual immediately before that separation. The effective date of any such reinstatement is the date the employee resumes technician status.

(2) The authority under paragraph (1) applies only to reinstatement for which an application is received by the Secretary concerned before the end of the one-year period beginning on the date of the enactment of this Act.

Subtitle C—Education and Training

SEC. 531. ELIGIBILITY OF CHILDREN OF RESERVES FOR PRESIDENTIAL APPOINTMENT TO SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4342(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6954(b)(1) of such title is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9342(b)(1) of such title is amended—

(1) in subparagraph (B), by striking '', other than those granted retired pay under section 12731 of this title (or under section 1331 of this title as in effect before the effective date of the Reserve Officer Personnel Management Act)''; and

(2) by inserting after subparagraph (B) the following:

''(C) are serving as members of reserve components and are credited with at least eight years of service computed under section 12733 of this title; or

''(D) would be, or who died while they would have been, entitled to retired pay under chapter 1223 of this title except for not having attained 60 years of age;''.

SEC. 532. SELECTION OF FOREIGN STUDENTS TO RECEIVE INSTRUCTION AT SERVICE ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—Section 4344(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), the Secretary of the Army shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6957(a) of such title is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), theSecretary of the Navy shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9344(a) of such title is amended by adding at the end the following new paragraph:

''(3) In selecting persons to receive instruction under this section from among applicants from the countries approved under paragraph (2), the Secretary of the Air Force shall give a priority to persons who have a national service obligation to their countries upon graduation from the Academy.''.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to academic years that begin after October 1, 2000.

SEC. 533. REVISION OF COLLEGE TUITION ASSISTANCE PROGRAM FOR MEMBERS OF MARINE CORPS PLATOON LEADERS CLASS PROGRAM.

(a) ELIGIBILITY OF OFFICERS.—Section 16401 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''enlisted'' in the matter preceding paragraph (1); and

(2) in subsection (b)(1)—

(A) by striking ''an enlisted member'' in the matter preceding subparagraph (A) and inserting ''a member''; and

(B) by striking ''an officer candidate in'' in subparagraph (A) and inserting ''a member of''.

(b) REPEAL OF AGE LIMITATIONS.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (B);

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(C) in subparagraph (C), as so redesignated, by striking ''paragraph (3)'' and inserting ''paragraph (2)'';

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2), as so redesignated, by striking ''paragraph (1)(D)'' and inserting ''paragraph (1)(C)''.

(c) CANDIDATES FOR LAW DEGREES.—Subsection (a)(2) of such section is amended by striking ''three'' and inserting ''four''.

(d) SANCTIONS; EXCEPTIONS.—Subsection (f) of such section is amended—

(1) in paragraph (1)—

(A) by striking ''A member who'' and inserting ''An enlisted member who'';

(B) by inserting ''and an officer who receives financial assistance under this section may be required to repay the full amount of financial assistance,'' after ''for more than four years,''; and

(C) by inserting ''or, if already a commissioned officer in the Marine Corps, refuses to accept an assignment on active duty when offered'' in subparagraph (A) after ''when offered''; and

(2) by striking paragraph (2) and inserting the following:

''(2) The Secretary of the Navy may waive the requirements of paragraph (1) in the case of a person who—

''(A) becomes unqualified to serve on active duty as an officer due to a circumstance not within the control of the person;

''(B) is not physically qualified for appointment under section 532 of this title and later is determined by the Secretary of the Navy under section 505 of this title to be unqualified for service as an enlisted member of the Marine Corps due to a physical or medical condition that was not the result of misconduct or grossly negligent conduct; or

''(C) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program due to a circumstance not within the control of the person.''.

(e) CLARIFICATION OF SERVICE EXCLUDED IN COMPUTATION OF CREDITABLE SERVICE AS A MARINE CORPS OFFICER.—(1) Section 205(f) of title 37, United States Code, is amended by striking ''that the officer performed concurrently as a member'' and inserting ''that the officer performed concurrently as an enlisted member''.

(2) Such section is further amended by striking ''section 12209'' and inserting ''section 12203''.

(f) AMENDMENTS OF HEADINGS.—(1) The heading of section 16401 of title 10, United States Code, is amended to read as follows:

''§ 16401. Marine Corps Platoon Leaders Class: college tuition assistance program''.

(2) The heading for subsection (a) of such section is amended by striking ''FOR FINANCIAL ASSISTANCE PROGRAM''.

(g) CLERICAL AMENDMENT.—The item relating to such section in the table of chapters at the beginning of chapter1611 of title 10, United States Code, is amended to read as follows:

''16401. Marine Corps Platoon Leaders Class: college tuition assistance program.''.

SEC. 534. REVIEW OF ALLOCATION OF JUNIOR RESERVE OFFICERS TRAINING CORPS UNITS AMONG THE SERVICES.

(a) REALLOCATION OF JROTC UNITS.—Not later than March 31, 2001, the Secretary of Defense shall—

(1) review the allocation among the military departments of the statutory maximum number of Junior Reserve Officers' Training Corps (JROTC) units; and

(2) redistribute the allocation of those units planned (as of the date of the enactment of this Act) for fiscal years 2001 through 2006 so as to increase the number of units for a military department that proposes to more quickly eliminate the current waiting list for such units and to commit the necessary resources for that purpose.

(b) PROPOSAL FOR INCREASE IN STATUTORY MAXIMUM.—If, based on the review under subsection (a) and the redistribution of the allocation of JROTC units under that subsection, the Secretary determines that an increase in the statutory maximum number of such units is warranted, the Secretary shall include a proposal for such an increase in the budget proposal of the Department of Defense for fiscal year 2002.

SEC. 535. AUTHORITY FOR NAVAL POSTGRADUATE SCHOOL TO ENROLL CERTAIN DEFENSE INDUSTRY CIVILIANS IN SPECIFIED PROGRAMS RELATING TO DEFENSE PRODUCT DEVELOPMENT.

(a) IN GENERAL.—(1) Chapter 605 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7049. Defense industry civilians: admission to defense product development program

''(a) AUTHORITY FOR ADMISSION.—The Secretary of the Navy may permit eligible defense industry employees to receive instruction at the Naval Postgraduate School in accordance with this section. Any such defense industry employee may only be enrolled in, and may only be provided instruction in, a program leading to a masters's degree in a curriculum related to defense product development. No more than 10 such defense industry employees may be enrolled at any one time. Upon successful completion of the course of instruction in which enrolled, any such defense industry employee may be awarded an appropriate degree under section 7048 of this title.

''(b) ELIGIBLE DEFENSE INDUSTRY EMPLOYEES.—For purposes of this section, an eligible defense industry employee is an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services. A defense industry employee admitted for instruction at the school remains eligible for such instruction only so long at that person remains employed by the same firm.

''(c) ANNUAL CERTIFICATION BY THE SECRETARY OF THE NAVY.—Defense industry employees may receive instruction at the school during any academic year only if, before the start of that academic year, the Secretary of the Navy determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to defense industry employees under this section during that year—

''(1) will further the military mission of the school;

''(2) will enhance the ability of the Department of Defense and defense-oriented private sector contractors engaged in the design and development of defense systems to reduce the product and project lead times required to bring such systems to initial operational capability; and

''(3) will be done on a space-available basis and not require an increase in the size of the faculty of the school, an increase in the course offerings of the school, or an increase in the laboratory facilities or other infrastructure of the school.

''(d) PROGRAM REQUIREMENTS.—The Secretary of the Navy shall ensure that—

''(1) the curriculum for the defense product development program in which defense industry employees may be enrolled under this section is not readily available through other schools and concentrates on defense product development functions that are conducted by military organizations and defense contractors working in close cooperation; and

''(2) the course offerings at the school continue to be determined solely by the needs of the Department of Defense.

''(e) TUITION.—The Superintendent of the school shall charge tuition for students enrolled under this section at a rate not less than the rate charged for employees of the United States outside the Department of the Navy.

''(f) STANDARDS OF CONDUCT.—While receiving instruction at the school, students enrolled under this section, to the extent practicable, are subject to the same regulations governing academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the school.

''(g) USE OF FUNDS.—Amounts received by the school for instruction of students enrolled under this section shall be retained by the school to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the school.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7049. Defense industry civilians: admission to defense product development program.''.

(b) PROGRAM EVALUATION AND REPORT.—(1) Before the start of the fourth year of instruction, but no earlier than the start of the third year of instruction, of defense industry employees at the Naval Postgraduate School under section 7049 of title 10, United States Code, as added by subsection (a), the Secretary of the Navy shall conduct an evaluation of the admission of such students under that section. The evaluation shall include the following:

(A) An assessment of whether the authority for instruction of nongovernment civilians at

the school has resulted in a discernible benefit for the Government.

(B) Determination of whether the receipt and disposition of funds received by the school as tuition for instruction of such civilians at the school have been properly identified in records of the school.

(C) A summary of the disposition and uses made of those funds.

(D) An assessment of whether instruction of such civilians at the school is in the best interests of the Government.

(2) Not later than 30 days after completing the evaluation referred to in paragraph (1), the Secretary of the Navy shall submit to the Secretary of Defense a report on the program under such section. The report shall include—

(A) the results of the evaluation under paragraph (1);

(B) the Secretary's conclusions and recommendation with respect to continuing to allow nongovernment civilians to receive instruction at the Naval Postgraduate School as part of a program related to defense product development; and

(C) any proposals for legislative changes recommended by the Secretary.

(3) Not later than 60 days after receiving the report of the Secretary of the Navy under paragraph (2), the Secretary of Defense shall submit the report, together with any comments that the Secretary considers appropriate, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

Subtitle D—Decorations, Awards, and Commendations

SEC. 541. LIMITATION ON AWARD OF BRONZE STAR TO MEMBERS IN RECEIPT OF IMMINENT DANGER PAY.

(a) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1133. Bronze Star: limitation to members receiving imminent danger pay

''The decoration known as the 'Bronze Star' may only be awarded to a member of the armed forces who is in receipt of special pay under section 310 of title 37 at the time of the events for which the decoration is to be awarded or who receives such pay as a result of those events.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1133. Bronze star: limitation to members receiving imminent danger pay.''.

SEC. 542. CONSIDERATION OF PROPOSALS FOR POSTHUMOUS OR HONORARY PROMOTIONS OR APPOINTMENTS OF MEMBERS OR FORMER MEMBERS OF THE ARMED FORCES AND OTHER QUALIFIED PERSONS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and recommendation

''(a) REVIEW BY SECRETARY CONCERNED.—Upon request of a Member of Congress, the Secretary concerned shall review a proposal for the posthumous or honorary promotion or appointment of a member or former member of the armed forces, or any other person considered qualified, that is not otherwise authorized by law. Based upon such review, the Secretary shall make a determination as to the merits of approving the posthumous or honorary promotion or appointment and the other determinations necessary to comply with subsection (b).

''(b) NOTICE OF RESULTS OF REVIEW.—Upon making a determination under subsection (a) as to the merits of approving the posthumous or honorary promotion or appointment, the Secretary concerned shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives and to the requesting Member of Congress notice in writing of one of the following:

''(1) The posthumous or honorary promotion or appointment does not warrant approval on the merits.

''(2) The posthumous or honorary promotion or appointment warrants approval and authorization by law for the promotion or appointment is recommended.

''(3) The posthumous or honorary promotion or appointment warrants approval on the merits and has been recommended to the President as an exception to policy.

''(4) The posthumous or honorary promotion or appointment warrants approval on the merits and authorization by law for the promotion or appointment is required but is not recommended. A notice under paragraph (1) or (4) shall be accompanied by a statement of the reasons for the decision of the Secretary.

''(c) DEFINITION.—In this section, the term 'Member of Congress' means—

''(1) a Senator; or

''(2) a Representative in, or a Delegate or Resident Commissioner to, Congress.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review and recommendation.''.

SEC. 543. WAIVER OF TIME LIMITATIONS FOR AWARD OF CERTAIN DECORATIONS TO CERTAIN PERSONS.

(a) WAIVER.—Any limitation established by law or policy for the time within which a recommendation for the award of a military decoration or award must be submitted shall not apply to awards of decorations described in this section, the award of each such decoration having been determined by the Secretary concerned to be warranted in accordance with section 1130 of title 10, United States Code.

(b) SILVER STAR.—Subsection (a) applies to the award of the Silver Star to Louis Rickler, of Rochester, New York, for gallantry in action from August 18 to November 18, 1918, while serving as a member of the Army.

(c) DISTINGUISHED FLYING CROSS.—Subsection (a) applies to the award of the Distinguished Flying Cross for service during World War II or Korea (including multiple awards to the same individual) in the case of each individual concerning whom the Secretary of the Navy (or an officer of the Navy acting on behalf of the Secretary) submitted to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate, during the period beginning on October 5, 1999, and ending on the day before the date of the enactment of this Act, a notice as provided in section 1130(b) of title 10, United States Code, that the award of the Distinguished Flying Cross to that individual is warranted and that a waiver of time restrictions prescribed by law for recommendation for such award is recommended.

SEC. 544. ADDITION OF CERTAIN INFORMATION TO MARKERS ON GRAVES CONTAINING REMAINS OF CERTAIN UNKNOWNS FROM THE U.S.S. ARIZONA WHO DIED IN THE JAPANESE ATTACK ON PEARL HARBOR ON DECEMBER 7, 1941.

(a) INFORMATION TO BE PROVIDED SECRETARY OF VETERANS AFFAIRS.—The Secretary of the Army shall provide to the Secretary of Veterans Affairs certain information, as specified in subsection (b), pertaining to the remains of certain unknown persons that are interred in the National Memorial Cemetery of the Pacific, Honolulu, Hawaii. The Secretary of Veterans Affairs shall add to the inscriptions on the markers on the graves containing those remains the information provided.

(b) INFORMATION TO BE ADDED—The information to be added to grave markers under subsection (a)—

(1) shall be determined by the Secretary of the Army, based on a review of the information that, as of the date of the enactment of this Act, has been authenticated by the director of the Naval Historical Center, Washington, D.C., pertaining to the interment of remains of certain unknown casualties from the U.S.S. ARIZONA who died as a result of the Japanese attack on Pearl Harbor on December 7, 1941; and

(2) shall, at a minimum, indicate that the interred remains are from the U.S.S. ARIZONA.

(c) LIMITATION OF SCOPE OF SECTION.—This section does not impose any requirement on the Secretary of the Army to undertake a review of any information pertaining to the interred remains of any unknown person other than as provided in subsection (b).

SEC. 545. SENSE OF CONGRESS ON THE COURT-MARTIAL CONVICTION OF CAPTAIN CHARLES BUTLER McVAY, COMMANDER OF THE U.S.S. INDIANAPOLIS, AND ON THE COURAGEOUS SERVICE OF THE CREW OF THAT VESSEL.

(a) FINDINGS.—Congress makes the following findings:

(1) Shortly after midnight on the morning of July 30, 1945, during the closing days of World War II, the United States Navy heavy cruiser U.S.S. Indianapolis (CA–35) was torpedoed and sunk by the Japanese submarine I–58 in what became the worst sea disaster in the history of the United States Navy.

(2) Although approximately 900 of the ship's crew of 1,196 survived the actual sinking, only 316 of those courageous sailors survived when rescued after four and a half days adrift in the open sea, the remainder having perishing from battle wounds, drowning, predatory shark attacks, exposure to the elements, and lack of food and potable water.

(3) Rescue for the remaining 316 sailors came only when they were spotted by chance by Navy Lieutenant Wilbur C. Gwinn while flying a routine naval air patrol mission.

(4) After the end of World War II, the commanding officer of the U.S.S. Indianapolis, Captain Charles Butler McVay, III, who was rescued with the other survivors, was court-martialed for ''suffering a vessel to be hazarded through negligence'' by failing to zigzag (a naval tactic employed to help evade submarine attacks) and was convicted even though—

(A) the choice to zigzag was left to Captain McVay's discretion in his orders; and

(B) Motchisura Hashimoto, the commander of the Japanese submarine that sank the U.S.S. Indianapolis, and Glynn R. Donaho, a United States Navy submarine commander highly decorated for his service during World War II, both testified at Captain McVay's court-martial trial that the Japanese submarine could have sunk the U.S.S. Indianapolis whether or not it had been zigzagging, an assertion that has since been reaffirmed in a letter to the Chairman of the Committee on Armed Services of the Senate dated November 24, 1999.

(5) Although not argued by Captain McVay's defense counsel in the court-martial trial, poor visibility on the night of the sinking (as attested in surviving crew members' handwritten accounts recently discovered at the National Archives) justified Captain McVay's choice not to zigzag as that choice was consistent with the applicable Navy directives in force in 1945, which stated that, ''During thick weather and

at night, except on very clear nights or during bright moonlight, vessels normally cease zigzagging.''.

(6) Before the U.S.S. Indianapolis sailed from Guam on what became her final voyage, Naval officials failed to provide Captain McVay with available support that was critical to the safety of the U.S.S. Indianapolis and her crew by—

(A) disapproving a request made by Captain McVay for a destroyer escort for the U.S.S. Indianapolis across the Philippine Sea as being ''not necessary'';

(B) not informing Captain McVay that naval intelligence sources, through signal intelligence (the Japanese code having been broken earlier in World War II), had become aware that the Japanese submarine I–58 was operating in the area of the U.S.S. Indianapolis' course (as disclosed in evidence presented in a hearing of the Committee on Armed Services of the Senate conducted September 14, 1999); and

(C) not informing Captain McVay of the sinking of the destroyer escort U.S.S. Underhill by a Japanese submarine within range of the course of the U.S.S. Indianapolis four days before the U.S.S. Indianapolis departed Guam for the Philippine Islands.

(7) Captain McVay's court-martial initially was opposed by his immediate command superiors, Fleet Admiral Chester Nimitz (CINCPAC) and Vice Admiral Raymond Spruance of the 5th fleet, for whom the U.S.S. Indianapolis had served as flagship, but, despite their recommendations, Secretary of the Navy James Forrestal ordered the court-martial, largely on the basis of the recommendation of Fleet Admiral Ernest King, Chief of Naval Operations.

(8) There is no explanation on the public record for the overruling by Secretary Forestal of the recommendations made by Admirals Nimitz and Spruance.

(9) Captain McVay was the only commander of a United States Navy vessel lost in combat to enemy action during World War II who was subjected to a court-martial trial for such a loss, even though several hundred United States Navy ships were lost in combat to enemy action during World War II.

(10) The survivors of the U.S.S. Indianapolis overwhelmingly conclude that Captain McVay was not at fault in the loss of the Indianapolis and have dedicated their lives to vindicating their Captain McVay.

(11) Although promoted to the grade of rear admiral in accordance with then-applicable law upon retirement from the Navy in 1949, Captain McVay never recovered from the stigma of his post-war court-martial and in 1968, tragically, took his own life.

(12) Charles Butler McVay, III—

(A) was a graduate of the United States Naval Academy;

(B) was an exemplary career naval officer with an outstanding record (including participation in the amphibious invasions of North Africa, the assault on Iwo Jima, and the assault on Okinawa where the U.S.S. Indianapolis under his command survived a fierce kamikaze attack);

(C) was a recipient of the Silver Star earned for courage under fire during the Solomon Islands campaign; and

(D) with the crew of the U.S.S. Indianapolis, had so thoroughly demonstrated proficiency in naval warfare that the Navy entrusted him and the crew of the U.S.S. Indianapolis with transporting to the Pacific theater components necessary for assembling the atomic bombs that were exploded over Hiroshima and Nagasaki to end the war with Japan (delivery of such components to the island of Tinian having been accomplished on July 25, 1945).

(b) SENSE OF CONGRESS CONCERNING CHARLES BUTLER MCVAY, III.—With respect to the sinking of the U.S.S. Indianapolis (CA–35) on July 30, 1945, and the subsequent court-martial conviction of the ship's commanding officer, Captain Charles Butler McVay, III, arising from that sinking, it is the sense of Congress, based on the review of evidence by the Senate and the House of Representatives—

(1) that, in light of the remission by the Secretary of the Navy of the sentence of the court-martial and the restoration of Captain McVay to active duty by the Chief of Naval Operations, Fleet Admiral Chester Nimitz, the American people should now recognize Captain McVay's lack of culpability for the tragic loss of the U.S.S. Indianapolis and the lives of the men who died as a result of the sinking of that vessel; and

(2) that, in light of the fact that certain exculpatory information was not available to the court-martial board and that Captain McVay's conviction resulted therefrom, Captain McVay's military record should now reflect that he is exonerated for the loss of the U.S.S. Indianapolis and so many of her crew.

(c) UNIT CITATION FOR FINAL CREW OF U.S.S. INDIANAPOLIS.—The Secretary of the Navy should award a Navy Unit Commendation to the U.S.S. Indianapolis (CA–35) and her final crew.

SEC. 546. POSTHUMOUS ADVANCEMENT ON RETIRED LIST OF REAR ADMIRAL HUSBAND E. KIMMEL AND MAJOR GENERAL WALTER C. SHORT, SENIOR OFFICERS IN COMMAND IN HAWAII ON DECEMBER 7, 1941.

(a) FINDINGS.—Congress makes the following findings:

(1) The late Rear Admiral Husband E. Kimmel, while serving in the temporary grade of admiral, was the Commander in Chief of the United States Fleet and the Commander in Chief, United States Pacific Fleet, at the time of the Japanese attack on Pearl Harbor, Hawaii, on December 7, 1941, with an excellent and unassailable record throughout his career in the United States Navy before that date.

(2) The late Major General Walter C. Short, while serving in the temporary grade of lieutenant general, was the Commander of the United States Army Hawaiian Department, at the time of the Japanese attack on Pearl Harbor, Hawaii, on December 7, 1941, with an excellent and unassailable record throughout his career in the United States Army before that date.

(3) Numerous investigations following the attack on Pearl Harbor have documented that Admiral Kimmel and Lieutenant General Short were not provided necessary and critical intelligence that was available, that foretold of war with Japan, that warned of imminent attack, and that would have alerted them to prepare for the attack, including such essential communiques as the Japanese Pearl Harbor Bomb Plot message of September 24, 1941, and the message sent from the Imperial Japanese Foreign Ministry to the Japanese Ambassador in the United States from December 6 to 7, 1941, known as the Fourteen-Part Message.

(4) On December 16, 1941, Admiral Kimmel and Lieutenant General Short were relieved of their commands and returned to their permanent grades of rear admiral and major general, respectively.

(5) Admiral William Harrison Standley, who served as a member of the investigating commission known as the Roberts Commission that accused Admiral Kimmel and Lieutenant General Short of ''dereliction of duty'' only six weeks after the attack on Pearl Harbor, later disavowed the report, maintaining that ''these two officers were martyred'' and ''if they had been brought to trial, both would have been cleared of the charge''.

(6) On October 19, 1944, a Naval Court of Inquiry—

(A) exonerated Admiral Kimmel on the grounds that his military decisions and the disposition of his forces at the time of the December 7, 1941, attack on Pearl Harbor were proper ''by virtue of the information that Admiral Kimmel had at hand which indicated neither the probability nor the imminence of an air attack on Pearl Harbor'';

(B) criticized the higher command for not sharing with Admiral Kimmel ''during the very critical period of November 26 to December 7, 1941, important information . . . regarding the Japanese situation''; and

(C) concluded that the Japanese attack and its outcome was attributable to no serious fault on the part of anyone in the naval service.

(7) On June 15, 1944, an investigation conducted by Admiral T. C. Hart at the direction of the Secretary of the Navy produced evidence, subsequently confirmed, that essential intelligence concerning Japanese intentions and war plans was available in Washington but was not shared with Admiral Kimmel.

(8) On October 20, 1944, the Army Pearl Harbor Board of Investigation determined that—

(A) Lieutenant General Short had not been kept ''fully advised of the growing tenseness of the Japanese situation which indicated an increasing necessity for better preparation for war'';

(B) detailed information and intelligence about Japanese intentions and war plans were available in ''abundance'' but were not shared with the Lieutenant General Short's Hawaii command; and

(C) Lieutenant General Short was not provided ''on the evening of December 6th and the early morning of December 7th, the critical information indicating an almost immediate break with Japan, though there was ample time to have accomplished this''.

(9) The reports by both the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation were kept secret, and Rear Admiral Kimmel and Major General Short were denied their requests to defend themselves through trial by court-martial.

(10) The joint committee of Congress that was established to investigate the conduct of Admiral Kimmel and Lieutenant General Short completed, on May 31, 1946, a 1,075-page report which included the conclusions of the committee that the two officers had not been guilty of dereliction of duty.

(11) On April 27, 1954, the Chief of Naval Personnel, Admiral J. L. Holloway, Jr., recommended that Rear Admiral Kimmel be advanced in rank in accordance with the provisions of the Officer Personnel Act of 1947.

(12) On November 13, 1991, a majority of the members of the Board for the Correction of Military Records of the Department of the Army found that Major General Short ''was unjustly held responsible for the Pearl Harbor disaster'' and that ''it would be equitable and just'' to advance him to the rank of lieutenant general on the retired list.

(13) In October 1994, the Chief of Naval Operations, Admiral Carlisle Trost, withdrew his 1988 recommendation against the advancement of Rear Admiral Kimmel and recommended that his case be reopened.

(14) Although the Dorn Report, a report on the results of a Department of Defense study that was issued on December 15, 1995, did not provide support for an advancement of Rear Admiral Kimmel or Major General Short in grade, it did set forth as a conclusion of the study that ''responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and Lieutenant General Short, it should be broadly shared''.

(15) The Dorn Report found—

(A) that ''Army and Navy officials in Washington were privy to intercepted Japanese diplomatic communications . . . which provided crucial confirmation of the imminence of war'';

(B) that ''the evidence of the handling of these messages in Washington reveals some ineptitude, some unwarranted assumptions and misestimations, limited coordination, ambiguous language, and lack of clarification and followup at higher levels''; and

(C) that ''together, these characteristics resulted in failure . . . to appreciate fully and to convey to the commanders in Hawaii the sense of focus and urgency that these intercepts should have engendered''.

(16) On July 21, 1997, Vice Admiral David C. Richardson (United States Navy, retired) responded to the Dorn Report with his own study which confirmed findings of the Naval Court of Inquiry and the Army Pearl Harbor Board of Investigation and established, among other facts, that the war effort in 1941 was undermined by a restrictive intelligence distribution policy, and the degree to which the commanders of the United States forces in Hawaii were not alerted about the impending attack on Hawaii was directly attributable to the withholding of intelligence from Admiral Kimmel and Lieutenant General Short.

(17) The Officer Personnel Act of 1947, in establishing a promotion system for the Navy and the Army, provided a legal basis for the President to honor any officer of the Armed Forces of the United States who served his country as a senior commander during World War II with a placement of that officer, with the advice and consent of the Senate, on the retired list with the highest grade held while on the active duty list.

(18) Rear Admiral Kimmel and Major General Short are the only two officers eligible for advancement under the Officer Personnel Act of 1947 as senior World War II commanders who were excluded from the list of retired officers presented for advancement on the retired lists to their highest wartime grades under that Act.

(19) This singular exclusion of those two officers from advancement on the retired list serves only to perpetuate the myth that the senior commanders in Hawaii were derelict in their duty and responsible for the success of the attack on Pearl Harbor, a distinct and unacceptable expression of dishonor toward two of the finest officers who have served in the Armed Forces of the United States.

(20) Major General Walter Short died on September 23, 1949, and Rear Admiral Husband Kimmel died on May 14, 1968, without the honor of having been returned to their wartime grades as were their fellow commanders of World War II.

(21) The Veterans of Foreign Wars, the Pearl Harbor Survivors Association, the Admiral Nimitz Foundation, the Naval Academy Alumni Association, the Retired Officers Association, and the Pearl Harbor Commemorative Committee, and other associations and numerous retired military officers have called for the rehabilitation of the reputations and honor of Admiral Kimmel and Lieutenant General Short through their posthumous advancement on the retired lists to their highest wartime grades.

(b) ADVANCEMENT OF REAR ADMIRAL KIMMEL AND MAJOR GENERAL SHORT ON RETIRED LISTS.—(1) The President is requested—

(A) to advance the late Rear Admiral Husband E. Kimmel, United States Navy (retired), to the grade of admiral on the retired list of the Navy; and

(B) to advance the late Major General Walter C. Short, United States Army (retired), to the grade of lieutenant general on the retired list of the Army.

(2) Any advancement in grade on a retired list requested under paragraph (1) shall not increase or change the compensation or benefits from the United States to which any person is now or may in the future be entitled based upon the military service of the officer advanced.

(c) SENSE OF CONGRESS REGARDING THE PROFESSIONAL PERFORMANCE OF ADMIRAL KIMMEL AND LIEUTENANT GENERAL SHORT.—It is the sense of Congress—

(1) that the late Rear Admiral Husband E. Kimmel performed his duties as Commander in Chief, United States Pacific Fleet, competently and professionally and, therefore, that the losses incurred by the United States in the attacks on the naval base at Pearl Harbor, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by then Admiral Kimmel; and

(2) that the late Major General Walter C. Short performed his duties as Commanding General, Hawaiian Department, competently and professionally and, therefore, that the losses incurred by the United States in the attacks on Hickam Army Air Field and Schofield Barracks, Hawaii, and other targets on the island of Oahu, Hawaii, on December 7, 1941, were not a result of dereliction in the performance of those duties by then Lieutenant General Short.

SEC. 547. COMMENDATION OF CITIZENS OF REMY, FRANCE, FOR WORLD WAR II ACTIONS.

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

(1) On August 2, 1944, a squadron of P–51s from the United States 364th Fighter Group strafed a German munitions train in Remy, France.

(2) The resulting explosion killed Lieutenant Houston Braly, one of the attacking pilots, and destroyed much of the village of Remy, including seven stained glass windows in the 13th century church.

(3) Despite threats of reprisals from the occupying German authorities, the citizens of Remy recovered Lieutenant Braly's body from the wreckage, buried his body with dignity and honor in the church's cemetery, and decorated the grave site daily with fresh flowers.

(4) On Armistice Day, 1995, the village of Remy renamed the crossroads near the site of Lieutenant Braly's death in his honor.

(5) The surviving members of the 364th Fighter Group desire to express their gratitude to the brave citizens of Remy.

(6) To express their gratitude, the surviving members of the 364th Fighter Group have organized a nonprofit corporation to raise funds, through its project ''Windows for Remy'', to restore the church's stained glass windows.

(b) COMMENDATION AND RECOGNITION.—The Congress commends the bravery and honor of the citizens of Remy, France, for their actions with respect to the American fighter pilot Lieutenant Houston Braly during and after August 1944, and recognizes the efforts of the surviving members of the United States 364th Fighter Group to raise funds to restore the stained glass windows of Remy's 13th century church.

SEC. 548. AUTHORITY FOR AWARD OF THE MEDAL OF HONOR TO WILLIAM H. PITSENBARGER FOR VALOR DURING THE VIETNAM WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the period of limitations specified in section 8744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Air Force, the President may award the Medal of Honor under section 8741 of that title, posthumously, to William H. Pitsenbarger of Piqua, Ohio, for the acts of valor referred to in subsection (b).

(b) ACTION DEFINED.—The acts of valor referred to in subsection (a) are the actions of William H. Pitsenbarger on April 11, 1966, as an Air Force pararescue crew member, serving in the grade of Airman First Class at Cam My, Republic of Vietnam, with Detachment 6, 38th Aerospace Rescue and Recovery Helicopter Squadron, in support of the combat mission known as ''Operations Abilene''.

Subtitle E—Military Justice and Legal Assistance Matters

SEC. 551. RECOGNITION BY STATES OF MILITARY TESTAMENTARY INSTRUMENTS.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1044c the following new section:

''§ 1044d. Military testamentary instruments: requirement for recognition by States

''(a) TESTAMENTARY INSTRUMENTS TO BE GIVEN LEGAL EFFECT.—A military testamentary instrument—

''(1) is exempt from any requirement of form, formality, or recording before probate that is provided for testamentary instruments under the laws of a State; and

''(2) has the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the State in which it is presented for probate.

''(b) MILITARY TESTAMENTARY INSTRUMENTS.—For purposes of this section, a military testamentary instrument is an instrument that is prepared with testamentary intent in accordance with regulations prescribed under this section and that—

''(1) is executed in accordance with subsection (c) by (or on behalf of) a person, as a testator, who is eligible for military legal assistance;

''(2) makes a disposition of property of the testator; and

''(3) takes effect upon the death of the testator.

''(c) REQUIREMENTS FOR EXECUTION OF MILITARY TESTAMENTARY INSTRUMENTS.—An instrument is valid as a military testamentary instrument only if—

''(1) the instrument is executed by the testator (or, if the testator is unable to execute the instrument personally, the instrument is executed in the presence of, by the direction of, and on behalf of the testator);

''(2) the instrument is executed in the presence of a military legal assistance counsel acting as presiding attorney;

''(3) the instrument is executed in the presence of at least two disinterested witnesses (in addition to the presiding attorney), each of whom attests to witnessing the testator's execution of the instrument by signing it; and

''(4) the instrument is executed in accordance with such additional requirements as may be provided in regulations prescribed under this section.

''(d) SELF-PROVING MILITARY TESTAMENTARY INSTRUMENTS.—(1) If the document setting forth a military testamentary instrument meets the requirements of paragraph (2), then the signature of a person on the document as the testator, an attesting witness, a notary, or the presiding attorney, together with a written representation of the person's status as such and the person's military grade (if any) or other title, is prima facie evidence of the following:

''(A) That the signature is genuine.

''(B) That the signatory had the represented status and title at the time of the execution of the will.

''(C) That the signature was executed in compliance with the procedures required under the regulations prescribed under subsection (f).

''(2) A document setting forth a military testamentary instrument meets the requirements of this paragraph if it includes (or has attached to it), in a form and content required under the regulations prescribed under subsection (f), each of the following:

''(A) A certificate, executed by the testator, that includes the testator's acknowledgment of the testamentary instrument.

''(B) An affidavit, executed by each witness signing the testamentary instrument, that attests to the circumstances under which the testamentary instrument was executed.

''(C) A notarization, including a certificate of any administration of an oath required under the regulations, that is signed by the notary or other official administering the oath.

''(e) STATEMENT TO BE INCLUDED.—(1) Under regulations prescribed under this section, each military testamentary instrument shall contain a statement that sets forth the provisions of subsection (a).

''(2) Paragraph (1) shall not be construed to make inapplicable the provisions of subsection (a) to a testamentary instrument that does not include a statement described in that paragraph.

''(f) REGULATIONS.—Regulations for the purposes of this section shall be prescribed jointly by the Secretary of Defense and by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Department of the Navy.

''(g) DEFINITIONS.—In this section:

''(1) The term 'person eligible for military legal assistance' means a person who is eligible for legal assistance under section 1044 of this title.

''(2) The term 'military legal assistance counsel' means—

''(A) a judge advocate (as defined in section 801(13) of this title); or

''(B) a civilian attorney serving as a legal assistance officer under the provisions of section 1044 of this title.

''(3) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and each possession of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1044c the following new item:

''1044d. Military testamentary instruments: requirement for recognition by States.''.

SEC. 552. POLICY CONCERNING RIGHTS OF INDIVIDUALS WHOSE NAMES HAVE BEEN ENTERED INTO DEPARTMENT OF DEFENSE OFFICIAL CRIMINAL INVESTIGATIVE REPORTS.

(a) POLICY REQUIREMENT.—The Secretary of Defense shall establish a policy creating a uniform process within the Department of Defense that—

(1) affords any individual who, in connection with the investigation of a reported crime, is designated (by name or by any other identifying information) as a suspect in the case in any official investigative report, or in a central index for potential retrieval and analysis by law enforcement organizations, an opportunity to obtain a review of that designation; and

(2) requires the expungement of the name and other identifying information of any such individual from such report or index in any case in which it is determined the entry of such identifying information on that individual was made contrary to Department of Defense requirements.

(b) EFFECTIVE DATE.—The policy required by subsection (a) shall be established not later than 120 days after the date of the enactment of this Act.

SEC. 553. LIMITATION ON SECRETARIAL AUTHORITY TO GRANT CLEMENCY FOR MILITARY PRISONERS SERVING SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR PAROLE.

(a) LIMITATION.—Section 874(a) of title 10, United States Code (article 74(a) of the Uniform Code of Military Justice), is amended by adding at the end the following new sentence: ''However, in the case of a sentence of confinement for life without eligibility for parole, after the sentence is ordered executed, the authority of the Secretary concerned under the preceding sentence (1) may not be delegated, and (2) may be exercised only after the service of a period of confinement of not less than 20 years.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall not apply with respect to a sentence of confinement for life without eligibility for parole that is adjudged for an offense committed before the date of the enactment of this Act.

SEC. 554. AUTHORITY FOR CIVILIAN SPECIAL AGENTS OF MILITARY DEPARTMENT CRIMINAL INVESTIGATIVE ORGANIZATIONS TO EXECUTE WARRANTS AND MAKE ARRESTS.

(a) DEPARTMENT OF THE ARMY.—(1) Chapter 373 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4027. Civilian special agents of the Criminal Investigation Command: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Army may authorize any Department of the Army civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Army who is a special agent of the Army Criminal Investigation Command (or a successor to that command) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Army.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Army and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Army, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''4027. Civilian special agents of the Criminal Investigation Command: authority to execute warrants and make arrests.''.

(b) DEPARTMENT OF THE NAVY.—(1) Chapter 643 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7480. Special agents of the Naval Criminal Investigative Service: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Navy may authorize any Department of the Navy civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Navy who is a special agent of the Naval Criminal Investigative Service (or any successor to that service) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Navy.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Navy and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Navy, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''7480. Special agents of the Naval Criminal Investigative Service: authority to execute warrants and make arrests.''.

(c) DEPARTMENT OF THE AIR FORCE.—(1) Chapter 873 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests

''(a) AUTHORITY.—The Secretary of the Air Force may authorize any Department of the Air Force civilian employee described in subsection (b) to have the same authority to execute and serve warrants and other processes issued under the authority of the United States and to make arrests without a warrant as may be authorized under section 1585a of this title for special agents of the Defense Criminal Investigative Service.

''(b) AGENTS TO HAVE AUTHORITY.—Subsection (a) applies to any employee of the Department of the Air Force who is a special agent of the Air Force Office of Special Investigations (or a successor to that office) whose duties include conducting, supervising, or coordinating investigations of criminal activity in programs and operations of the Department of the Air Force.

''(c) GUIDELINES FOR EXERCISE OF AUTHORITY.—The authority provided under subsection (a) shall be exercised in accordance with guidelines prescribed by the Secretary of the Air Force and approved by the Secretary of Defense and the Attorney General and any other applicable guidelines prescribed by the Secretary of the Air Force, the Secretary of Defense, or the Attorney General.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end following new item:

''9027. Civilian special agents of the Office of Special Investigations: authority to execute warrants and make arrests.''.

SEC. 555. REQUIREMENT FOR VERBATIM RECORD IN CERTAIN SPECIAL COURT-MARTIAL CASES.

(a) WHEN REQUIRED.—Subsection (c)(1)(B) of section 854 of title 10, United States Code (article 54 of the Uniform Code of Military Justice), is amended by inserting after ''bad-conduct discharge'' the following: '', confinement for more than six months, or forfeiture of pay for more than six months''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of April 1, 2000, and shall apply with respect to charges referred on or after that date to trial by special court-martial.

SEC. 556. COMMEMORATION OF THE 50TH ANNIVERSARY OF THE UNIFORM CODE OF MILITARY JUSTICE.

(a) FINDINGS.—Congress makes the following findings:

(1) The American military justice system predates the United States itself, having had a continuous existence since the enactment of the first American Articles of War by the Continental Congress in 1775.

(2) Pursuant to article I of the Constitution, which explicitly empowers Congress ''To make Rules for the Government and Regulation of the land and naval Forces'', Congress enacted the Articles of War and an Act to Govern the Navy,

which were revised on several occasions between the ratification of the Constitution and the end of World War II.

(3) Dissatisfaction with the administration of military justice during World War I and World War II (including dissatisfaction arising from separate systems of justice for the Army and for the Navy and Marine Corps) led both to significant statutory reforms in the Articles of War and to the convening of a committee, under Department of Defense auspices, to draft a single code of military justice applicable uniformly to all of the Armed Forces.

(4) The committee, chaired by Professor Edmund M. Morgan of Harvard Law School, made recommendations that formed the basis of bills introduced in Congress to establish such a uniform code of military justice.

(5) After lengthy hearings and debate on the congressional proposals, the Uniform Code of Military Justice was enacted into law on May 5, 1950, when President Harry S Truman signed the legislation.

(6) President Truman then issued a revised Manual for Courts-Martial implementing the new code, and the code became effective on May 31, 1951.

(7) One of the greatest innovations of the Uniform Code of Military Justice (now codified as chapter 47 of title 10, United States Code) was the establishment of a civilian court of appeals within the military justice system. That court, the United States Court of Military Appeals (now the United States Court of Appeals for the Armed Forces), held its first session on July 25, 1951.

(8) Congress enacted major revisions of the Uniform Code of Military Justice in 1968 and 1983 and, in addition, has amended the code from time to time over the years as practice under the code indicated a need for updating the substance or procedure of the law of military justice.

(9) The evolution of the system of military justice under the Uniform Code of Military Justice may be traced in the decisions of the Courts of Criminal Appeals of each of the Armed Forces and the decisions of the United States Court of Appeals for the Armed Forces. These courts have produced a unique body of jurisprudence upon which commanders and judge advocates rely in the performance of their duties.

(10) It is altogether fitting that the 50th anniversary of the Uniform Code of Military Justice be duly commemorated.

(b) COMMEMORATION.—The Congress—

(1) requests the President to issue a proclamation commemorating the 50th anniversary of the Uniform Code of Military Justice; and

(2) calls upon the Department of Defense, the Armed Forces, and the United States Court of Appeals for the Armed Forces and interested organizations and members of the bar and the public to commemorate the occasion of that anniversary with ceremonies and activities befitting its importance.

Subtitle F—Matters Relating to Recruiting

SEC. 561. ARMY RECRUITING PILOT PROGRAMS.

(a) REQUIREMENT FOR PROGRAMS.—The Secretary of the Army shall carry out pilot programs to test various recruiting approaches under this section for the following purposes:

(1) To assess the effectiveness of the recruiting approaches for creating enhanced opportunities for recruiters to make direct, personal contact with potential recruits.

(2) To improve the overall effectiveness and efficiency of Army recruiting activities.

(b) OUTREACH THROUGH MOTOR SPORTS.—(1) One of the pilot programs shall be a pilot program of public outreach that associates the Army with motor sports competitions to achieve the objectives set forth in paragraph (2).

(2) The events and activities undertaken under the pilot program shall be designed to provide opportunities for Army recruiters to make direct, personal contact with high school students to achieve the following objectives:

(A) To increase enlistments by students graduating from high school.

(B) To reduce attrition in the Delayed Entry Program of the Army by sustaining the personal commitment of students who have elected delayed entry into the Army under the program.

(3) Under the pilot program, the Secretary of the Army shall provide for the following:

(A) For Army recruiters or other Army personnel—

(i) to organize Army sponsored career day events in association with national motor sports competitions; and

(ii) to arrange for or encourage attendance at the competitions by high school students, teachers, guidance counselors, and administrators of high schools located near the competitions.

(B) For Army recruiters and other soldiers to attend national motor sports competitions—

(i) to display exhibits depicting the contemporary Army and career opportunities in the Army; and

(ii) to discuss those opportunities with potential recruits.

(C) For the Army to sponsor a motor sports racing team as part of an integrated program of recruitment and publicity for the Army.

(D) For the Army to sponsor motor sports competitions for high school students at which recruiters meet with potential recruits.

(E) For Army recruiters or other Army personnel to compile in an Internet accessible database the names, addresses, telephone numbers, and electronic mail addresses of persons who are identified as potential recruits through activities under the pilot program.

(F) Any other activities associated with motor sports competition that the Secretary determines appropriate for Army recruitment purposes.

(c) OUTREACH AT VOCATIONAL SCHOOLS AND COMMUNITY COLLEGES.—(1) One of the pilot programs shall be a pilot program under which Army recruiters are assigned, as their primary responsibility, at postsecondary vocational institutions and community colleges for the purpose of recruiting students graduating from those institutions and colleges, recent graduates of those institutions and colleges, and students withdrawing from enrollments in those institutions and colleges.

(2) The Secretary of the Army shall select the institutions and colleges to be invited to participate in the pilot program.

(3) The conduct of the pilot program at an institution or college shall be subject to an agreement which the Secretary shall enter into with the governing body or authorized official of the institution or college, as the case may be.

(4) Under the pilot program, the Secretary shall provide for the following:

(A) For Army recruiters to be placed in postsecondary vocational institutions and community colleges to serve as a resource for guidance counselors and to recruit for the Army.

(B) For Army recruiters to recruit from among students and graduates described in paragraph (1).

(C) For the use of telemarketing, direct mail, interactive voice response systems, and Internet website capabilities to assist the recruiters in the postsecondary vocational institutions and community colleges.

(D) For any other activities that the Secretary determines appropriate for recruitment activities in postsecondary vocational institutions and community colleges.

(5) In this subsection, the term ''postsecondary vocational institution'' has the meaning given the term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

(d) CONTRACT RECRUITING INITIATIVES.—(1) One of the pilot programs shall be a program that expands in accordance with this subsection the scope of the Army's contract recruiting initiatives that are ongoing as of the date of the enactment of this Act. Under the pilot program, the Secretary of the Army shall select at least 10 recruiting companies to apply the initiatives in efforts to recruit personnel for the Army.

(2) Under the pilot program, the Secretary shall provide for the following:

(A) For replacement of the Regular Army recruiters by contract recruiters in the 10 recruiting companies selected under paragraph (1).

(B) For operation of the 10 companies under the same rules and chain of command as the other Army recruiting companies.

(C) For use of the offices, facilities, and equipment of the 10 companies by the contract recruiters.

(D) For reversion to performance of the recruiting activities by Regular Army soldiers in the 10 companies upon termination of the pilot program.

(E) For any other uses of contractor personnel for Army recruiting activities that the Secretary determines appropriate.

(e) DURATION OF PILOT PROGRAMS.—The pilot programs required by this section shall be carried out during the period beginning on October 1, 2000, and, subject to subsection (f), ending on December 31, 2005.

(f) AUTHORITY TO EXPAND OR EXTEND PILOT PROGRAMS.—The Secretary may expand the scope of any of the pilot programs (under subsection (b)(3)(F), (c)(4)(D), (d)(2)(E), or otherwise) or extend the period for any of the pilot programs. Before doing so in the case of a pilot program, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a written notification of the expansion of the pilot program (together with the scope of the expansion) or the continuation of the pilot program (together with the period of the extension), as the case may be.

(g) REPORTS.—Not later than February 1, 2006, the Secretary of the Army shall submit to the Committees on Armed Services of the Senate and the House of Representatives a separate report on each of the pilot programs carried out under this section. The report on a pilot program shall include the following:

(1) The Secretary's assessment of the value of the actions taken in the administration of the pilot program for increasing the effectiveness and efficiency of Army recruiting.

(2) Any recommendations for legislation or other action that the Secretary considers appropriate to increase the effectiveness and efficiency of Army recruiting.

SEC. 562. ENHANCEMENT OF RECRUITMENT MARKET RESEARCH AND ADVERTISING PROGRAMS.

Section 503(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(a)''; and

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

''(2) The Secretary of Defense shall act on a continuing basis to enhance the effectiveness of recruitment programs of the Department of Defense (including programs conducted jointly and programs conducted by the separate armed forces) through an aggressive program of advertising and market research targeted at prospective recruits for the armed forces and those who may influence prospective recruits. Subchapter I of chapter 35 of title 44 shall not apply to actions taken as part of that program.''.

SEC. 563. ACCESS TO SECONDARY SCHOOLS FOR MILITARY RECRUITING PURPOSES.

(a) REQUIREMENT FOR ACCESS.—Subsection (c) of section 503 of title 10, United States Code, is amended to read as follows:

''(c) ACCESS TO SECONDARY SCHOOLS.—(1) Each local educational agency shall (except as

provided under paragraph (5)) provide to the Department of Defense, upon a request made for military recruiting purposes, the same access to secondary school students, and to directory information concerning such students, as is provided generally to post-secondary educational institutions or to prospective employers of those students.

''(2) If a local educational agency denies a request by the Department of Defense for recruiting access, the Secretary of Defense, in cooperation with the Secretary of the military department concerned, shall designate an officer in a grade not below the grade of colonel or, in the case of the Navy, captain, or a senior executive of that military department to meet with representatives of that local educational agency in person, at the offices of that agency, for the purpose of arranging for recruiting access. The designated officer or senior executive shall seek to have that meeting within 120 days of the date of the denial of the request for recruiting access.

''(3) If, after a meeting under paragraph (2) with representatives of a local educational agency that has denied a request for recruiting access or (if the educational agency declines a request for the meeting) after the end of such 120-day period, the Secretary of Defense determines that the agency continues to deny recruiting access, the Secretary shall transmit to the chief executive of the State in which the agency is located a notification of the denial of recruiting access and a request for assistance in obtaining that access. The notification shall be transmitted within 60 days after the date of the determination. The Secretary shall provide to the Secretary of Education a copy of such notification and any other communication between the Secretary and that chief executive with respect to such access.

''(4) If a local educational agency continues to deny recruiting access one year after the date of the transmittal of a notification regarding that agency under paragraph (3), the Secretary—

''(A) shall determine whether the agency denies recruiting access to at least two of the armed forces (other than the Coast Guard when it is not operating as a service in the Navy); and

''(B) upon making an affirmative determination under subparagraph (A), shall transmit a notification of the denial of recruiting access to—

''(i) the specified congressional committees;

''(ii) the Senators of the State in which the local educational agency is located; and

''(iii) the member of the House of Representatives who represents the district in which the local educational agency is located.

''(5) The requirements of this subsection do not apply to—

''(A) a local educational agency with respect to access to secondary school students or access to directory information concerning such students for any period during which there is in effect a policy of that agency, established by majority vote of the governing body of the agency, to deny recruiting access to those students or to that directory information, respectively; or

''(B) a private secondary school which maintains a religious objection to service in the armed forces and which objection is verifiable through the corporate or other organizational documents or materials of that school.

''(6) In this subsection:

''(A) The term 'local educational agency' means—

''(i) a local educational agency, within the meaning of that term in section 14101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801(18)); and

''(ii) a private secondary school.

''(B) The term 'recruiting access' means access requested as described in paragraph (1).

''(C) The term 'senior executive' has the meaning given that term in section 3132(a)(3) of title 5.

''(D) The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

''(E) The term 'specified congressional committees' means the following:

''(i) The Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(ii) The Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives.

''(F) The term 'member of the House of Representatives' includes a Delegate or Resident Commissioner to Congress.''.

(b) DEFINITION OF DIRECTORY INFORMATION.—Such section is further amended—

(1) by striking paragraph (7) of subsection (b); and

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

''(d) DIRECTORY INFORMATION DEFINED.—In this section, the term 'directory information' has the meaning given that term in subsection (a)(5)(A) of section 444 of the General Education Provisions Act (20 U.S.C. 1232g).''.

(c) TECHNICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''RECRUITING CAMPAIGNS.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''COMPILATION OF DIRECTORY INFORMATION.—'' after ''(b)''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on July 1, 2002.

SEC. 564. PILOT PROGRAM TO ENHANCE MILITARY RECRUITING BY IMPROVING MILITARY AWARENESS OF SCHOOL COUNSELORS AND EDUCATORS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to determine if cooperation with military recruiters by local educational agencies and by institutions of higher education could be enhanced by improving the understanding of school counselors and educators about military recruiting and military career opportunities. The pilot program shall be conducted during a three-year period beginning not later than 180 days after the date of the enactment of this Act.

(b) CONDUCT OF PILOT PROGRAM THROUGH PARTICIPATION IN INTERACTIVE INTERNET SITE.—(1) The pilot program shall be conducted by means of participation by the Department of Defense in a qualifying interactive Internet site.

(2) For purposes of this section, a qualifying interactive Internet site is an Internet site in existence as of the date of the enactment of this Act that is designed to provide to employees of local educational agencies and institutions of higher education participating in the Internet site—

(A) systems for communicating;

(B) resources for individual professional development;

(C) resources to enhance individual on-the-job effectiveness; and

(D) resources to improve organizational effectiveness.

(3) Participation in an Internet site by the Department of Defense for purposes of this section shall include—

(A) funding;

(B) assistance; and

(C) access by other Internet site participants to Department of Defense aptitude testing programs, career development information, and other resources, in addition to information on military recruiting and career opportunities.

(c) REPORT.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report providing the Secretary's findings and conclusions on the pilot program not later than 180 days after the end of the three-year program period.

Subtitle G—Other Matters

SEC. 571. EXTENSION TO END OF CALENDAR YEAR OF EXPIRATION DATE FOR CERTAIN FORCE DRAWDOWN TRANSITION AUTHORITIES.

(a) EARLY RETIREMENT AUTHORITY FOR ACTIVE FORCE MEMBERS.—Section 4403 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1293 note) is amended—

(1) in subsection (a), by striking ''through fiscal year 1999'' and inserting ''during the active force drawdown period''; and

(2) in subsection (i), by striking ''October 1, 2001'' and inserting ''December 31, 2001''.

(b) SSB AND VSI.—Sections 1174a(h)(1) and 1175(d)(3) of title 10, United States Code, are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(c) SELECTIVE EARLY RETIREMENT BOARDS.—Section 638a(a) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(d) TIME-IN-GRADE REQUIREMENT FOR RETENTION OF GRADE UPON VOLUNTARY RETIREMENT.—Section 1370 of such title is amended by striking ''September 30, 2001'' in subsections (a)(2)(A) and (d)(5) and inserting ''December 31, 2001''.

(e) MINIMUM COMMISSIONED SERVICE FOR VOLUNTARY RETIREMENT AS AN OFFICER.—Sections 3911(b), 6323(a)(2), and 8911(b) of such title are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(f) TRAVEL, TRANSPORTATION, AND STORAGE BENEFITS.—Sections 404(c)(1)(C), 404(f)(2)(B)(v), 406(a)(2)(B)(v), and 406(g)(1)(C) of title 37, United States Code, and section 503(c)(1) of the National Defense Authorization Act for Fiscal Year 1991 (37 U.S.C. 406 note) are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(g) EDUCATIONAL LEAVE FOR PUBLIC AND COMMUNITY SERVICE.—Section 4463(f) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 1143a note) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(h) TRANSITIONAL HEALTH BENEFITS.—Subsections (a)(1), (c)(1), and (e) of section 1145 of title 10, United States Code, are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(i) TRANSITIONAL COMMISSARY AND EXCHANGE BENEFITS.—Section 1146 of such title is amended by striking ''September 30, 2001'' both places it appears and inserting ''December 31, 2001''.

(j) TRANSITIONAL USE OF MILITARY HOUSING.—Paragraphs (1) and (2) of section 1147(a) of such title are amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(k) CONTINUED ENROLLMENT OF DEPENDENTS IN DEFENSE DEPENDENTS' EDUCATION SYSTEM.—Section 1407(c)(1) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926(c)(1)) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(l) FORCE REDUCTION TRANSITION PERIOD DEFINED FOR CERTAIN GUARD AND RESERVE BENEFITS.—Section 4411 of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 12681 note) is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(m) TEMPORARY SPECIAL AUTHORITY FOR FORCE REDUCTION PERIOD RETIREMENTS.—Section 4416(b)(1) of the National Defense Authorization Act for Fiscal Year 1993 (10 U.S.C. 12681

note) is amended by striking ''October 1, 2001'' and inserting ''the end of the force reduction period''.

(n) RETIRED PAY FOR NON-REGULAR SERVICE.—(1) Section 12731(f) of title 10, United States Code, is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(2) Section 12731a of such title is amended—

(A) in subsection (a)(1)(B), by striking ''October 1, 2001'' and inserting ''the end of the period described in subsection (b)''; and

(B) in subsection (b), by striking ''October 1, 2001'' and inserting ''December 31, 2001''.

(o) AFFILIATION WITH GUARD AND RESERVE UNITS; WAIVER OF CERTAIN LIMITATIONS.—Section 1150(a) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

(p) RESERVE MONTGOMERY GI BILL.—Section 16133(b)(1)(B) of such title is amended by striking ''September 30, 2001'' and inserting ''December 31, 2001''.

SEC. 572. VOLUNTARY SEPARATION INCENTIVE.

(a) AUTHORITY FOR TERMINATION UPON ENTITLEMENT TO RETIRED PAY.—Section 1175(e)(3) of title 10, United States Code, is amended—

(1) inserting ''(A)'' after ''(3)''; and

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

''(B) If a member is receiving simultaneous voluntary separation incentive payments and retired or retainer pay, the member may elect to terminate the receipt of voluntary separation incentive payments. Any such election is permanent and irrevocable. The rate of monthly recoupment from retired or retainer pay of voluntary separation incentive payments received after such an election shall be reduced by a percentage that is equal to a fraction with a denominator equal to the number of months that the voluntary separation incentive payments were scheduled to be paid and a numerator equal to the number of months that would not be paid as a result of the member's decision to terminate the voluntary separation incentive.''.

(b) EFFECTIVE DATE.—Subparagraph (B) of section 1175(e)(3) of title 10, United States Code, as added by subsection (a), shall apply with respect to decisions by members to terminate voluntary separation incentive payments under section 1175 of title 10, United States Code, to be effective after September 30, 2000.

SEC. 573. CONGRESSIONAL REVIEW PERIOD FOR ASSIGNMENT OF WOMEN TO DUTY ON SUBMARINES AND FOR ANY PROPOSED RECONFIGURATION OR DESIGN OF SUBMARINES TO ACCOMMODATE FEMALE CREW MEMBERS.

(a) IN GENERAL.—(1) Chapter 555 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6035. Female members: congressional review period for assignment to duty on submarines or for reconfiguration of submarines

''(a) No change in the Department of the Navy policy limiting service on submarines to males, as in effect on May 10, 2000, may take effect until—

''(1) the Secretary of Defense submits to Congress written notice of the proposed change; and

''(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

''(b) No funds available to the Department of the Navy may be expended to reconfigure any existing submarine, or to design any new submarine, to accommodate female crew members until—

''(1) the Secretary of Defense submits to Congress written notice of the proposed reconfiguration or design; and

''(2) a period of 30 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) expires following the date on which the notice is received.

''(c) For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6035. Female members: congressional review period for assignment to duty on submarines or for reconfiguration of submarines.''.

(b) CONFORMING AMENDMENT.—Section 542(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 113 note) is amended by inserting ''or by section 6035 of title 10, United States Code'' after ''Except in a case covered by subsection (b)''.

SEC. 574. MANAGEMENT AND PER DIEM REQUIREMENTS FOR MEMBERS SUBJECT TO LENGTHY OR NUMEROUS DEPLOYMENTS.

(a) APPROVING AUTHORITY FOR LENGTHY DEPLOYMENTS OF MEMBERS.—Subsection (a) of section 991 of title 10, United States Code, is amended—

(1) by striking ''unless an officer'' in the second sentence of paragraph (1) and all that follows through the period at the end of that sentence and inserting a period and the following: ''However, the member may be deployed, or continued in a deployment, without regard to the preceding sentence if such deployment, or continued deployment, is approved—

''(A) in the case of a member who is assigned to a combatant command in a position under the operational control of the officer in that combatant command who is the service component commander for the members of that member's armed force in that combatant command, by that officer; and

''(B) in the case of a member not assigned as described in subparagraph (A), by the service chief of that member's armed force (or, if so designated by that service chief, by an officer of the same armed force on active duty who is in the grade of general or admiral or who is the personnel chief for that armed force).''; and

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

''(3) In paragraph (1)(B), the term 'service chief' means the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps.''.

(b) CLARIFICATION OF DEFINITION OF DEPLOYMENT.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''or homeport, as the case may be'' before the period at the end;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) In the case of a member of a reserve component performing active service, the member shall be considered deployed or in a deployment for the purposes of paragraph (1) on any day on which, pursuant to orders that do not establish a permanent change of station, the member is performing the active service at a location that—

''(A) is not the member's permanent training site; and

''(B) is—

''(i) at least 100 miles from the member's permanent residence; or

''(ii) a lesser distance from the member's permanent residence that, under the circumstances applicable to the member's travel, is a distance that requires at least three hours of travel to traverse.''; and

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection—

(A) by striking ''or'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; or''; and

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

''(C) unavailable solely because of—

''(i) a hospitalization of the member at the member's permanent duty station or homeport or in the immediate vicinity of the member's permanent residence; or

''(ii) a disciplinary action taken against the member.''.

(c) ASSOCIATED PER DIEM ALLOWANCE.—Section 435 of title 37, United States Code (as added to that title effective October 1, 2001, by section 586(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 638)) is amended—

(1) in subsection (a), by striking ''251 days or more out of the preceding 365 days'' and inserting ''401 or more days out of the preceding 730 days''; and

(2) in subsection (b), by striking ''prescribed under paragraph (3)'' and inserting ''prescribed under paragraph (4)''.

(d) REVIEW OF MANAGEMENT OF DEPLOYMENTS OF INDIVIDUAL MEMBERS.— Not later than March 31, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the administration of section 991 of title 10, United States Code, during fiscal year 2001. The report shall include—

(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces; and

(2) any recommendations for revision of such section that the Secretary considers appropriate.

(e) EFFECTIVE DATE.—If this Act is enacted before October 1, 2000, the amendments made by subsections (a) and (b) shall take effect on October 1, 2000, immediately after the amendment made by section 586(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 637) adding section 991 of title 10, United States Code, to such title.

SEC. 575. PAY IN LIEU OF ALLOWANCE FOR FUNERAL HONORS DUTY.

(a) COMPENSATION AT RATE FOR INACTIVE-DUTY TRAINING.—(1) Section 115(b)(2) of title 32, United States Code, is amended to read as follows:

''(2) as directed by the Secretary concerned, either—

''(A) the allowance under section 435 of title 37; or

''(B) compensation under section 206 of title 37.''.

(2) Section 12503(b)(2) of title 10, United States Code, is amended to read as follows:

''(2) as directed by the Secretary concerned, either—

''(A) the allowance under section 435 of title 37; or

''(B) compensation under section 206 of title 37.''.

(b) CONFORMING REPEAL.—Section 435 of title 37, United States Code, is amended by striking subsection (c).

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to funeral honors duty performed on or after October 1, 2000.

SEC. 576. TEST OF ABILITY OF RESERVE COMPONENT INTELLIGENCE UNITS AND PERSONNEL TO MEET CURRENT AND EMERGING DEFENSE INTELLIGENCE NEEDS.

(a) TEST PROGRAM REQUIRED.—(1) Beginning not later than June 1, 2001, the Secretary of Defense shall conduct a three-year test program of reserve component intelligence units and personnel. The purpose of the test program shall be—

(A) to determine the most effective peacetime structure and operational employment of reserve component intelligence assets for meeting current and future Department of Defense peacetime operational intelligence requirements; and

(B) to establish a means to coordinate and transition that peacetime intelligence operational support network into use for meeting wartime requirements.

(2) The test program shall be carried out using the Joint Reserve Intelligence Program and appropriate reserve component intelligence units and personnel.

(3) In conducting the test program, the Secretary of Defense shall expand the current Joint Reserve Intelligence Program as needed to meet the objectives of the test program.

(b) OVERSIGHT PANEL.—The Secretary shall establish an oversight panel to structure the test program so as to achieve the objectives of the test program, ensure proper funding for the test program, and oversee the conduct and evaluation of the test program. The panel members shall include—

(1) the Assistant Secretary of Defense for Command, Control, Communications and Intelligence;

(2) the Assistant Secretary of Defense for Reserve Affairs; and

(3) representatives from the Defense Intelligence Agency, the Army, Navy, Air Force, and Marine Corps, the Joint Staff, and the combatant commands.

(c) TEST PROGRAM OBJECTIVES.—The test program shall have the following objectives:

(1) To identify the range of peacetime roles and missions that are appropriate for reserve component intelligence units and personnel, including the following missions: counterdrug, counterintelligence, counterterrorism, information operations, information warfare, and other emerging threats.

(2) To recommend a process for justifying and validating reserve component intelligence force structure and manpower to support the peacetime roles and missions identified under paragraph (1) and to establish a means to coordinate and transition that peacetime operational support network and structure into wartime requirements.

(3) To provide, pursuant to paragraphs (1) and (2), the basis for new or revised intelligence and reserve component policy guidelines for the peacetime use, organization, management, infrastructure ,and funding of reserve component intelligence units and personnel.

(4) To determine the most effective structure, organization, manning, and management of Joint Reserve Intelligence Centers to enable them to be both reserve training facilities and virtual collaborative production facilities in support of Department of Defense peacetime operational intelligence requirements.

(5) To determine the most effective uses of technology for virtual collaborative intelligence operational support during peacetime and wartime.

(6) To determine personnel and career management initiatives or modifications that are required to improve the recruiting and retention of personnel in the reserve component intelligence specialties and occupational skills.

(7) To identify and make recommendations for the elimination of statutory prohibitions and barriers to using reserve component intelligence units and individuals to carry out peacetime operational requirements.

(d) REPORTS.—The Secretary of Defense shall submit to Congress—

(1) interim reports on the status of the test program not later than July 1, 2002, and July 1, 2003; and

(2) a final report, with such recommendations for changes as the Secretary considers necessary, not later than December 1, 2004.

SEC. 577. NATIONAL GUARD CHALLENGE PROGRAM.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Subsection (a) of section 509 of title 32, United States Code, is amended by striking '', acting through the Chief of the National Guard Bureau,''.

(b) SOURCES OF FEDERAL SUPPORT.—Subsection (b) of such section is amended—

(1) by inserting ''(1)'' before ''The Secretary of Defense'';

(2) by striking '', except that Federal expenditures under the program may not exceed $62,500,000 for any fiscal year''; and

(3) by adding at the end the following new paragraphs:

''(2) The Secretary shall carry out the National Guard Challenge Program using—

''(A) funds appropriated directly to the Secretary of Defense for the program, except that the amount of funds appropriated directly to the Secretary and expended for the program in a fiscal year may not exceed $62,500,000; and

''(B) nondefense funds made available or transferred to the Secretary of Defense by other Federal agencies to support the program.

''(3) Federal funds made available or transferred to the Secretary of Defense under paragraph (2)(B) by other Federal agencies to support the National Guard Challenge Program may be expended for the program in excess of the fiscal year limitation specified in paragraph (2)(A).''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following new subsection:

''(m) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the National Guard Challenge Program. The regulations shall address at a minimum the following:

''(1) The terms to be included in the program agreements required by subsection (c).

''(2) The qualifications for persons to participate in the program, as required by subsection (e).

''(3) The benefits authorized for program participants, as required by subsection (f).

''(4) The status of National Guard personnel assigned to duty in support of the program under subsection (g).

''(5) The conditions for the use of National Guard facilities and equipment to carry out the program, as required by subsection (h).

''(6) The status of program participants, as described in subsection (i).

''(7) The procedures to be used by the Secretary when communicating with States about the program.''.

(d) CONFORMING AMENDMENT.—Section 2033 of title 10, United States Code, is amended by striking ''appropriated for'' and inserting ''appropriated directly to the Secretary of Defense for''.

SEC. 578. STUDY OF USE OF CIVILIAN CONTRACTOR PILOTS FOR OPERATIONAL SUPPORT MISSIONS.

(a) STUDY.—The Secretary of Defense shall conduct a study to determine the feasibility and cost, as well as the advantages and disadvantages, of using civilian contractor personnel as pilots and other air crew members to fly nonmilitary Government aircraft (referred to as ''operational support aircraft'') to perform noncombat personnel transportation missions worldwide. In carrying out the study, the Secretary shall consider the views and recommendations of the Chairman of the Joint Chiefs and the other members of the Joint Chiefs of Staff.

(b) MATTERS TO BE INCLUDED.—The study shall, as a minimum—

(1) determine whether use of civilian contractor personnel as pilots and other air crew members for such operational support missions would be a cost effective means of freeing for duty in units with combat and combat support missions those military pilots and other personnel who now perform such operational support missions; and

(2) the effect on retention of military pilots and other personnel if they are no longer required to fly operational support missions.

(c) SUBMISSION OF REPORT.—The Secretary shall submit a report containing the results of the study to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not later than six months after the date of the enactment of this Act.

SEC. 579. REIMBURSEMENT FOR EXPENSES INCURRED BY MEMBERS IN CONNECTION WITH CANCELLATION OF LEAVE ON SHORT NOTICE.

(a) REIMBURSEMENT AUTHORIZED.—Chapter 53 of title 10, United States Code, is amended by inserting after section 1053 the following new section:

''§ 1053a. Expenses incurred in connection with leave canceled due to contingency operations: reimbursement

''(a) AUTHORIZATION TO REIMBURSE.—The Secretary concerned may reimburse a member of the armed forces under the jurisdiction of the Secretary for travel and related expenses (to the extent not otherwise reimbursable under law) incurred by the member as a result of the cancellation of previously approved leave when the leave is canceled in connection with the member's participation in a contingency operation and the cancellation occurs within 48 hours of the time the leave would have commenced.

''(b) REGULATIONS.—The Secretary of Defense shall prescribe regulations to establish the criteria for the applicability of subsection (a).

''(c) CONCLUSIVENESS OF SETTLEMENT.—The settlement of an application for reimbursement under subsection (a) is final and conclusive.''.

(b) EFFECTIVE DATE.—Section 1053a of title 10, United States Code, as added by subsection (a) shall apply with respect to any travel and related expenses incurred by a member in connection with leave canceled after the date of the enactment of this Act.

(c) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading of section 1052 of such title is amended to read as follows:

''§ 1052. Adoption expenses: reimbursement''.

(2) The heading of section 1053 of such title is amended to read as follows:

''§ 1053. Financial institution charges incurred because of Government error in direct deposit of pay: reimbursement''.

(3) The table of sections at the beginning of chapter 53 of such title is amended by striking the items relating to sections 1052 and 1053 and inserting the following:

''1052. Adoption expenses: reimbursement.
''1053. Financial institution charges incurred because of Government error in direct deposit of pay: reimbursement.
''1053a. Expenses incurred in connection with leave canceled due to contingency operations: reimbursement.''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2001.
Sec. 602. Additional restructuring of basic pay rates for enlisted members.
Sec. 603. Revised method for calculation of basic allowance for subsistence.
Sec. 604. Family subsistence supplemental allowance for low-income members of the Armed Forces.
Sec. 605. Basic allowance for housing.
Sec. 606. Additional amount available for fiscal year 2001 increase in basic allowance for housing inside the United States.

Sec. 607. Equitable treatment of junior enlisted members in computation of basic allowance for housing.
Sec. 608. Eligibility of members in grade E–4 to receive basic allowance for housing while on sea duty.
Sec. 609. Personal money allowance for senior enlisted members of the Armed Forces.
Sec. 610. Increased uniform allowances for officers.
Sec. 611. Cabinet-level authority to prescribe requirements and allowance for clothing of enlisted members.
Sec. 612. Increase in monthly subsistence allowance for members of precommissioning programs.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 621. Extension of certain bonuses and special pay authorities for reserve forces.
Sec. 622. Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.
Sec. 623. Extension of authorities relating to payment of other bonuses and special pays.
Sec. 624. Revision of enlistment bonus authority.
Sec. 625. Consistency of authorities for special pay for reserve medical and dental officers.
Sec. 626. Elimination of required congressional notification before implementation of certain special pay authority.
Sec. 627. Special pay for physician assistants of the Coast Guard.
Sec. 628. Authorization of special pay and accession bonus for pharmacy officers.
Sec. 629. Correction of references to Air Force veterinarians.
Sec. 630. Career sea pay.
Sec. 631. Increased maximum rate of special duty assignment pay.
Sec. 632. Entitlement of members of the National Guard and other reserves not on active duty to receive special duty assignment pay.
Sec. 633. Authorization of retention bonus for members of the Armed Forces qualified in a critical military skill.
Sec. 634. Entitlement of active duty officers of the Public Health Service Corps to special pays and bonuses of health professional officers of the Armed Forces.

Subtitle C—Travel and Transportation Allowances

Sec. 641. Advance payments for temporary lodging of members and dependents.
Sec. 642. Additional transportation allowance regarding baggage and household effects.
Sec. 643. Incentive for shipping and storing household goods in less than average weights.
Sec. 644. Equitable dislocation allowances for junior enlisted members.
Sec. 645. Authority to reimburse military recruiters, Senior ROTC cadre, and military entrance processing personnel for certain parking expenses.
Sec. 646. Expansion of funded student travel for dependents.

Subtitle D—Retirement and Survivor Benefit Matters

Sec. 651. Exception to high-36 month retired pay computation for members retired following a disciplinary reduction in grade.
Sec. 652. Increase in maximum number of Reserve retirement points that may be credited in any year.
Sec. 653. Retirement from active reserve service after regular retirement.
Sec. 654. Same treatment for Federal judges as for other Federal officials regarding payment of military retired pay.
Sec. 655. Reserve component Survivor Benefit Plan spousal consent requirement.
Sec. 656. Sense of Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older.
Sec. 657. Revision to special compensation authority to repeal exclusion of uniformed services retirees in receipt of disability retired pay.

Subtitle E—Other Matters

Sec. 661. Participation in Thrift Savings Plan.
Sec. 662. Determinations of income eligibility for special supplemental food program.
Sec. 663. Billeting services for reserve members traveling for inactive-duty training.
Sec. 664. Settlement of claims for payments for unused accrued leave and for retired pay.
Sec. 665. Additional benefits and protections for personnel incurring injury, illness, or disease in the performance of funeral honors duty.
Sec. 666. Authority for extension of deadline for filing claims associated with capture and internment of certain persons by North Vietnam.
Sec. 667. Back pay for members of the Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II.
Sec. 668. Sense of Congress concerning funding for reserve components.

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2001.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2001 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2001, the rates of monthly basic pay for members of the uniformed services are increased by 3.7 percent.

SEC. 602. ADDITIONAL RESTRUCTURING OF BASIC PAY RATES FOR ENLISTED MEMBERS.

(a) MINIMUM PAY INCREASES FOR MID-LEVEL ENLISTED GRADES.—(1) Subject to paragraph (2), effective on July 1, 2001, the rates of monthly basic pay for enlisted members of the Armed Forces in the pay grades E–7, E–6, and E–5 shall be as follows:

ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–7	1,831.20	1,999.20	2,075.10	2,149.80	2,228.10
E–6	1,575.00	1,740.30	1,817.40	1,891.80	1,969.80
E–5	1,381.80	1,549.20	1,623.90	1,701.00	1,779.30
	Over 8	Over 10	Over 12	Over 14	Over 16
E–7	2,362.20	2,437.80	2,512.80	2,588.10	2,666.10
E–6	2,097.30	2,174.10	2,248.80	2,325.00	2,379.60
E–5	1,888.50	1,962.90	2,040.30	2,040.30	2,040.30
	Over 18	Over 20	Over 22	Over 24	Over 26
E–7	2,742.00	2,817.90	2,949.60	3,034.80	3,250.50
E–6	2,421.30	2,421.30	2,421.30	2,421.30	2,421.30
E–5	2,040.30	2,040.30	2,040.30	2,040.30	2,040.30

(2) The amounts specified in the table in paragraph (1) are subject to such revision as the Secretary of Defense and the Secretary of Transportation may prescribe under subsection (b)(1)(A).

(b) SECRETARIAL AUTHORITY TO FURTHER REVISE.—(1) To ensure the efficient and effective operation of the military pay system, the Secretary of Defense, and the Secretary of Transportation with regard to the Coast Guard, may—

(A) further increase any of the amounts specified in the table in subsection (a) for enlisted members of the Armed Forces in the pay grades E–7, E–6, and E–5; and

(B) increase any of the amounts specified for other enlisted members in the table under the heading ''ENLISTED MEMBERS'' in section 601(c) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 648), as adjusted on January 1, 2001, pursuant to section 601(b) of this Act.

(2) The revisions in monthly basic pay made by the Secretary of Defense and the Secretary of Transportation under paragraph (1) shall take effect on July 1, 2001, but only if the Secretaries also comply with paragraph (3).

(3) If the Secretary of Defense or the Secretary of Transportation exercises the authority provided by paragraph (1), the Secretaries shall include, in the budget justification materials submitted to Congress in support of the President's

budget submitted under section 1105 of title 31, United States Code, for fiscal year 2002—

(A) a revised pay table for enlisted members of the Armed Forces to reflect the increases in monthly basic pay to take effect on July 1, 2001; and

(B) a description of the various increases made and the reasons therefor.

SEC. 603. REVISED METHOD FOR CALCULATION OF BASIC ALLOWANCE FOR SUBSISTENCE.

(a) ANNUAL REVISION OF RATE.—Subsection (b) of section 402 of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''The monthly rate'' and inserting ''Through December 31, 2001, the monthly rate'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

''(2) On and after January 1, 2002, the monthly rate of basic allowance for subsistence to be in effect for an enlisted member for a year (beginning on January 1 of that year) shall be equal to the sum of—

''(A) the monthly rate of basic allowance for subsistence that was in effect for an enlisted member for the preceding year; plus

''(B) the product of the monthly rate under subparagraph (A) and the percentage increase in the monthly cost of a liberal food plan for a male in the United States who is between 20 and 50 years of age over the preceding fiscal year, as determined by the Secretary of Agriculture each October 1.''.

(b) CONFORMING AMENDMENT.—Subsection (d)(1) of such section is amended by striking ''established under subsection (b)(1)'' and inserting ''in effect under paragraph (1) or (2) of subsection (b)''.

(c) EARLY TERMINATION OF BAS TRANSITIONAL AUTHORITY.—Effective October 1, 2001, subsections (c) through (f) of section 602 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 37 U.S.C. 402 note) are repealed.

SEC. 604. FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE FOR LOW-INCOME MEMBERS OF THE ARMED FORCES.

(a) SUPPLEMENTAL ALLOWANCE REQUIRED.—(1) Chapter 7 of title 37, United States Code, is amended by inserting after section 402 the following new section:

''§ 402a. Supplemental subsistence allowance for low-income members with dependents

''(a) SUPPLEMENTAL ALLOWANCE REQUIRED.—(1) The Secretary concerned shall increase the basic allowance for subsistence to which a member of the armed forces described in subsection (b) is otherwise entitled under section 402 of this title by an amount (in this section referred to as the 'supplemental subsistence allowance') designed to remove the member's household from eligibility for benefits under the food stamp program.

''(2) The supplemental subsistence allowance may not exceed $500 per month. In establishing the amount of the supplemental subsistence allowance to be paid an eligible member under this paragraph, the Secretary shall take into consideration the amount of the basic allowance for housing that the member receives under section 403 of this title or would otherwise receive under such section, in the case of a member who is not entitled to that allowance as a result of assignment to quarters of the United States or a housing facility under the jurisdiction of a uniformed service.

''(3) In the case of a member described in subsection (b) who establishes to the satisfaction of the Secretary concerned that the allotment of the member's household under the food stamp program, calculated in the absence of the supplemental subsistence allowance, would exceed the amount established by the Secretary concerned under paragraph (2), the amount of the supplemental subsistence allowance for the member shall be equal to the lesser of the following:

''(A) The value of that allotment.

''(B) $500.

''(b) MEMBERS ENTITLED TO ALLOWANCE.—(1) Subject to subsection (d), a member of the armed forces is entitled to receive the supplemental subsistence allowance if the Secretary concerned determines that the member's income, together with the income of the rest of the member's household (if any), is within the highest income standard of eligibility, as then in effect under section 5(c) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)) and without regard to paragraph (1) of such section, for participation in the food stamp program.

''(2) In determining whether a member meets the eligibility criteria under paragraph (1), the Secretary—

''(A) shall not take into consideration the amount of the supplemental subsistence allowance payable under this section; but

''(B) shall take into consideration the amount of the basic allowance for housing that the member receives under section 403 of this title or would otherwise receive under such section, in the case of a member who is not entitled to that allowance as a result of assignment to quarters of the United States or a housing facility under the jurisdiction of a uniformed service.

''(c) APPLICATION FOR ALLOWANCE.—To request the supplemental subsistence allowance, a member shall submit an application to the Secretary concerned in such form and containing such information as the Secretary concerned may prescribe. A member applying for the supplemental subsistence allowance shall furnish such evidence regarding the member's satisfaction of the eligibility criteria under subsection (b) as the Secretary concerned may require.

''(d) EFFECTIVE PERIOD.—The entitlement of a member to receive the supplemental subsistence allowance terminates upon the occurrence of any of the following events, even though the member continues to meet the eligibility criteria described in subsection (b):

''(1) Payment of the supplemental subsistence allowance for 12 consecutive months.

''(2) Promotion of the member to a higher grade.

''(3) Transfer of the member in a permanent change of station.

''(e) REAPPLICATION.—Upon the termination of the effective period of the supplemental subsistence allowance for a member, or in anticipation of the imminent termination of the allowance, a member may reapply for the allowance under subsection (c), and the Secretary concerned shall approve the application and resume payment of the allowance to the member, if the member continues to meet, or once again meets, the eligibility criteria described in subsection (b).

''(f) REPORTING REQUIREMENT.—Not later than March 1 of each year after 2001, the Secretary of Defense shall submit to Congress a report specifying the number of members of the armed forces who received, at any time during the preceding year, the supplemental subsistence allowance. In preparing the report, the Secretary of Defense shall consult with the Secretary of Transportation. No report is required under this subsection after March 1, 2006.

''(g) DEFINITIONS.—In this section:

''(1) The term 'Secretary concerned' means—

''(A) the Secretary of Defense; and

''(B) the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy.

''(2) The terms 'allotment' and 'household' have the meanings given those terms in section 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012).

''(3) The term 'food stamp program' means the program established pursuant to section 4 of the Food Stamp Act of 1977 (7 U.S.C. 2013).

''(h) TERMINATION OF AUTHORITY.—No supplemental subsistence allowance may be provided under this section after September 30, 2006.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 402 the following:

''402a. Supplemental subsistence allowance for low-income members with dependents.''.

(b) EFFECTIVE DATE.—Section 402a of title 37, United States Code, as added by subsection (a), shall take effect on the first day of the first month that begins not less than 180 days after the date of the enactment of this Act.

SEC. 605. BASIC ALLOWANCE FOR HOUSING.

(a) CALCULATION OF RATES.—Subsection (b) of section 403 of title 37, United States Code, is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (1) as paragraph (2); and

(3) by inserting after the subsection heading the following: ''(1) The Secretary of Defense shall prescribe the rates of the basic allowance for housing that are applicable for the various military housing areas in the United States. The rates for an area shall be based on the costs of adequate housing determined for the area under paragraph (2).''.

(b) MINIMUM ANNUAL AMOUNT AVAILABLE FOR HOUSING ALLOWANCES.—Subsection (b) of such section is further amended—

(1) by striking paragraphs (3) and (5); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) The total amount that may be paid for a fiscal year for the basic allowance for housing under this subsection may not be less than the product of—

''(A) the total amount authorized to be paid for such allowance for the preceding fiscal year; and

''(B) a fraction—

''(i) the numerator of which is the index of the national average monthly cost of housing for June of the preceding fiscal year; and

''(ii) the denominator of which is the index of the national average monthly cost of housing for June of the second preceding fiscal year.''.

(c) LIMITATIONS ON REDUCTION IN MEMBER'S ALLOWANCE.—(1) Paragraph (6) of such subsection is amended by striking '', changes in the national average monthly cost of housing,''.

(2) Paragraph (7) of such subsection is amended by striking ''without dependents''.

(d) ALLOWANCE WHEN DEPENDENTS ARE UNABLE TO ACCOMPANY MEMBERS.—Subsection (d) of such section is amended by striking paragraph (3) and inserting the following new paragraph:

''(3) If a member with dependents is assigned to duty in an area that is different from the area in which the member's dependents reside, the member is entitled to a basic allowance for housing as provided in subsection (b) or (c), whichever applies to the member, subject to the following:

''(A) If the member's assignment to duty in that area, or the circumstances of that assignment, require the member's dependents to reside in a different area, as determined by the Secretary concerned, the amount of the basic allowance for housing for the member shall be based on the area in which the dependents reside or the member's last duty station, whichever the Secretary concerned determines to be most equitable.

''(B) If the member's assignment to duty in that area is under the conditions of a low-cost or no-cost permanent change of station or permanent change of assignment, the amount of

the basic allowance for housing for the member shall be based on the member's last duty station if the Secretary concerned determines that it would be inequitable to base the allowance on the cost of housing in the area to which the member is reassigned.''.

(e) EXTENSION OF TRANSITION PERIOD.—Section 603(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 37 U.S.C. 403 note) is amended by striking ''six years'' and inserting ''eight years''.

(f) EFFECTIVE DATE; APPLICATION.—(1) The amendments made by this section shall take effect on October 1, 2000.

(2) In the case of the amendment made by subsection (c)(2), the amendment shall apply with respect to pay periods beginning on and after October 1, 2000, for a member of the uniformed services covered by the provision of law so amended regardless of the date on which the member was first reassigned to duty under the conditions of a low-cost or no-cost permanent change of station or permanent change of assignment.

(3) In the case of the amendment made by subsection (d), the amendment shall apply with respect to pay periods beginning on and after October 1, 2000, for a member of the uniformed services covered by the provision of law so amended regardless of the date on which the member was first assigned to duty in an area that is different from the area in which the member's dependents reside.

SEC. 606. ADDITIONAL AMOUNT AVAILABLE FOR FISCAL YEAR 2001 INCREASE IN BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES.

In addition to the amount determined by the Secretary of Defense under section 403(b)(3) of title 37, United States Code, as amended by section 605(b), to be the total amount to be paid during fiscal year 2001 for the basic allowance for housing for military housing areas inside the United States, $30,000,000 of the amount authorized to be appropriated by section 421 for military personnel shall be used by the Secretary to further increase the total amount available for the basic allowance for housing for military housing areas inside the United States.

SEC. 607. EQUITABLE TREATMENT OF JUNIOR ENLISTED MEMBERS IN COMPUTATION OF BASIC ALLOWANCE FOR HOUSING.

(a) DETERMINATION OF COSTS OF ADEQUATE HOUSING.—Paragraph (2) of subsection (b) of section 403 of title 37, United States Code, as redesignated by section 605(a)(2), is amended by adding at the end the following new sentence: ''After June 30, 2001, the Secretary may not differentiate between members with dependents in pay grades E–1 through E–4 in determining what constitutes adequate housing for members.''.

(b) SINGLE RATE; MINIMUM.—Subsection (b) of such section, as amended by section 605(b)(1), is amended by inserting after paragraph (4) the following new paragraph:

''(5) On and after July 1, 2001, the Secretary of Defense shall establish a single monthly rate for members of the uniformed services with dependents in pay grades E–1 through E–4 in the same military housing area. The rate shall be consistent with the rates paid to members in pay grades other than pay grades E–1 through E–4 and shall be based on the following:

''(A) The average cost of a two-bedroom apartment in that military housing area.

''(B) One-half of the difference between the average cost of a two-bedroom townhouse in that area and the amount determined in subparagraph (A).''.

SEC. 608. ELIGIBILITY OF MEMBERS IN GRADE E–4 TO RECEIVE BASIC ALLOWANCE FOR HOUSING WHILE ON SEA DUTY.

(a) PAYMENT AUTHORIZED.—Subsection (f)(2)(B) of section 403 of title 37, United States Code, is amended—

(1) by striking ''E–5'' in the first sentence and inserting ''E–4 or E–5''; and

(2) by striking ''grade E–5'' in the second sentence and inserting ''grades E–4 and E–5''.

(b) CONFORMING AMENDMENT.—Subsection (m)(1)(B) of such section is amended by striking ''E–4'' and inserting ''E–3''.

SEC. 609. PERSONAL MONEY ALLOWANCE FOR SENIOR ENLISTED MEMBERS OF THE ARMED FORCES.

(a) AUTHORITY.—Section 414 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(c) ALLOWANCE FOR SENIOR ENLISTED MEMBERS.—In addition to other pay or allowances authorized by this title, a noncommissioned officer is entitled to a personal money allowance of $2,000 a year while serving as the Sergeant Major of the Army, the Master Chief Petty Officer of the Navy, the Chief Master Sergeant of the Air Force, the Sergeant Major of the Marine Corps, or the Master Chief Petty Officer of the Coast Guard.''.

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''ALLOWANCE FOR OFFICERS SERVING IN CERTAIN RANKS OR POSITIONS.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''ALLOWANCE FOR CERTAIN NAVAL OFFICERS.—'' after ''(b)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 610. INCREASED UNIFORM ALLOWANCES FOR OFFICERS.

(a) INITIAL ALLOWANCE.—Section 415(a) of title 37, United States Code, is amended by striking ''$200'' and inserting ''$400''.

(b) ADDITIONAL ALLOWANCE.—Section 416(a) of such title is amended by striking ''$100'' and inserting ''$200''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000.

SEC. 611. CABINET-LEVEL AUTHORITY TO PRESCRIBE REQUIREMENTS AND ALLOWANCE FOR CLOTHING OF ENLISTED MEMBERS.

Section 418 of title 37, United States Code, is amended—

(1) in subsection (a), by striking ''The President'' and inserting ''The Secretary of Defense and the Secretary of Transportation, with respect to the Coast Guard when it is not operating as a service in the Navy,''; and

(2) in subsection (b), by striking ''the President'' and inserting ''the Secretary of Defense''.

SEC. 612. INCREASE IN MONTHLY SUBSISTENCE ALLOWANCE FOR MEMBERS OF PRECOMMISSIONING PROGRAMS.

(a) PAY RATES FOR CADETS AND MIDSHIPMEN.—Section 203(c) of title 37, United States Code, is amended by striking ''at the rate of $600.00.'' and inserting ''at the monthly rate equal to 35 percent of the basic pay of a commissioned officer in the pay grade O–1 with less than two years of service.''.

(b) SUBSISTENCE ALLOWANCE RATES.—Subsection (a) of section 209 of such title is amended—

(1) by inserting ''(1)'' before ''Except'';

(2) by striking ''subsistence allowance of $200 a month'' and inserting ''monthly subsistence allowance at a rate prescribed under paragraph (2)'';

(3) by striking ''Subsistence'' and inserting the following:

''(3) A subsistence''; and

(4) by inserting after the first sentence the following:

''(2) The Secretary of Defense shall prescribe by regulation the monthly rates for subsistence allowances provided under this section. The rate may not be less than $250 per month, but may not exceed $674 per month.''.

(c) CONFORMING AND STYLISTIC AMENDMENTS.—Section 209 of such title is further amended—

(1) in subsection (a), by inserting ''SENIOR ROTC MEMBERS IN ADVANCED TRAINING.—'' after ''(a)'';

(2) in subsection (b)—

(A) by inserting ''SENIOR ROTC MEMBERS APPOINTED IN RESERVES.—'' after ''(b)''; and

(B) by striking ''in the amount provided in subsection (a)'' and inserting ''at a rate prescribed under subsection (a)'';

(3) in subsection (c), by inserting ''PAY WHILE ATTENDING TRAINING OR PRACTICE CRUISE.—'' after ''(c)'' the first place it appears; and

(4) in subsection (d)—

(A) by inserting ''MEMBERS OF MARINE CORPS OFFICER CANDIDATE PROGRAM.—'' after ''(d)''; and

(B) by striking ''the same rate as that prescribed by subsection (a),'' and inserting ''a monthly rate prescribed under subsection (a)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect October 1, 2001.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 621. EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(f) of title 37, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(b) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(f) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308c(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(d) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(e) SELECTED RESERVE AFFILIATION BONUS.—Section 308e(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(f) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS.—Section 308h(g) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(g) PRIOR SERVICE ENLISTMENT BONUS.—Section 308i(f) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(h) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of title 10, United States Code, is amended by striking ''January 1, 2001'' and inserting ''January 1, 2002''.

SEC. 622. EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR NURSE OFFICER CANDIDATES, REGISTERED NURSES, AND NURSE ANESTHETISTS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United

States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

SEC. 623. EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER BONUSES AND SPECIAL PAYS.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 2000,'' and inserting ''December 31, 2001,''.

(b) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(c) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(d) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

(e) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking ''December 31, 2000'' and inserting ''December 31, 2001''.

SEC. 624. REVISION OF ENLISTMENT BONUS AUTHORITY.

(a) BONUS AUTHORIZED.—(1) Title 37, United States Code, is amended by inserting after section 308i the following new section:

''§ 309. Special pay: enlistment bonus

''(a) BONUS AUTHORIZED; BONUS AMOUNT.—A person who enlists in an armed force for a period of at least 2 years may be paid a bonus in an amount not to exceed $20,000. The bonus may be paid in a single lump sum or in periodic installments.

''(b) REPAYMENT OF BONUS.—(1) A member of the armed forces who voluntarily, or because of the member's misconduct, does not complete the term of enlistment for which a bonus was paid under this section, or a member who is not technically qualified in the skill for which the bonus was paid, if any (other than a member who is not qualified because of injury, illness, or other impairment not the result of the member's misconduct), shall refund to the United States that percentage of the bonus that the unexpired part of member's enlistment is of the total enlistment period for which the bonus was paid.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an enlistment for which a bonus was paid under this section does not discharge the person receiving the bonus from the debt arising under paragraph (1).

''(c) RELATION TO PROHIBITION ON BOUNTIES.—The enlistment bonus authorized by this section is not a bounty for purposes of section 514(a) of title 10.

''(d) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under the jurisdiction of the Secretary of Defense and by the Secretary of Transportation for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

''(e) DURATION OF AUTHORITY.—No bonus shall be paid under this section with respect to any enlistment in the armed forces made after December 31, 2001.''.

(2) The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 308i the following new item:

''309. Special pay: enlistment bonus.''.

(b) REPEAL OF SUPERSEDED ENLISTMENT BONUS AUTHORITIES.—(1) Sections 308a and 308f of title 37, United States Code, are repealed.

(2) The table of sections at the beginning of chapter 5 of such title is amended by striking the items relating to such sections.

(c) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall take effect on October 1, 2000, and apply with respect to enlistments in the Armed Forces made on or after that date.

(2) The amendments made by subsection (b) shall take effect on October 1, 2000. The repeal of sections 308a and 308f of title 37, United States Code, by such subsection shall not affect the validity or terms of any bonus provided under such sections for enlistments in the Armed Forces made before that date.

SEC. 625. CONSISTENCY OF AUTHORITIES FOR SPECIAL PAY FOR RESERVE MEDICAL AND DENTAL OFFICERS.

(a) CONSISTENT DESCRIPTIONS OF ACTIVE DUTY.—Section 302(h)(1) of title 37, United States Code, is amended by inserting before the period at the end the following: '', including active duty in the form of annual training, active duty for training, and active duty for special work''.

(b) RELATION TO OTHER SPECIAL PAY AUTHORITIES.—Subsection (d) of section 302f of such title is amended to read as follows:

''(d) SPECIAL RULE FOR RESERVE MEDICAL AND DENTAL OFFICERS.—While a reserve medical or dental officer receives a special pay under section 302 or 302b of this title by reason of subsection (a), the officer shall not be entitled to special pay under section 302(h) or 302b(h) of this title.''.

SEC. 626. ELIMINATION OF REQUIRED CONGRESSIONAL NOTIFICATION BEFORE IMPLEMENTATION OF CERTAIN SPECIAL PAY AUTHORITY.

(a) RETENTION SPECIAL PAY FOR OPTOMETRISTS.—(1) Section 302a(b)(1) of title 37, United States Code, is amended by striking ''an officer described in paragraph (2) may be paid'' and inserting ''the Secretary concerned may pay an officer described in paragraph (2) a''.

(2) Section 617 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 302a note) is amended by striking subsection (b).

(b) SPECIAL PAY FOR OFFICERS IN NURSING SPECIALTIES.—(1) Section 302e(b)(2)(A) of title 37, United States Code, is amended by striking ''the Secretary'' and inserting ''the Secretary of the military department concerned''.

(2) Section 614 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 302e note) is amended by striking subsection (c).

SEC. 627. SPECIAL PAY FOR PHYSICIAN ASSISTANTS OF THE COAST GUARD.

Section 302c(d)(1) of title 37, United States Code, is amended by inserting after ''nurse,'' the following: ''an officer of the Coast Guard or Coast Guard Reserve designated as a physician assistant,''.

SEC. 628. AUTHORIZATION OF SPECIAL PAY AND ACCESSION BONUS FOR PHARMACY OFFICERS.

(a) AUTHORIZATION OF SPECIAL PAY AND BONUS.—Chapter 5 of title 37, United States Code, is amended by inserting after section 302h the following new sections:

''§ 302i. Special pay: pharmacy officers

''(a) ARMY, NAVY, AND AIR FORCE PHARMACY OFFICERS.—Under regulations prescribed pursuant to section 303a of this title, the Secretary of the military department concerned may, subject to subsection (c), pay special pay at the rates specified in subsection (d) to an officer who—

''(1) is a pharmacy officer in the Medical Service Corps of the Army or Navy or the Biomedical Sciences Corps of the Air Force; and

''(2) is on active duty under a call or order to active duty for a period of not less than one year.

''(b) PUBLIC HEALTH SERVICE CORPS.—Subject to subsection (c), the Secretary of Health and Human Services may pay special pay at the rates specified in subsection (d) to an officer who—

''(1) is an officer in the Regular or Reserve Corps of the Public Health Service and is designated as a pharmacy officer; and

''(2) is on active duty under a call or order to active duty for a period of not less than one year.

''(c) LIMITATION.—Special pay may not be paid under this section to an officer serving in a pay grade above pay grade O–6.

''(d) RATE OF SPECIAL PAY.—The rate of special pay paid to an officer under subsection (a) or (b) is as follows:

''(1) $3,000 per year, if the officer is undergoing pharmacy internship training or has less than 3 years of creditable service.

''(2) $7,000 per year, if the officer has at least 3 but less than 6 years of creditable service and is not undergoing pharmacy internship training.

''(3) $7,000 per year, if the officer has at least 6 but less than 8 years of creditable service.

''(4) $12,000 per year, if the officer has at least 8 but less than 12 years of creditable service.

''(5) $10,000 per year, if the officer has at least 12 but less than 14 years of creditable service.

''(6) $9,000 per year, if the officer has at least 14 but less than 18 years of creditable service.

''(7) $8,000 per year, if the officer has 18 or more years of creditable service.

''§ 302j. Special pay: accession bonus for pharmacy officers

''(a) ACCESSION BONUS AUTHORIZED.—A person who is a graduate of an accredited pharmacy school and who, during the period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and ending on September 30, 2004, executes a written agreement described in subsection (c) to accept a commission as an officer of a uniformed service and remain on active duty for a period of not less than 4 years may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

''(b) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed $30,000.

''(c) LIMITATION ON ELIGIBILITY FOR BONUS.—A person may not be paid a bonus under subsection (a) if—

''(1) the person, in exchange for an agreement to accept an appointment as a warrant or commissioned officer, received financial assistance from the Department of Defense or the Department of Health and Human Services to pursue a course of study in pharmacy; or

''(2) the Secretary concerned determines that the person is not qualified to become and remain licensed as a pharmacist.

''(d) AGREEMENT.—The agreement referred to in subsection (a) shall provide that, consistent with the needs of the uniformed service concerned, the person executing the agreement shall be assigned to duty, for the period of obligated service covered by the agreement, as a pharmacy officer in the Medical Service Corps of the Army or Navy, a biomedical sciences officer in the Air Force designated as a pharmacy officer, or a pharmacy officer of the Public Health Service.

''(e) REPAYMENT.—(1) An officer who receives a payment under subsection (a) and who fails to become and remain licensed as a pharmacist during the period for which the payment is made shall refund to the United States an amount equal to the full amount of such payment.

''(2) An officer who voluntarily terminates service on active duty before the end of the period agreed to be served under subsection (a) shall refund to the United States an amount that bears the same ratio to the amount paid to the officer as the unserved part of such period bears to the total period agreed to be served.

''(3) An obligation to reimburse the United States under paragraph (1) or (2) is for all purposes a debt owed to the United States.

''(4) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or this subsection. This paragraph applies to any case commenced under title 11 after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.''.

(b) ADMINISTRATION.—Section 303a of title 37, United States Code, is amended by striking ''302h'' each place it appears and inserting ''302j''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 5 of such title is amended by inserting after the item relating to section 302h the following new items:

''302i. Special pay: pharmacy officers.
''302j. Special pay: accession bonus for pharmacy officers.''.

SEC. 629. CORRECTION OF REFERENCES TO AIR FORCE VETERINARIANS.

Section 303(a) of title 37, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''who is designated as a veterinary officer'' and inserting ''who is an officer in the Biomedical Sciences Corps and holds a degree in veterinary medicine''; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) of a reserve component of the Air Force, of the Army or the Air Force without specification of component, or of the National Guard, who—

''(i) is designated as a veterinary officer; or

''(ii) is an officer in the Biomedical Sciences Corps of the Air Force and holds a degree in veterinary medicine; or''.

SEC. 630. CAREER SEA PAY.

(a) REFORM OF AUTHORITIES.—Section 305a of title 37, United States Code, is amended—

(1) in subsection (a), by striking ''(a) Under regulations prescribed by the President, a member'' and inserting ''(a) AVAILABILITY OF SPECIAL PAY.—A member'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by striking subsections (b) and (c) and inserting the following new subsections:

''(b) RATES; MAXIMUM.—The Secretary concerned shall prescribe the monthly rates for special pay applicable to members of each armed force under the Secretary's jurisdiction. No monthly rate may exceed $750.

''(c) PREMIUM.—A member of a uniformed service entitled to career sea pay under this section who has served 36 consecutive months of sea duty is also entitled to a career sea pay premium for the thirty-seventh consecutive month and each subsequent consecutive month of sea duty served by such member. The monthly amount of the premium shall be prescribed by the Secretary concerned, but may not exceed $350.

''(d) REGULATIONS.—The Secretary concerned shall prescribe regulations for the administration of this section for the armed force or armed forces under the jurisdiction of the Secretary. The entitlements under this section shall be subject to the regulations.''.

(b) STYLISTIC AMENDMENT.—Subsection (e) of such section, as redesignated by subsection (a)(2), is amended by inserting before ''(1)'' in paragraph (1) the following: ''DEFINITION OF SEA DUTY.—''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2000, and shall apply with respect to months beginning on or after that date.

SEC. 631. INCREASED MAXIMUM RATE OF SPECIAL DUTY ASSIGNMENT PAY.

Section 307(a) of title 37, United States Code, is amended—

(1) by striking ''$275'' and inserting ''$600''; and

(2) by striking the second sentence.

SEC. 632. ENTITLEMENT OF MEMBERS OF THE NATIONAL GUARD AND OTHER RESERVES NOT ON ACTIVE DUTY TO RECEIVE SPECIAL DUTY ASSIGNMENT PAY.

(a) AUTHORITY.—Section 307 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) Under regulations prescribed by the Secretary concerned and to the extent provided for by appropriations, when an enlisted member of the National Guard or a reserve component of a uniformed service who is entitled to compensation under section 206 of this title performs duty for which a member described in subsection (a) is entitled to special pay under such subsection, the member of the National Guard or reserve component is entitled to an increase in compensation equal to 1/30 of the monthly special duty assignment pay prescribed by the Secretary concerned for the performance of that same duty by members described in subsection (a).

''(2) A member of the National Guard or a reserve component entitled to an increase in compensation under paragraph (1) is entitled to the increase—

''(A) for each regular period of instruction, or period of appropriate duty, at which the member is engaged for at least two hours, including that performed on a Sunday or holiday; or

''(B) for the performance of such other equivalent training, instruction, duty, or appropriate duties, as the Secretary may prescribe under section 206(a) of this title.

''(3) This subsection does not apply to a member of the National Guard or a reserve component who is entitled to basic pay under section 204 of this title.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2000.

SEC. 633. AUTHORIZATION OF RETENTION BONUS FOR MEMBERS OF THE ARMED FORCES QUALIFIED IN A CRITICAL MILITARY SKILL.

(a) BONUS AUTHORIZED.—(1) Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 323. Special pay: retention incentives for members qualified in a critical military skill

''(a) RETENTION BONUS AUTHORIZED.—An officer or enlisted member of the armed forces who is serving on active duty and is qualified in a designated critical military skill may be paid a retention bonus as provided in this section if—

''(1) in the case of an officer, the member executes a written agreement to remain on active duty for at least 1 year; or

''(2) in the case of an enlisted member, the member reenlists or voluntarily extends the member's enlistment for a period of at least 1 year.

''(b) DESIGNATION OF CRITICAL SKILLS.—(1) A designated critical military skill referred to in subsection (a) is a military skill designated as critical by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy.

''(2) The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall notify Congress, in advance, of each military skill to be designated by the Secretary as critical for purposes of this section. The notice shall be submitted at least 90 days before any bonus with regard to that critical skill is offered under subsection (a) and shall include a discussion of the necessity for the bonus, the amount and method of payment of the bonus, and the retention results that the bonus is expected to achieve.

''(c) PAYMENT METHODS.—A bonus under this section may be paid in a single lump sum or in periodic installments.

''(d) MAXIMUM BONUS AMOUNT.—A member may enter into an agreement under this section, or reenlist or voluntarily extend the member's enlistment, more than once to receive a bonus under this section. However, a member may not receive a total of more than $200,000 in payments under this section.

''(e) CERTAIN MEMBERS INELIGIBLE.—A retention bonus may not be provided under subsection (a) to a member of the armed forces who—

''(1) has completed more than 25 years of active duty; or

''(2) will complete the member's twenty-fifth year of active duty before the end of the period of active duty for which the bonus is being offered.

''(f) RELATIONSHIP TO OTHER INCENTIVES.—A retention bonus paid under this section is in addition to any other pay and allowances to which a member is entitled.

''(g) REPAYMENT OF BONUS.—(1) If an officer who has entered into a written agreement under subsection (a) fails to complete the total period of active duty specified in the agreement, or an enlisted member who voluntarily or because of misconduct does not complete the term of enlistment for which a bonus was paid under this section, the Secretary of Defense, and the Secretary of Transportation with respect to members of the Coast Guard when it is not operating as a service in the Navy, may require the member to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, all sums paid under this section.

''(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a) does not discharge the member from a debt arising under paragraph (2).

''(h) ANNUAL REPORT.—Not later than February 15 of each year, the Secretary of Defense and the Secretary of Transportation shall submit to Congress a report—

''(1) analyzing the effect, during the preceding fiscal year, of the provision of bonuses under this section on the retention of members qualified in the critical military skills for which the bonuses were offered; and

''(2) describing the intentions of the Secretary regarding the continued use of the bonus authority during the current and next fiscal years.

''(i) TERMINATION OF BONUS AUTHORITY.—No bonus may be paid under this section with respect to any reenlistment, or voluntary extension of an enlistment, in the armed forces entered into after December 31, 2001, and no agreement under this section may be entered into after that date.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''323. Special pay: retention incentives for members qualified in a critical military skill.''.

(b) EFFECTIVE DATE.—Section 323 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2000.

SEC. 634. ENTITLEMENT OF ACTIVE DUTY OFFICERS OF THE PUBLIC HEALTH SERVICE CORPS TO SPECIAL PAYS AND BONUSES OF HEALTH PROFESSIONAL OFFICERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 303a of title 37, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d); and

(2) by inserting after subsection (a) the following new subsection (b):

''(b)(1) Except as provided in paragraph (2) or as otherwise provided under a provision of this chapter, a commissioned officer in the Regular or Reserve Corps of the Public Health Service is entitled to special pay under a provision of this chapter in the same amounts, and under the same terms and conditions, as a commissioned officer of the armed forces is entitled to special pay under that provision.

''(2) A commissioned medical officer in the Regular or Reserve Corps of the Public Health Service (other than an officer serving in the Indian Health Service) may not receive additional special pay under section 302(a)(4) of this title for any period during which the officer is providing obligated service under the following provisions of law:

''(A) Section 338B of the Public Health Service Act (42 U.S.C. 254l–1).

''(B) Section 225(e) of the Public Health Service Act, as that section was in effect before 1, 1977.

''(C) Section 752 of the Public Health Service Act, as that section was in effect between October 1, 1977, and August 13, 1981.''.

(b) REPEAL OF SUPERSEDED PROVISIONS.—Section 208(a) of the Public Health Service Act (42 U.S.C. 210(a)) is amended—

(1) by striking paragraphs (2) and (3); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) For provisions relating to the receipt of special pay by commissioned officers of the Regular and Reserve Corps while on active duty, see section 303a(b) of title 37, United States Code.''.

Subtitle C—Travel and Transportation Allowances

SEC. 641. ADVANCE PAYMENTS FOR TEMPORARY LODGING OF MEMBERS AND DEPENDENTS.

(a) SUBSISTENCE EXPENSES.—Section 404a of title 37, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(2) by striking subsection (a) and inserting the following:

''(a) PAYMENT OR REIMBURSEMENT OF SUBSISTENCE EXPENSES.—(1) Under regulations prescribed by the Secretaries concerned, a member of a uniformed service who is ordered to make a change of permanent station described in paragraph (2) shall be paid or reimbursed for subsistence expenses of the member and the member's dependents for the period (subject to subsection (c)) for which the member and dependents occupy temporary quarters incident to that change of permanent station.

''(2) Paragraph (1) applies to the following:

''(A) A permanent change of station from any duty station to a duty station in the United States (other than Hawaii or Alaska).

''(B) A permanent change of station from a duty station in the United States (other than Hawaii or Alaska) to a duty station outside the United States or in Hawaii or Alaska.

''(C) In the case of an enlisted member who is reporting to the member's first permanent duty station, the change from the member's home of record or initial technical school to that first permanent duty station.

''(b) PAYMENT IN ADVANCE.—The Secretary concerned may make any payment for subsistence expenses to a member under this section in advance of the member actually incurring the expenses. The amount of an advance payment made to a member shall be computed on the basis of the Secretary's determination of the average number of days that members and their dependents occupy temporary quarters under the circumstances applicable to the member and the member's dependents.

''(c) MAXIMUM PAYMENT PERIOD.—(1) In the case of a change of permanent station described in subparagraph (A) or (C) of subsection (a)(2), the period for which subsistence expenses are to be paid or reimbursed under this section may not exceed 10 days.

''(2) In the case of a change of permanent station described in subsection (a)(2)(B)—

''(A) the period for which such expenses are to be paid or reimbursed under this section may not exceed five days; and

''(B) such payment or reimbursement may be provided only for expenses incurred before leaving the United States (other than Hawaii or Alaska).''.

(b) PER DIEM.—Section 405 of such title is amended to read as follows:

''§ 405. Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska

''(a) PER DIEM AUTHORIZED.—Without regard to the monetary limitation of this title, the Secretary concerned may pay a per diem to a member of the uniformed services who is on duty outside of the United States or in Hawaii or Alaska, whether or not the member is in a travel status. The Secretary may pay the per diem in advance of the accrual of the per diem.

''(b) DETERMINATION OF PER DIEM.—In determining the per diem to be paid under this section, the Secretary concerned shall consider all elements of the cost of living to members of the uniformed services under the Secretary's jurisdiction and their dependents, including the cost of quarters, subsistence, and other necessary incidental expenses. However, dependents may not be considered in determining the per diem allowance for a member in a travel status.

''(c) TREATMENT OF HOUSING COST AND ALLOWANCE.—Housing cost and allowance may be disregarded in prescribing a station cost of living allowance under this section.''.

(c) STYLISTIC AMENDMENTS.—Section 404a of such title is further amended—

(1) in subsection (d), as redesignated by subsection (a), by striking ''(d)'' and inserting ''(d) DAILY SUBSISTENCE RATES.—''; and

(2) in subsection (e), as redesignated by subsection (a), by striking ''(e)'' and inserting ''(e) MAXIMUM DAILY PAYMENT.—''.

SEC. 642. ADDITIONAL TRANSPORTATION ALLOWANCE REGARDING BAGGAGE AND HOUSEHOLD EFFECTS.

(a) PET QUARANTINE FEES.—Section 406(a)(1) of title 37, United States Code, is amended by adding at the end the following new sentence: ''The Secretary concerned may also reimburse the member for mandatory pet quarantine fees for household pets, but not to exceed $275 per change of station, when the member incurs the fees incident to such change of station.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect October 1, 2000.

SEC. 643. INCENTIVE FOR SHIPPING AND STORING HOUSEHOLD GOODS IN LESS THAN AVERAGE WEIGHTS.

Section 406(b)(1) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

''(G) Under regulations prescribed by the Secretary of Defense, the Secretary concerned may pay a member a share (determined pursuant to such regulations) of the savings resulting to the United States when the total weights of the member's baggage and household effects shipped and stored under subparagraph (A) are less than the average weights of the baggage and household effects that are shipped and stored, respectively, by other members in the same grade and with the same dependents status as the member in connection with changes of station that are comparable to the member's change of station. The total savings shall be equal to the difference between the cost of shipping and cost of storing such average weights of baggage and household effects, respectively, and the corresponding costs associated with the weights of the member's baggage and household effects. For the administration of this subparagraph, the Secretary of Defense shall annually determine the average weights of baggage and household effects shipped and stored in connection with a change of temporary or permanent station.''.

SEC. 644. EQUITABLE DISLOCATION ALLOWANCES FOR JUNIOR ENLISTED MEMBERS.

Section 407(c)(1) of title 37, United States Code, is amended by inserting before the period at the end the following: '', except that the Secretary concerned may not differentiate between members with dependents in pay grades E–1 through E–5''.

SEC. 645. AUTHORITY TO REIMBURSE MILITARY RECRUITERS, SENIOR ROTC CADRE, AND MILITARY ENTRANCE PROCESSING PERSONNEL FOR CERTAIN PARKING EXPENSES.

(a) REIMBURSEMENT AUTHORITY.—Chapter 7 of title 37, United States Code, is amended by inserting after section 411h the following new section:

''§ 411i. Travel and transportation allowances: parking expenses

''(a) REIMBURSEMENT AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may reimburse eligible Department of Defense personnel for expenses incurred after October 1, 2001, for parking a privately owned vehicle at a place of duty described in subsection (b).

''(b) ELIGIBILITY.—A member of the Army, Navy, Air Force, or Marine Corps or an employee of the Department of Defense may be reimbursed under subsection (a) for parking expenses while—

''(1) assigned to duty as a recruiter for any of the armed forces;

''(2) assigned to duty at a military entrance processing facility of the armed forces; or

''(3) detailed for instructional and administrative duties at any institution where a unit of the Senior Reserve Officers' Training Corps is maintained.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 411h the following new item:

''411i. Travel and transportation allowances: parking expenses.''.

SEC. 646. EXPANSION OF FUNDED STUDENT TRAVEL FOR DEPENDENTS.

Section 430 of title 37, United States Code, is amended—

(1) in subsections (a)(3) and (b)(1), by striking ''for the purpose of obtaining a secondary or undergraduate college education'' and inserting ''for the purpose of obtaining a formal education''; and

(2) in subsection (f)—

(A) by striking ''In this section, the term'' and inserting the following:

''In this section:

''(1) The term''; and

(B) by adding at the end the following new subparagraph:

''(2) The term 'formal education' means the following:

''(A) A secondary education.

''(B) An undergraduate college education.

''(C) A graduate education pursued on a full-time basis at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

''(D) Vocational education pursued on a full-time basis at a post-secondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))).''.

Subtitle D—Retirement and Survivor Benefit Matters

SEC. 651. EXCEPTION TO HIGH-36 MONTH RETIRED PAY COMPUTATION FOR MEMBERS RETIRED FOLLOWING A DISCIPLINARY REDUCTION IN GRADE.

Section 1407 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''The retired pay base'' and inserting ''Except as provided in subsection (f), the retired pay base''; and

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

''(f) EXCEPTION FOR ENLISTED MEMBERS REDUCED IN GRADE AND OFFICERS WHO DO NOT SERVE SATISFACTORILY IN HIGHEST GRADE HELD.—

''(1) COMPUTATION BASED ON PRE-HIGH-THREE RULES.—In the case of a member or former member described in paragraph (2), the retired pay base or retainer pay base is determined under section 1406 of this title in the same manner as if the member or former member first became a member of a uniformed service before September 8, 1980.

''(2) AFFECTED MEMBERS.—A member or former member referred to in paragraph (1) is a member or former member who by reason of conduct occurring after the date of the enactment of this subsection—

''(A) in the case of a member retired in an enlisted grade or transferred to the Fleet Reserve or Fleet Marine Corps Reserve, was at any time reduced in grade as the result of a court-martial sentence, nonjudicial punishment, or an administrative action, unless the member was subsequently promoted to a higher enlisted grade or appointed to a commissioned or warrant grade; and

''(B) in the case of an officer, is retired in a grade lower than the highest grade in which served by reason of denial of a determination or certification under section 1370 of this title that the officer served on active duty satisfactorily in that grade.

''(3) SPECIAL RULE FOR ENLISTED MEMBERS.—In the case of a member who retires within three years after having been reduced in grade as described in paragraph (2)(A), who retires in an enlisted grade that is lower than the grade from which reduced, and who would be subject to paragraph (1) but for a subsequent promotion to a higher enlisted grade or a subsequent appointment to a warrant or commissioned grade, the rates of basic pay used in the computation of the member's high-36 average for the period of the member's service in a grade higher than the grade in which retired shall be the rates of pay that would apply if the member had been serving for that period in the grade in which retired.''.

SEC. 652. INCREASE IN MAXIMUM NUMBER OF RESERVE RETIREMENT POINTS THAT MAY BE CREDITED IN ANY YEAR.

Section 12733(3) of title 10, United States Code, is amended by striking ''but not more than'' and all that follows and inserting ''but not more than—

''(A) 60 days in any one year of service before the year of service that includes September 23, 1996;

''(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001; and

''(C) 90 days in the year of service that includes the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and in any subsequent year of service.''.

SEC. 653. RETIREMENT FROM ACTIVE RESERVE SERVICE AFTER REGULAR RETIREMENT.

(a) CONVERSION TO RESERVE RETIREMENT.—(1) Chapter 1223 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 12741. Retirement from active reserve service performed after regular retirement

''(a) ELECTION OF RESERVE RETIRED PAY.—A person who, after becoming entitled to retired or retainer pay under chapter 65, 367, 571, or 867 of this title, serves in an active status in a reserve component is entitled to retired pay under this chapter if—

''(1) the person would, but for paragraphs (3) and (4) of section 12731(a) of this title, otherwise be entitled to retired pay under this chapter;

''(2) the person elects under this section to received retired pay under this chapter; and

''(3) the person's service in an active status after having become entitled to retired or retainer pay under that chapter is determined by the Secretary concerned to have been satisfactory.

''(b) ACTIONS TO EFFECTUATE ELECTION.—As of the effective date of an election made by a person under subsection (a), the Secretary concerned shall—

''(1) terminate the person's entitlement to retired or retainer pay under the applicable chapter of this title referred to in subsection (a); and

''(2) in the case of a reserve commissioned officer, transfer the officer to the Retired Reserve.

''(c) TIME AND FORM OF ELECTION.—An election under subsection (b) shall be made within such time and in such form as the Secretary concerned requires.

''(d) EFFECTIVE DATE OF ELECTION.—An election made by a person under subsection (b) shall be effective—

''(1) except as provided in paragraph (2)(B), as of the date on which the person attains 60 years of age, if the Secretary concerned receives the election in accordance with this section within 180 days after that date; or

''(2) on the first day of the first month that begins after the date on which the Secretary concerned receives the election in accordance with this section, if—

''(A) the date of the receipt of the election is more than 180 days after the date on which the person attains 60 years of age; or

''(B) the person retires from service in an active status within that 180-day period.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''12741. Retirement from active service performed after regular retirement.''.

(b) EFFECTIVE DATE.—Section 12741 of title 10, United States Code, as added by subsection (a), shall take effect 180 days after the date of the enactment of this Act and shall apply with respect to retired pay payable for months beginning on of after that effective date.

SEC. 654. SAME TREATMENT FOR FEDERAL JUDGES AS FOR OTHER FEDERAL OFFICIALS REGARDING PAYMENT OF MILITARY RETIRED PAY.

(a) ARTICLE III JUDGES.—(1) Section 371 of title 28, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(2) Subsection (b) of such section is amended by striking ''subsection (f)'' each place it appears and inserting ''subsection (e)''.

(b) JUDGES OF UNITED STATES COURT OF FEDERAL CLAIMS.—(1) Section 180 of title 28, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 180.

(c) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall take effect as of October 1, 1999.

SEC. 655. RESERVE COMPONENT SURVIVOR BENEFIT PLAN SPOUSAL CONSENT REQUIREMENT.

(a) ELIGIBLE PARTICIPANTS.—Subsection (a)(2)(B) of section 1448 of title 10, United States Code, is amended to read as follows:

''(B) RESERVE-COMPONENT ANNUITY PARTICIPANTS.—A person who (i) is eligible to participate in the Plan under paragraph (1)(B), and (ii) is married or has a dependent child when he is notified under section 12731(d) of this title that he has completed the years of service required for eligibility for reserve-component retired pay, unless the person elects (with his spouse's concurrence, if required under paragraph (3)) not to participate in the Plan before the end of the 90-day period beginning on the date on which he receives that notification.''.

(b) SUBSEQUENT ELECTION TO PARTICIPATE.—Subsection (a)(3)(B) of such section is amended—

(1) by striking ''who elects to provide'' and inserting ''who is eligible to provide'';

(2) by redesignating clauses (i) and (ii) as clauses (iii) and (iv), respectively; and

(3) by inserting before clause (iii) (as so redesignated) the following new clauses:

''(i) not to participate in the Plan;

''(ii) to designate under subsection (e)(2) the effective date for commencement of annuity payments under the Plan in the event that the member dies before becoming 60 years of age to be the 60th anniversary of the member's birth (rather than the day after the date of the member's death);''.

(c) CONFORMING AMENDMENTS.—Subchapter II of chapter 73 of such title is further amended—

(1) in section 1448(a)(2), by striking ''described in clauses (i) and (ii)'' in the sentence following subparagraph (B) (as amended by subsection (a)) and all that follows through ''that clause'' and inserting ''who elects under subparagraph (B) not to participate in the Plan'';

(2) in section 1448(a)(4)—

(A) by striking ''not to participate in the Plan'' in subparagraph (A); and

(B) by striking ''to participate in the Plan'' in subparagraph (B);

(3) in section 1448(e), by striking ''a person electing to participate'' and all that follows through ''making such election'' and inserting ''a person is required to make a designation under this subsection, the person''; and

(4) in section 1450(j)(1), by striking ''An annuity'' and all that follows through the period and inserting ''A reserve-component annuity shall be effective in accordance with the designation made under section 1448(e) of this title by the person providing the annuity.''.

(d) EFFECTIVE DATE.—The amendments made by this section apply only with respect to a notification under section 12731(d) of title 10, United States Code, made after January 1, 2001, that a member of a reserve component has completed the years of service required for eligibility for reserve-component retired pay.

SEC. 656. SENSE OF CONGRESS ON INCREASING SURVIVOR BENEFIT PLAN ANNUITIES FOR SURVIVING SPOUSES AGE 62 OR OLDER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, subject to the requirements and limitations of congressional budget procedures relating to the enactment of new (or increased) entitlement authority, there should be enacted legislation that increases the annuities provided

under the Survivor Benefit Plan program for surviving spouses who are 62 years of age or older in order to reduce (and eventually eliminate) the different levels of annuities under that program for surviving spouses who are under age 62 and those who are 62 years of age and older.

(b) SURVIVOR BENEFIT PLAN.—For purposes of this section, the term ''Survivor Benefit Plan program'' means the program of annuities for survivors of members of the uniformed services provided under subchapter II of chapter 73 of title 10, United States Code.

SEC. 657. REVISION TO SPECIAL COMPENSATION AUTHORITY TO REPEAL EXCLUSION OF UNIFORMED SERVICES RETIREES IN RECEIPT OF DISABILITY RETIRED PAY.

(a) ELIGIBILITY FOR CHAPTER 61 RETIREES.—Section 1413(c) of title 10, United States Code, is amended by striking ''(other than a member who is retired under chapter 61 of this title)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2001, and shall apply to months that begin on or after that date. No benefit may be paid under section 1413 of title 10, United States Code, to any person by reason of the amendment made by subsection (a) for any period before that date.

Subtitle E—Other Matters

SEC. 661. PARTICIPATION IN THRIFT SAVINGS PLAN.

(a) EFFECTIVE DATE OF AUTHORITY TO PARTICIPATE.—Section 663 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 673; 5 U.S.C. 8440 note) is amended to read as follows:

''SEC. 663. EFFECTIVE DATE.

''(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle shall take effect 180 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(b) POSTPONEMENT AUTHORITY.—(1) The Secretary of Defense may postpone by up to 180 days after the date that would otherwise apply under subsection (a)—

''(A) the date as of which the amendments made by this subtitle shall take effect; or

''(B) the date as of which section 211(a)(2) of title 37, United States Code (as added by this subtitle) shall take effect.

''(2) Postponement authority under this subsection may be exercised only to the extent that the failure to do so would prevent the Federal Retirement Thrift Investment Board from being able to provide timely and accurate services to investors or would place an excessive burden on the administrative capacity of the Board to accommodate participants in the Thrift Savings Plan, as determined by the Secretary of Defense after consultation with the Executive Director (appointed by the Board).

''(3) Paragraph (1) includes the authority to postpone the effective date of the amendments made by this subtitle (apart from section 211(a)(2) of title 37, United States Code), and the effective date of such section 211(a)(2), by different lengths of time.

''(4) The Secretary shall notify the congressional defense committees, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate of any determination made under this subsection.''.

(b) REGULATIONS.—Section 661(b) of such Act (113 Stat. 672; 5 U.S.C. 8440e note) is amended by striking ''the date on which'' and all that follows through ''later,'' and inserting ''the 180th day after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001,''.

(c) CONFORMING AMENDMENT.—Section 8440e(b)(2)(B)(i) of title 5, United States Code, is amended by striking ''as of'' and all that follows through ''thereof)'' and inserting ''as of the effective date that applies with respect to such individual under section 663 of the National Defense Authorization Act for Fiscal Year 2000''.

SEC. 662. DETERMINATIONS OF INCOME ELIGIBILITY FOR SPECIAL SUPPLEMENTAL FOOD PROGRAM.

Section 1060a(c)(1)(B) of title 10, United States Code, is amended by striking the second sentence and inserting the following new sentence: ''In the application of such criterion, the Secretary shall exclude from income any basic allowance for housing as permitted under section 17(d)(2)(B) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)).''.

SEC. 663. BILLETING SERVICES FOR RESERVE MEMBERS TRAVELING FOR INACTIVE-DUTY TRAINING.

(a) IN GENERAL.—(1) Chapter 1217 of title 10, United States Code, is amended by inserting after section 12603 the following new section:

''§ 12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training

''(a) AUTHORITY FOR BILLETING ON SAME BASIS AS ACTIVE DUTY MEMBERS TRAVELING UNDER ORDERS.—The Secretary of Defense shall prescribe regulations authorizing a Reserve traveling to inactive-duty training at a location more than 50 miles from that Reserve's residence to be eligible for billeting in Department of Defense facilities on the same basis and to the same extent as a member of the armed forces on active duty who is traveling under orders away from the member's permanent duty station.

''(b) PROOF OF REASON FOR TRAVEL.—The Secretary shall include in the regulations the means for confirming a Reserve's eligibility for billeting under subsection (a).''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 12603 the following new item:

''12604. Billeting in Department of Defense facilities: Reserves attending inactive-duty training.''.

(b) EFFECTIVE DATE.—Section 12604 of title 10, United States Code, as added by subsection (a), shall apply with respect to periods of inactive-duty training beginning more than 180 days after the date of the enactment of this Act.

SEC. 664. SETTLEMENT OF CLAIMS FOR PAYMENTS FOR UNUSED ACCRUED LEAVE AND FOR RETIRED PAY.

(a) CLAIMS FOR PAYMENTS FOR UNUSED ACCRUED LEAVE.—Subsection (a)(1)(A) of section 3702 of title 31, United States Code, is amended by inserting ''payments for unused accrued leave,'' after ''transportation,''.

(b) WAIVER OF TIME LIMITATIONS.—Subsection (e)(1) of such section is amended by striking ''claim for pay or allowances provided under title 37'' and inserting ''claim for pay, allowances, or payment for unused accrued leave under title 37 or a claim for retired pay under title 10''.

SEC. 665. ADDITIONAL BENEFITS AND PROTECTIONS FOR PERSONNEL INCURRING INJURY, ILLNESS, OR DISEASE IN THE PERFORMANCE OF FUNERAL HONORS DUTY.

(a) INCAPACITATION PAY.—Section 204 of title 37, United States Code, is amended—

(1) in subsection (g)(1)—

(A) by striking ''or'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(C) by adding at the end the following:

''(E) in line of duty while—

''(i) serving on funeral honors duty under section 12503 of title 10 or section 115 of title 32;

''(ii) traveling to or from the place at which the duty was to be performed; or

''(iii) remaining overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.''; and

(2) in subsection (h)(1)—

(A) by striking ''or'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(C) by adding at the end the following:

''(E) in line of duty while—

''(i) serving on funeral honors duty under section 12503 of title 10 or section 115 of title 32;

''(ii) traveling to or from the place at which the duty was to be performed; or

''(iii) remaining overnight at or in the vicinity of that place immediately before so serving, if the place is outside reasonable commuting distance from the member's residence.''.

(b) TORT CLAIMS.—Section 2671 of title 28, United States Code, is amended by inserting ''115,'' in the second paragraph after ''members of the National Guard while engaged in training or duty under section''.

(c) APPLICABILITY.—(1) The amendments made by subsection (a) shall apply with respect to months beginning on or after the date of the enactment of this Act.

(2) The amendment made by subsection (b) shall apply with respect to acts and omissions occurring before, on, or after the date of the enactment of this Act.

SEC. 666. AUTHORITY FOR EXTENSION OF DEADLINE FOR FILING CLAIMS ASSOCIATED WITH CAPTURE AND INTERNMENT OF CERTAIN PERSONS BY NORTH VIETNAM.

Section 657(d)(1) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2585) is amended by adding at the end the following new sentence: ''The Secretary may, in the case of any claim under this section, extend the time limitation under the preceding sentence by up to 18 months if the Secretary determines that such an extension in the case of that claim is necessary to prevent an injustice or that failure of the claimant to file the claim within that time limitation is due to excusable neglect.''.

SEC. 667. BACK PAY FOR MEMBERS OF THE NAVY AND MARINE CORPS SELECTED FOR PROMOTION WHILE INTERNED AS PRISONERS OF WAR DURING WORLD WAR II.

(a) ENTITLEMENT OF FORMER PRISONERS OF WAR.—Upon receipt of a claim made in accordance with this section, the Secretary of the Navy shall pay, from any appropriation currently available to the Secretary, back pay to any person who, by reason of being interned as a prisoner of war while serving as a member of the Navy or the Marine Corps during World War II, was not available to accept a promotion for which the person had been selected.

(b) PAYMENT TO SURVIVING SPOUSE OF DECEASED FORMER MEMBER.—In the case of a person described in subsection (a) who is deceased, the back pay for that person under this section shall be paid to the living surviving spouse of that person, if any. If there is no living surviving spouse, no claim may be paid under this section with respect to that person.

(c) AMOUNT OF BACK PAY.—(1) The amount of back pay payable to or for a person described in subsection (a) is the amount equal to the difference between—

(A) the total amount of basic pay that would have been paid to that person for service in the Navy or the Marine Corps for the back-pay computation period if the person had been promoted to the grade to which selected to be promoted; and

(B) the total amount of basic pay that was actually paid to or for that person for such service for the back-pay computation period.

(2) For purposes of paragraph (1), the back-pay computation period for a person covered by subsection (a) is the period—

(A) beginning on the date (as determined by the Secretary of the Navy) as of when that person's promotion would have been effective for pay purposes but for the person's internment as a prisoner of war; and

(B) ending on the earliest of—

(i) the date of the person's discharge or release from active duty;

(ii) the date on which the person's promotion to that grade in fact became effective for pay purposes; and

(iii) the end of World War II.

(d) TIME LIMITATIONS.—(1) To be eligible for a payment under this section, a claimant must file a claim for such payment with the Secretary of the Navy within two years after the effective date of the regulations prescribed to carry out this section.

(2) Not later than 18 months after receiving a claim for payment under this section, the Secretary shall determine the eligibility of the claimant for payment of the claim. Subject to subsection (f), if the Secretary determines that the claimant is eligible for the payment, the Secretary shall promptly pay the claim.

(e) REGULATIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of the Navy shall prescribe regulations to carry out this section. Such regulations shall include procedures by which persons may submit claims for payment under this section.

(f) LIMITATION ON DISBURSEMENT.—(1) Notwithstanding any power of attorney, assignment of interest, contract, or other agreement, the actual disbursement of a payment of back pay under this section may be made only to a person who is eligible for the payment under subsection (a) or (b).

(2) In the case of a claim approved for payment but not disbursed as a result of paragraph (1), the Secretary shall hold the funds in trust for the person in an interest bearing account until such time as the person makes an election under such paragraph.

(g) ATTORNEY FEES.—Notwithstanding any contract, the representative of a person may not receive, for services rendered in connection with the claim of, or with respect to, a person under this section, more than 10 percent of the amount of a payment made under this section on that claim.

(h) OUTREACH.—The Secretary of the Navy shall take such actions as are necessary to ensure that the benefits and eligibility for benefits under this section are widely publicized by means designed to provide actual notice of the availability of the benefits in a timely manner to the maximum number of eligible persons practicable.

(i) DEFINITION.—In this section, the term ''World War II'' has the meaning given that term in section 101(8) of title 38, United States Code.

SEC. 668. SENSE OF CONGRESS CONCERNING FUNDING FOR RESERVE COMPONENTS.

It is the sense of Congress that it is in the national interest for the President, in the President's Budget for each fiscal year, to provide funds for the reserve components of the Armed Forces at a level sufficient to ensure that the reserve components are able to meet the requirements, including training requirements, specified for them in the National Military Strategy.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—Health Care Services

Sec. 701. Provision of domiciliary and custodial care for CHAMPUS beneficiaries and certain former CHAMPUS beneficiaries.
Sec. 702. Chiropractic health care for members on active duty.
Sec. 703. School-required physical examinations for certain minor dependents.
Sec. 704. Two-year extension of dental and medical benefits for surviving dependents of certain deceased members.
Sec. 705. Two-year extension of authority for use of contract physicians at military entrance processing stations and elsewhere outside medical treatment facilities.
Sec. 706. Medical and dental care for Medal of Honor recipients.

Subtitle B—Senior Health Care

Sec. 711. Implementation of TRICARE senior pharmacy program.
Sec. 712. Conditions for eligibility for CHAMPUS and TRICARE upon the attainment of age 65; expansion and modification of medicare subvention project.
Sec. 713. Accrual funding for health care for medicare-eligible retirees and dependents.

Subtitle C—TRICARE Program

Sec. 721. Improvement of access to health care under the TRICARE program.
Sec. 722. Additional beneficiaries under TRICARE Prime Remote program in the continental United States.
Sec. 723. Modernization of TRICARE business practices and increase of use of military treatment facilities.
Sec. 724. Extension of TRICARE managed care support contracts.
Sec. 725. Report on protections against health care providers seeking direct reimbursement from members of the uniformed services.
Sec. 726. Voluntary termination of enrollment in TRICARE retiree dental program.
Sec. 727. Claims processing improvements.
Sec. 728. Prior authorizations for certain referrals and nonavailability-of-health-care statements.

Subtitle D—Demonstration Projects

Sec. 731. Demonstration project for expanded access to mental health counselors.
Sec. 732. Teleradiology demonstration project.
Sec. 733. Health care management demonstration program.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

Sec. 741. VA-DOD sharing agreements for health services.
Sec. 742. Processes for patient safety in military and veterans health care systems.
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Subtitle F—Other Matters

Sec. 751. Management of anthrax vaccine immunization program.
Sec. 752. Elimination of copayments for immediate family.
Sec. 753. Medical informatics.
Sec. 754. Patient care reporting and management system.
Sec. 755. Augmentation of Army Medical Department by detailing Reserve officers of the Public Health Service.
Sec. 756. Privacy of Department of Defense medical records.
Sec. 757. Authority to establish special locality-based reimbursement rates; reports.
Sec. 758. Reimbursement for certain travel expenses.
Sec. 759. Reduction of cap on payments.
Sec. 760. Training in health care management and administration.
Sec. 761. Studies on feasibility of sharing biomedical research facility.
Sec. 762. Study on comparability of coverage for physical, speech, and occupational therapies.

Subtitle A—Health Care Services

SEC. 701. PROVISION OF DOMICILIARY AND CUSTODIAL CARE FOR CHAMPUS BENEFICIARIES AND CERTAIN FORMER CHAMPUS BENEFICIARIES.

(a) CONTINUATION OF CARE FOR CERTAIN CHAMPUS BENEFICIARIES.—Section 703(a)(1) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 682; 10 U.S.C. 1077 note) is amended by inserting before the period at the end the following: ''or by the prohibition in section 1086(d)(1) of such title''.

(b) REIMBURSEMENT FOR SERVICES PROVIDED.—Section 703(a) of such Act is further amended by adding at the end the following new paragraph:

''(4) The Secretary may provide payment for domiciliary or custodial care services provided to an eligible beneficiary for which payment was discontinued by reason of section 1086(d) of title 10, United States Code, and subsequently reestablished under other legal authority. Such payment is authorized for the period beginning on the date of discontinuation of payment for domiciliary or custodial care services and ending on the date of reestablishment of payment for such services.''.

(c) COST LIMITATION FOR INDIVIDUAL CASE MANAGEMENT PROGRAM.—(1) Section 1079(a)(17) of title 10, United States Code, is amended—

(A) by inserting ''(A)'' after ''(17)''; and

(B) by adding at the end the following:

''(B) The total amount expended under subparagraph (A) for a fiscal year may not exceed $100,000,000.''.

(2) Section 703 of the National Defense Authorization Act for Fiscal Year 2000 is further amended by adding at the end the following:

''(e) COST LIMITATION.—The total amount paid for services for eligible beneficiaries under subsection (a) for a fiscal year (together with the costs of administering the authority under that subsection) shall be included in the expenditures limited by section 1079(a)(17)(B) of title 10, United States Code.''.

(3) The amendments made by paragraphs (1) and (2) shall apply to fiscal years after fiscal year 1999.

(d) STUDY REQUIRED.—(1) Not later than the date that is three months after the date of the enactment of this Act, the Comptroller General of the United States shall undertake a study to evaluate the coordination and effectiveness of the supplemental disability health care programs of the Department of Defense, the Program for Persons with Disabilities and the Individual Case Management Program for Persons with Disabilities, as such programs relate to other elements of the TRICARE program in meeting the health care needs of disabled dependents of members of the Armed Forces on active duty. The Comptroller General shall examine—

(A) the number of such dependents who receive services under the Program for Persons with Disabilities, and the number of beneficiaries receiving care under the Individual Case Management Program for Persons with Disabilities, and a description of the patterns of use and expenditures for services provided under such programs;

(B) the effectiveness of the existing system for coordinating the provision of services under the TRICARE program and the supplemental disability programs of the Department of Defense, including the comprehensiveness of services and the cost effectiveness of providing services;

(C) the extent to which the monthly maximum benefit imposed under current law under the

Program for Persons with Disabilities affects the ability of beneficiaries to obtain needed health care services;

(D) the number of beneficiaries who are receiving services that supplement services to the TRICARE program under the Program for Persons with Disabilities and the Individual Case Management Program for Persons with Disabilities; and

(E) the extent to which costs or lack of coverage for health care services for disabled dependents of members of the Armed Forces on active duty under existing military health care programs has caused increased enrollment of such dependents in medicaid programs.

(2) Not later than April 16, 2001, the Comptroller General shall submit to Congress a report on the results of the study under this section, including recommendations for legislative or administrative changes for providing a comprehensive, efficient, and complete system of health care services for disabled dependents of members of the Armed Forces on active duty.

SEC. 702. CHIROPRACTIC HEALTH CARE FOR MEMBERS ON ACTIVE DUTY.

(a) PLAN REQUIRED.—(1) Not later than March 31, 2001, the Secretary of Defense shall complete development of a plan to provide chiropractic health care services and benefits, as a permanent part of the Defense Health Program (including the TRICARE program), for all members of the uniformed services who are entitled to care under section 1074(a) of title 10, United States Code.

(2) The plan shall provide for the following:

(A) Access, at designated military medical treatment facilities, to the scope of chiropractic services as determined by the Secretary, which includes, at a minimum, care for neuro-musculoskeletal conditions typical among military personnel on active duty.

(B) A detailed analysis of the projected costs of fully integrating chiropractic health care services into the military health care system.

(C) An examination of the proposed military medical treatment facilities at which such services would be provided.

(D) An examination of the military readiness requirements for chiropractors who would provide such services.

(E) An examination of any other relevant factors that the Secretary considers appropriate.

(F) Phased-in implementation of the plan over a 5-year period, beginning on October 1, 2001.

(b) CONSULTATION REQUIREMENTS.—The Secretary of Defense shall consult with the other administering Secretaries described in section 1073 of title 10, United States Code, and the oversight advisory committee established under section 731 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092 note) regarding the following:

(1) The development and implementation of the plan required under subsection (a).

(2) Each report that the Secretary is required to submit to Congress regarding the plan.

(3) The selection of the military medical treatment facilities at which the chiropractic services described in subsection (a)(2)(A) are to be provided.

(c) CONTINUATION OF CURRENT SERVICES.—Until the plan required under subsection (a) is implemented, the Secretary shall continue to furnish the same level of chiropractic health care services and benefits under the Defense Health Program that is provided during fiscal year 2000 at military medical treatment facilities that provide such services and benefits.

(d) REPORT REQUIRED.—Not later than January 31, 2001, the Secretary of Defense shall submit a report on the plan required under subsection (a), together with appropriate appendices and attachments, to the Committees on Armed Services of the Senate and the House of Representatives.

(e) GAO REPORTS.—The Comptroller General shall monitor the development and implementation of the plan required under subsection (a), including the administration of services and benefits under the plan, and periodically submit to the committees referred to in subsection (d) written reports on such development and implementation.

SEC. 703. SCHOOL-REQUIRED PHYSICAL EXAMINATIONS FOR CERTAIN MINOR DEPENDENTS.

Section 1076 of title 10, United States Code is amended by adding at the end the following:

''(f)(1) The administering Secretaries shall furnish an eligible dependent a physical examination that is required by a school in connection with the enrollment of the dependent as a student in that school.

''(2) A dependent is eligible for a physical examination under paragraph (1) if the dependent—

''(A) is entitled to receive medical care under subsection (a) or is authorized to receive medical care under subsection (b); and

''(B) is at least 5 years of age and less than 12 years of age.

''(3) Nothing in paragraph (2) may be construed to prohibit the furnishing of a school-required physical examination to any dependent who, except for not satisfying the age requirement under that paragraph, would otherwise be eligible for a physical examination required to be furnished under this subsection.''.

SEC. 704. TWO-YEAR EXTENSION OF DENTAL AND MEDICAL BENEFITS FOR SURVIVING DEPENDENTS OF CERTAIN DECEASED MEMBERS.

(a) DENTAL BENEFITS.—Section 1076a(k)(2) of title 10, United States Code, is amended by striking ''one-year period'' and inserting ''three-year period''.

(b) MEDICAL BENEFITS.—Section 1079(g) of title 10, United States Code, is amended by striking ''one-year period'' in the second sentence and inserting ''three-year period''.

SEC. 705. TWO-YEAR EXTENSION OF AUTHORITY FOR USE OF CONTRACT PHYSICIANS AT MILITARY ENTRANCE PROCESSING STATIONS AND ELSEWHERE OUTSIDE MEDICAL TREATMENT FACILITIES.

Section 1091(a)(2) of title 10, United States Code, is amended by striking ''December 31, 2000'' in the second sentence and inserting ''December 31, 2002''.

SEC. 706. MEDICAL AND DENTAL CARE FOR MEDAL OF HONOR RECIPIENTS.

(a) IN GENERAL.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074g the following new section:

''§ 1074h. Medical and dental care: medal of honor recipients; dependents

''(a) MEDAL OF HONOR RECIPIENTS.—A former member of the armed forces who is a Medal of Honor recipient and who is not otherwise entitled to medical and dental benefits under this chapter may, upon request, be given medical and dental care provided by the administering Secretaries in the same manner as if entitled to retired pay.

''(b) IMMEDIATE DEPENDENTS.—A person who is an immediate dependent of a Medal of Honor recipient and who is not otherwise entitled to medical and dental benefits under this chapter may, upon request, be given medical and dental care provided by the administering Secretaries in the same manner as if the Medal of Honor recipient were, or (if deceased) was at the time of death, entitled to retired pay.

''(c) DEFINITIONS—In this section:

''(1) The term 'Medal of Honor recipient' means a person who has been awarded a medal of honor under section 3741, 6241, or 8741 of this title or section 491 of title 14.

''(2) The term 'immediate dependent' means a dependent described in subparagraph (A), (B), (C), or (D) of section 1072(2) of this title.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074g the following new item:

''1074h. Medical and dental care: medal of honor recipients; dependents.''.

(b) EFFECTIVE DATE.—Section 1074h of title 10, United States Code, shall apply with respect to medical and dental care provided on or after the date of the enactment of this Act.

Subtitle B—Senior Health Care

SEC. 711. IMPLEMENTATION OF TRICARE SENIOR PHARMACY PROGRAM.

(a) EXPANSION OF TRICARE SENIOR PHARMACY PROGRAM.—Section 723 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2068; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a)—

(A) by striking ''October 1, 1999'' and inserting ''April 1, 2001''; and

(B) by striking ''who reside in an area selected under subsection (f)'';

(2) by amending subsection (b) to read as follows:

''(b) PROGRAM REQUIREMENTS.—The same coverage for pharmacy services and the same requirements for cost sharing and reimbursement as are applicable under section 1086 of title 10, United States Code, shall apply with respect to the program required by subsection (a).'';

(3) in subsection (d)—

(A) by striking ''December 31, 2000'' and inserting ''December 31, 2001''; and

(B) by striking ''December 31, 2002'' and inserting ''December 31, 2003'';

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''and'' after the semicolon;

(ii) in subparagraph (C), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (D); and

(B) in paragraph (2), by striking ''at the time'' and all that follows through ''facility'' and inserting '', before April 1, 2001, has attained the age of 65 and did not enroll in the program described in such paragraph''; and

(5) by striking subsection (f).

(b) TERMINATION OF DEMONSTRATION PROJECT AND RETAIL PHARMACY NETWORK REQUIREMENTS.—Section 702 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1079 note) is amended by adding at the end the following:

''(h) TERMINATION.—This section shall cease to apply to the Secretary of Defense on the date after the implementation of section 711 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 that the Secretary determines appropriate, with a view to minimizing instability with respect to the provision of pharmacy benefits, but in no case later than the date that is one year after the date of the enactment of such Act.''.

SEC. 712. CONDITIONS FOR ELIGIBILITY FOR CHAMPUS AND TRICARE UPON THE ATTAINMENT OF AGE 65; EXPANSION AND MODIFICATION OF MEDICARE SUBVENTION PROJECT.

(a) ELIGIBILITY OF MEDICARE ELIGIBLE PERSONS.—(1) Section 1086(d) of title 10, United States Code, is amended—

(A) by striking paragraph (2) and inserting the following:

''(2) The prohibition contained in paragraph (1) shall not apply to a person referred to in subsection (c) who—

''(A) is enrolled in the supplementary medical insurance program under part B of such title (42 U.S.C. 1395j et seq.); and

''(B) in the case of a person under 65 years of age, is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)) or section 226A(a) of such Act (42 U.S.C. 426–1(a)).''; and

(B) in paragraph (4), by striking ''paragraph (1) who satisfy only the criteria specified in subparagraphs (A) and (B) of paragraph (2), but not subparagraph (C) of such paragraph,'' and inserting ''subparagraph (B) of paragraph (2) who do not satisfy the condition specified in subparagraph (A) of such paragraph''.

(2) Subsection (a)(4)(A) of section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended to read as follows:

''(A) is eligible for health benefits under section 1086 of such title by reason of subsection (c)(1) of such section;''.

(3) The amendments made by paragraphs (1) and (2) shall take effect on October 1, 2001.

(b) 1-YEAR EXTENSION OF MEDICARE SUBVENTION PROJECT.—Section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended—

(1) in subsection (b)(4), by striking ''3-year period'' and inserting ''4-year period''; and

(2) in subsection (i)(4)—

(A) by striking ''and'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

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

''(D) $70,000,000 for calendar year 2001.''.

(c) FURTHER EXTENSION OF MEDICARE SUBVENTION PROJECT.—(1) Subsection (b)(4) of section 1896 of the Social Security Act (42 U.S.C. 1395ggg) is amended by striking the period at the end and inserting the following: '', except that the administering Secretaries may negotiate and (subject to section 701(f) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001) enter into a new or revised agreement under paragraph (1)(A) to continue the project after the end of such period. If the project is so continued, the administering Secretaries may terminate the agreement under which the program operates after providing notice to Congress in accordance with subsection (k)(2)(B)(v).''.

(2) Such section is further amended—

(A) in the heading, by striking ''DEMONSTRATION PROJECT'' and inserting ''PROGRAM'';

(B) by amending paragraph (2) of subsection (a) to read as follows:

''(2) PROGRAM.—The term 'program' means the program carried out under this section.'';

(C) by striking ''DEMONSTRATION PROJECT'' and ''demonstration project'' and ''project'' each place each appears and inserting ''PROGRAM'', ''program'', and ''program'' respectively; and

(D) by striking ''DEMONSTRATION'' in the heading of subsection (j)(1).

(3) Subsection (i)(4) of such section is amended to read as follows:

''(4) CAP ON AMOUNT.—The maximum aggregate expenditures from the trust funds under this subsection pursuant to the agreement entered into between the administering Secretaries under subsection (b) for a fiscal year (before fiscal year 2006) shall not exceed the amount agreed by the Secretaries to be the amount that would have been expended from the trust funds on beneficiaries who enroll in the program, had the program not been established, plus the following:

''(A) $35,000,000 for fiscal year 2002.

''(B) $55,000,000 for fiscal year 2003.

''(C) $75,000,000 for fiscal year 2004.

''(D) $100,000,000 for fiscal year 2005.''.

(d) AUTHORIZING PROGRAM EXPANSION AND MODIFICATIONS.—(1) Paragraph (2) of subsection (b) of such section 1896 is amended to read as follows:

''(2) LOCATION OF SITES.—Subject to subsection (k)(2)(B), the program shall be conducted in any site that is designated jointly by the administering Secretaries.''.

(2) Subsection (d)(2) of such section is amended by inserting '', or (subject to subsection (k)(2)(B)) such comparable requirements as are included in the agreement under subsection (b)(1)(A)'' after ''the following areas''.

(3) Subsection (i) of such section is amended—

(A) in paragraph (2), by inserting ''subject to paragraph (4),'' after ''paragraph (1)''; and

(B) by striking paragraph (4) and inserting the following:

''(4) MODIFICATION OF PAYMENT METHODOLOGY.—The administering Secretaries may, subject to subsection (k)(2)(B), modify the payment methodology provided under paragraphs (1) and (2) so long as the amount of the reimbursement provided to the Secretary of Defense fully reimburses the Department of Defense for its cost of providing services under the program but does not exceed an amount that is estimated to be equivalent to the amount that otherwise would have been expended under this title for such services if provided other than under the program (not including amounts described in paragraph (2)). Such limiting amount may be based for any site on the amount that would be payable to Medicare+Choice organizations under part C for the area of the site or the amounts that would be payable under parts A and B.''.

(e) CHANGE IN REPORTS.—Paragraph (2) of subsection (k) of such section 1896 is amended to read as follows:

''(2) REPORTS ON PROGRAM OPERATION AND CHANGES.—

''(A) ANNUAL REPORT.—The administering Secretaries shall submit to the Committees on Armed Services and Finance of the Senate and the Committees on Armed Services and Ways and Means of the House of Representatives an annual report on the program and its impact on costs and the provision of health services under this title and title 10, United States Code.

''(B) BEFORE MAKING CERTAIN PROGRAM CHANGES.—The administering Secretaries shall submit to such Committees a report at least 60 days before—

''(i) changing the designation of a site under subsection (b)(2);

''(ii) applying comparable requirements under subsection (d)(2);

''(iii) making significant changes in payment methodology or amounts under subsection (i)(4);

''(iv) making other significant changes in the operation of the program; or

''(v) terminating the agreement under the second sentence of subsection (b)(4).

''(C) EXPLANATION.—Each report under subparagraph (B) shall include justifications for the changes or termination to which the report refers.''.

(f) CONDITIONAL EFFECTIVE DATE.—(1) Upon negotiating an agreement under the amendment made by subsection (c)(1), the Secretary of Defense and the Secretary of Health and Human Services shall jointly transmit a notification of the proposed agreement to the Committee on Armed Services and the Committee on Finance of the Senate and the Committee on Armed Services and the Committee on Ways and Means of the House of Representatives, and shall include with the transmittal a copy of the proposed agreement and all related agreements and supporting documents.

(2) Such proposed agreement shall take effect, and the amendments made by subsections (c)(2), (c)(3), (d), and (e) shall take effect, on such date as is provided for in such agreement and in an Act enacted after the date of the enactment of this Act.

SEC. 713. ACCRUAL FUNDING FOR HEALTH CARE FOR MEDICARE-ELIGIBLE RETIREES AND DEPENDENTS.

(a) ESTABLISHMENT OF FUND.—(1) Part II of subtitle A of title 10, United States Code, is amended by inserting after chapter 55 the following new chapter:

''CHAPTER 56—DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND

''Sec.
''1111. Establishment and purpose of Fund; definitions.
''1112. Assets of Fund.
''1113. Payments from the Fund.
''1114. Board of Actuaries.
''1115. Determination of contributions to the Fund.
''1116. Payments into the Fund.
''1117. Investment of assets of Fund.

''§ 1111. Establishment and purpose of Fund; definitions

''(a) There is established on the books of the Treasury a fund to be known as the Department of Defense Medicare-Eligible Retiree Health Care Fund (hereinafter in this chapter referred to as the ''Fund''), which shall be administered by the Secretary of the Treasury. The Fund shall be used for the accumulation of funds in order to finance on an actuarially sound basis liabilities of the Department of Defense under Department of Defense retiree health care programs for medicare-eligible beneficiaries.

''(b) In this chapter:

''(1) The term 'Department of Defense retiree health care programs for medicare-eligible beneficiaries' means the provisions of this title or any other provision of law creating entitlement to health care for a medicare-eligible member or former member of the uniformed services entitled to retired or retainer pay, or a medicare-eligible dependent of a member or former member of the uniformed services entitled to retired or retainer pay.

''(2) The term 'medicare-eligible' means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

''(3) The term 'dependent' means a dependent (as such term is defined in section 1072 of this title) described in section 1076(b)(1) of this title.

''§ 1112. Assets of Fund

''There shall be deposited into the Fund the following, which shall constitute the assets of the Fund:

''(1) Amounts paid into the Fund under section 1116 of this title.

''(2) Any amount appropriated to the Fund.

''(3) Any return on investment of the assets of the Fund.

''§ 1113. Payments from the Fund

''(a) There shall be paid from the Fund amounts payable for Department of Defense retiree health care programs for medicare-eligible beneficiaries.

''(b) The assets of the Fund are hereby made available for payments under subsection (a).

''§ 1114. Board of Actuaries

''(a)(1) There is established in the Department of Defense a Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries (hereinafter in this chapter referred to as the ''Board''). The Board shall consist of three members who shall be appointed by the Secretary of Defense from among qualified professional actuaries who are members of the Society of Actuaries.

''(2)(A) Except as provided in subparagraph (B), the members of the Board shall serve for a term of 15 years, except that a member of the Board appointed to fill a vacancy occurring before the end of the term for which his predecessor was appointed shall only serve until the

end of such term. A member may serve after the end of his term until his successor has taken office. A member of the Board may be removed by the Secretary of Defense for misconduct or failure to perform functions vested in the Board, and for no other reason.

''(B) Of the members of the Board who are first appointed under this paragraph, one each shall be appointed for terms ending five, ten, and 15 years, respectively, after the date of appointment, as designated by the Secretary of Defense at the time of appointment.

''(3) A member of the Board who is not otherwise an employee of the United States is entitled to receive pay at the daily equivalent of the annual rate of basic pay of the highest rate of basic pay under the General Schedule of subchapter III of chapter 53 of title 5, for each day the member is engaged in the performance of duties vested in the Board, and is entitled to travel expenses, including a per diem allowance, in accordance with section 5703 of title 5.

''(b) The Board shall report to the Secretary of Defense annually on the actuarial status of the Fund and shall furnish its advice and opinion on matters referred to it by the Secretary.

''(c) The Board shall review valuations of the Fund under section 1115(c) of this title and shall report periodically, not less than once every four years, to the President and Congress on the status of the Fund. The Board shall include in such reports recommendations for such changes as in the Board's judgment are necessary to protect the public interest and maintain the Fund on a sound actuarial basis.

''§ 1115. Determination of contributions to the Fund

''(a) The Board shall determine the amount that is the present value (as of October 1, 2002) of future benefits payable from the Fund that are attributable to service in the uniformed services performed before October 1, 2002. That amount is the original unfunded liability of the Fund. The Board shall determine the period of time over which the original unfunded liability should be liquidated and shall determine an amortization schedule for the liquidation of such liability over that period. Contributions to the Fund for the liquidation of the original unfunded liability in accordance with such schedule shall be made as provided in section 1116(b) of this title.

''(b)(1) The Secretary of Defense shall determine each year, in sufficient time for inclusion in budget requests for the following fiscal year, the total amount of Department of Defense contributions to be made to the Fund during that fiscal year under section 1116(a) of this title. That amount shall be the sum of the following:

''(A) The product of—

''(i) the current estimate of the value of the single level dollar amount to be determined under subsection (c)(1)(A) at the time of the next actuarial valuation under subsection (c); and

''(ii) the expected average force strength during that fiscal year for members of the uniformed services on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

''(B) The product of—

''(i) the current estimate of the value of the single level dollar amount to be determined under subsection (c)(1)(B) at the time of the next actuarial valuation under subsection (c); and

''(ii) the expected average force strength during that fiscal year for members of the Ready Reserve of the uniformed services other than members on full-time National Guard duty other than for training) who are not otherwise described in subparagraph (A)(ii).

''(2) The amount determined under paragraph (1) for any fiscal year is the amount needed to be appropriated to the Department of Defense for that fiscal year for payments to be made to the Fund during that year under section 1116(a) of this title. The President shall include not less than the full amount so determined in the budget transmitted to Congress for that fiscal year under section 1105 of title 31. The President may comment and make recommendations concerning any such amount.

''(c)(1) Not less often than every four years, the Secretary of Defense shall carry out an actuarial valuation of the Fund. Each such actuarial valuation shall include—

''(A) a determination (using the aggregate entry-age normal cost method) of a single level dollar amount for members of the uniformed services on active duty (other than active duty for training) or full-time National Guard duty (other than full-time National Guard duty for training only); and

''(B) a determination (using the aggregate entry-age normal cost method) of a single level dollar amount for members of the Ready Reserve of the uniformed services and other than members on full-time National Guard duty other than for training) who are not otherwise described by subparagraph (A).

Such single level dollar amounts shall be used for the purposes of subsection (b) and section 1116(a) of this title.

''(2) If at the time of any such valuation there has been a change in benefits under the Department of Defense retiree health care programs for medicare-eligible beneficiaries that has been made since the last such valuation and such change in benefits increases or decreases the present value of amounts payable from the Fund, the Secretary of Defense shall determine an amortization methodology and schedule for the amortization of the cumulative unfunded liability (or actuarial gain to the Fund) created by such change and any previous such changes so that the present value of the sum of the amortization payments (or reductions in payments that would otherwise be made) equals the cumulative increase (or decrease) in the present value of such amounts.

''(3) If at the time of any such valuation the Secretary of Defense determines that, based upon changes in actuarial assumptions since the last valuation, there has been an actuarial gain or loss to the Fund, the Secretary shall determine an amortization methodology and schedule for the amortization of the cumulative gain or loss to the Fund created by such change in assumptions and any previous such changes in assumptions through an increase or decrease in the payments that would otherwise be made to the Fund.

''(4) If at the time of any such valuation the Secretary of Defense determines that, based upon the Fund's actuarial experience (other than resulting from changes in benefits or actuarial assumptions) since the last valuation, there has been an actuarial gain or loss to the Fund, the Secretary shall determine an amortization methodology and schedule for the amortization of the cumulative gain or loss to the Fund created by such actuarial experience and any previous actuarial experience through an increase or decrease in the payments that would otherwise be made to the Fund.

''(5) Contributions to the Fund in accordance with amortization schedules under paragraphs (2), (3), and (4) shall be made as provided in section 1116(b) of this title.

''(d) All determinations under this section shall be made using methods and assumptions approved by the Board of Actuaries (including assumptions of interest rates and medical inflation) and in accordance with generally accepted actuarial principles and practices.

''(e) The Secretary of Defense shall provide for the keeping of such records as are necessary for determining the actuarial status of the Fund.

''§ 1116. Payments into the Fund

''(a) The Secretary of Defense shall pay into the Fund at the end of each month as the Department of Defense contribution to the Fund for that month the amount that is the sum of the following:

''(1) The product of—

''(A) the monthly dollar amount determined using all the methods and assumptions approved for the most recent (as of the first day of the current fiscal year) actuarial valuation under section 1115(c)(1)(A) of this title (except that any statutory change in the Department of Defense retiree health care programs for medicare-eligible beneficiaries that is effective after the date of that valuation and on or before the first day of the current fiscal year shall be used in such determination); and

''(B) the total end strength for that month for members of the uniformed services on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

''(2) The product of—

''(A) the level monthly dollar amount determined using all the methods and assumptions approved for the most recent (as of the first day of the current fiscal year) actuarial valuation under section 1115(c)(1)(B) of this title (except that any statutory change in the Department of Defense retiree health care programs for medicare-eligible beneficiaries that is effective after the date of that valuation and on or before the first day of the current fiscal year shall be used in such determination); and

''(B) the total end strength for that month for members of the Ready Reserve of the uniformed services other than members on full-time National Guard duty other than for training) who are not otherwise described in paragraph (1)(B). Amounts paid into the Fund under this subsection shall be paid from funds available for the Defense Health Program.

''(b)(1) At the beginning of each fiscal year the Secretary of the Treasury shall promptly pay into the Fund from the General Fund of the Treasury the amount certified to the Secretary by the Secretary of Defense under paragraph (3). Such payment shall be the contribution to the Fund for that fiscal year required by sections 1115(a) and 1115(c) of this title.

''(2) At the beginning of each fiscal year the Secretary of Defense shall determine the sum of the following:

''(A) The amount of the payment for that year under the amortization schedule determined by the Board of Actuaries under section 1115(a) of this title for the amortization of the original unfunded liability of the Fund.

''(B) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(2) of this title for the amortization of any cumulative unfunded liability (or any gain) to the Fund resulting from changes in benefits.

''(C) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 1115(c)(3) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial assumption changes.

''(D) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section 111(c)(4) of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial experience.

''(3) The Secretary of Defense shall promptly certify the amount determined under paragraph (2) each year to the Secretary of the Treasury.

"§ 1117. Investment of assets of Fund

''The Secretary of the Treasury shall invest such portion of the Fund as is not in the judgment of the Secretary of Defense required to meet current withdrawals. Such investments shall be in public debt securities with maturities suitable to the needs of the Fund, as determined by the Secretary of Defense, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the Fund.''.

(2) The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are amended by inserting after the item relating to chapter 55 the following new item:

''56. Department of Defense Medicare-Eligible Retiree Health Care Fund ..... 1111.''.

(b) DELAYED EFFECTIVE DATES FOR CERTAIN PROVISIONS.—(1) Sections 1113 and 1116 of title 10, United States Code (as added by subsection (a)), shall take effect on October 1, 2002.

(2) Section 1115 of such title (as added by such subsection) shall take effect on October 1, 2001.

Subtitle C—TRICARE Program

SEC. 721. IMPROVEMENT OF ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, who is enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any new contract for the provision of health care services under such chapter that the beneficiary—

(1) obtain a nonavailability statement or preauthorization from a military medical treatment facility in order to receive the services from a civilian provider; or

(2) obtain a nonavailability statement for care in specialized treatment facilities outside the 200-mile radius of a military medical treatment facility.

(b) NOTICE.—The Secretary may require that the covered beneficiary inform the primary care manager of the beneficiary of any health care received from a civilian provider or in a specialized treatment facility.

(c) EXCEPTIONS.—Subsection (a) shall not apply if—

(1) the Secretary demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facilities;

(2) the Secretary determines that a specific procedure must be provided at the affected military medical treatment facility to ensure the proficiency levels of the practitioners at the facility; or

(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.

(d) EFFECTIVE DATE—This section shall take effect on October 1, 2001.

SEC. 722. ADDITIONAL BENEFICIARIES UNDER TRICARE PRIME REMOTE PROGRAM IN THE CONTINENTAL UNITED STATES.

(a) COVERAGE OF OTHER UNIFORMED SERVICES.—(1) Section 1074(c) of title 10, United States Code, is amended—

(A) by striking ''armed forces'' each place it appears, except in paragraph (3)(A), and inserting ''uniformed services'';

(B) in paragraph (1), by inserting after ''military department'' in the first sentence the following: '', the Department of Transportation (with respect to the Coast Guard when it is not operating as a service in the Navy), or the Department of Health and Human Services (with respect to the National Oceanic and Atmospheric Administration and the Public Health Service)'';

(C) in paragraph (2), by adding at the end the following:

''(C) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this paragraph.''; and

(D) in paragraph (3)(A), by striking ''The Secretary of Defense may not require a member of the armed forces described in subparagraph (B)'' and inserting ''A member of the uniformed services described in subparagraph (B) may not be required''.

(2)(A) Subsections (b), (c), and (d)(3) of section 731 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note) are amended by striking ''Armed Forces'' and inserting ''uniformed services''.

(B) Subsection (b) of such section is further amended by adding at the end the following:

''(4) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this subsection.''.

(C) Subsection (f) of such section is amended by adding at the end the following:

''(3) The terms 'uniformed services' and 'administering Secretaries' have the meanings given those terms in section 1072 of title 10, United States Code.''.

(3) Section 706(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 684) is amended by striking ''Armed Forces'' and inserting ''uniformed services (as defined in section 1072(1) of title 10, United States Code)''.

(b) COVERAGE OF IMMEDIATE FAMILY.—(1) Section 1079 of title 10, United States Code, is amended by adding at the end the following:

''(p)(1) Subject to such exceptions as the Secretary of Defense considers necessary, coverage for medical care under this section for the dependents referred to in subsection (a) of a member of the uniformed services referred to in section 1074(c)(3) of this title who are residing with the member, and standards with respect to timely access to such care, shall be comparable to coverage for medical care and standards for timely access to such care under the managed care option of the TRICARE program known as TRICARE Prime.

''(2) The Secretary of Defense shall enter into arrangements with contractors under the TRICARE program or with other appropriate contractors for the timely and efficient processing of claims under this subsection.

''(3) The Secretary of Defense shall consult with the other administering Secretaries in the administration of this subsection.''.

(2) Section 731(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1811; 10 U.S.C. 1074 note) is amended—

(A) in paragraph (1), by adding at the end the following: ''A dependent of the member, as described in subparagraph (A), (D), or (I) of section 1072(2) of title 10, United States Code, who is residing with the member shall have the same entitlement to care and to waiver of charges as the member.''; and

(B) in paragraph (2), by inserting ''or dependent of the member, as the case may be,'' after ''(2) A member''.

(c) EFFECTIVE DATES; APPLICABILITY.—(1) The amendments made by subsections (a)(1) and (b)(1) shall take effect on October 1, 2001.

(2) The amendments made by subsection (a)(2), with respect to members of the uniformed services, and the amendments made by subsection (b)(2), with respect to dependents of members, shall take effect on the date of the enactment of this Act and shall expire with respect to a member or the dependents of a member, respectively, on the later of the following:

(A) The date that is one year after the date of the enactment of this Act.

(B) The date on which the policies required by the amendments made by subsection (a)(1) or (b)(1) are implemented with respect to the coverage of medical care for and provision of such care to the member or dependents, respectively.

(3) Section 731(b)(3) of Public Law 105–85 does not apply to a member of the Coast Guard, the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the Public Health Service, or to a dependent of a member of a uniformed service.

SEC. 723. MODERNIZATION OF TRICARE BUSINESS PRACTICES AND INCREASE OF USE OF MILITARY TREATMENT FACILITIES.

(a) REQUIREMENT TO IMPLEMENT INTERNET-BASED SYSTEM.—Not later than October 1, 2001, the Secretary of Defense shall implement a system to simplify and make accessible through the use of the Internet, through commercially available systems and products, critical administrative processes within the military health care system and the TRICARE program. The purposes of the system shall be to enhance efficiency, improve service, and achieve commercially recognized standards of performance.

(b) ELEMENTS OF SYSTEM.—The system required by subsection (a)—

(1) shall comply with patient confidentiality and security requirements, and incorporate data requirements, that are currently widely used by insurers under medicare and commercial insurers;

(2) shall be designed to achieve improvements with respect to—

(A) the availability and scheduling of appointments;

(B) the filing, processing, and payment of claims;

(C) marketing and information initiatives;

(D) the continuation of enrollments without expiration;

(E) the portability of enrollments nationwide;

(F) education of beneficiaries regarding the military health care system and the TRICARE program; and

(G) education of health care providers regarding such system and program; and

(3) may be implemented through a contractor under TRICARE Prime.

(c) AREAS OF IMPLEMENTATION.—The Secretary shall implement the system required by subsection (a) in at least one region under the TRICARE program.

(d) PLAN FOR IMPROVED PORTABILITY OF BENEFITS.—Not later than March 15, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to provide portability and reciprocity of benefits for all enrollees under the TRICARE program throughout all TRICARE regions.

(e) INCREASE OF USE OF MILITARY MEDICAL TREATMENT FACILITIES.—The Secretary shall initiate a program to maximize the use of military medical treatment facilities by improving the efficiency of health care operations in such facilities.

(f) DEFINITION.—In this section the term ''TRICARE program'' has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 724. EXTENSION OF TRICARE MANAGED CARE SUPPORT CONTRACTS.

(a) AUTHORITY.—Notwithstanding any other provision of law and subject to subsection (b), any TRICARE managed care support contract in effect, or in the final stages of acquisition, on September 30, 1999, may be extended for four years.

(b) CONDITIONS.—Any extension of a contract under subsection (a)—

(1) may be made only if the Secretary of Defense determines that it is in the best interest of the United States to do so; and

(2) shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the Federal Government.

SEC. 725. REPORT ON PROTECTIONS AGAINST HEALTH CARE PROVIDERS SEEKING DIRECT REIMBURSEMENT FROM MEMBERS OF THE UNIFORMED SERVICES.

Not later than January 31, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report recommending practices to discourage or prohibit health care providers under the TRICARE program, and individuals or entities working on behalf of such providers, from seeking direct reimbursement from members of the uniformed services or their dependents for health care received by such members or dependents.

SEC. 726. VOLUNTARY TERMINATION OF ENROLLMENT IN TRICARE RETIREE DENTAL PROGRAM.

(a) PROCEDURES.—Section 1076c of title 10, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) VOLUNTARY DISENROLLMENT.—(1) With respect to enrollment in the dental insurance plan established under subsection (a), the Secretary of Defense—

''(A) shall allow for a period of up to 30 days at the beginning of the prescribed minimum enrollment period during which an enrollee may disenroll; and

''(B) shall provide for limited circumstances under which disenrollment shall be permitted during the prescribed enrollment period, without jeopardizing the fiscal integrity of the dental program.

''(2) The circumstances described in paragraph (1)(B) shall include—

''(A) a case in which a retired member, surviving spouse, or dependent of a retired member who is also a Federal employee is assigned to a location outside the jurisdiction of the dental insurance plan established under subsection (a) that prevents utilization of dental benefits under the plan;

''(B) a case in which a retired member, surviving spouse, or dependent of a retired member is prevented by a serious medical condition from being able to obtain benefits under the plan;

''(C) a case in which severe financial hardship would result; and

''(D) any other circumstances which the Secretary considers appropriate.

''(3) The Secretary shall establish procedures for timely decisions on requests for disenrollment under this section and for appeal to the TRICARE Management Activity of adverse decisions.''

(b) CLARIFYING AMENDMENT.—The heading for subsection (f) is amended by striking ''TERMINATION'' and inserting ''REQUIRED TERMINATIONS''.

SEC. 727. CLAIMS PROCESSING IMPROVEMENTS.

Beginning on the date of the enactment of this Act, the Secretary of Defense shall, to the maximum extent practicable, take all necessary actions to implement the following improvements with respect to processing of claims under the TRICARE program:

(1) Use of the TRICARE encounter data information system rather than the health care service record in maintaining information on covered beneficiaries under chapter 55 of title 10, United States Code.

(2) Elimination of all delays in payment of claims to health care providers that may result from the development of the health care service record or TRICARE encounter data information.

(3) Requiring all health care providers under the TRICARE program that the Secretary determines are high-volume providers to submit claims electronically.

(4) Processing 50 percent of all claims by health care providers and institutions under the TRICARE program by electronic means.

(5) Authorizing managed care support contractors under the TRICARE program to require providers to access information on the status of claims through the use of telephone automated voice response units.

SEC. 728. PRIOR AUTHORIZATIONS FOR CERTAIN REFERRALS AND NONAVAILABILITY-OF-HEALTH-CARE STATEMENTS.

(a) PROHIBITION REGARDING PRIOR AUTHORIZATION FOR REFERRALS.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1095e the following new section:

''§ 1095f. TRICARE program: referrals for specialty health care

''The Secretary of Defense shall ensure that no contract for managed care support under the TRICARE program includes any requirement that a managed care support contractor require a primary care or specialty care provider to obtain prior authorization before referring a patient to a specialty care provider that is part of the network of health care providers or institutions of the contractor.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1095e the following new item:

''1095f. TRICARE program: referrals for specialty health care.''.

(b) REPORT.—Not later than February 1, 2001, the Comptroller General shall submit to Congress a report on the financial and management implications of eliminating the requirement to obtain nonavailability-of-health-care statements under section 1080 of title 10, United States Code.

(c) EFFECTIVE DATE.—Section 1095f of title 10, United States Code, as added by subsection (a), shall apply with respect to a TRICARE managed care support contract entered into by the Department of Defense after the date of the enactment of this Act.

Subtitle D—Demonstration Projects

SEC. 731. DEMONSTRATION PROJECT FOR EXPANDED ACCESS TO MENTAL HEALTH COUNSELORS.

(a) REQUIREMENT TO CONDUCT DEMONSTRATION PROJECT.—The Secretary of Defense shall conduct a demonstration project under which licensed and certified professional mental health counselors who meet eligibility requirements for participation as providers under the Civilian Health and Medical Program of the Uniformed Services (hereafter in this section referred to as ''CHAMPUS'') or the TRICARE program may provide services to covered beneficiaries under chapter 55 of title 10, United States Code, without referral by physicians or adherence to supervision requirements.

(b) DURATION AND LOCATION OF PROJECT.—The Secretary shall conduct the demonstration project required by subsection (a)—

(1) during the 2-year period beginning October 1, 2001; and

(2) in one established TRICARE region.

(c) REGULATIONS.—The Secretary shall prescribe regulations regarding participation in the demonstration project required by subsection (a).

(d) PLAN FOR PROJECT.—Not later than March 31, 2001, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to carry out the demonstration project. The plan shall include, but not be limited to, a description of the following:

(1) The TRICARE region in which the project will be conducted.

(2) The estimated funds required to carry out the demonstration project.

(3) The criteria for determining which professional mental health counselors will be authorized to participate under the demonstration project.

(4) The plan of action, including critical milestone dates, for carrying out the demonstration project.

(e) REPORT.—Not later than February 1, 2003, the Secretary shall submit to Congress a report on the demonstration project carried out under this section. The report shall include the following:

(1) A description of the extent to which expenditures for reimbursement of licensed or certified professional mental health counselors change as a result of allowing the independent practice of such counselors.

(2) Data on utilization and reimbursement regarding non-physician mental health professionals other than licensed or certified professional mental health counselors under CHAMPUS and the TRICARE program.

(3) Data on utilization and reimbursement regarding physicians who make referrals to, and supervise, mental health counselors.

(4) A description of the administrative costs incurred as a result of the requirement for documentation of referral to mental health counselors and supervision activities for such counselors.

(5) For each of the categories described in paragraphs (1) through (4), a comparison of data for a 1-year period for the area in which the demonstration project is being implemented with corresponding data for a similar area in which the demonstration project is not being implemented.

(6) A description of the ways in which allowing for independent reimbursement of licensed or certified professional mental health counselors affects the confidentiality of mental health and substance abuse services for covered beneficiaries under CHAMPUS and the TRICARE program.

(7) A description of the effect, if any, of changing reimbursement policies on the health and treatment of covered beneficiaries under CHAMPUS and the TRICARE program, including a comparison of the treatment outcomes of covered beneficiaries who receive mental health services from licensed or certified professional mental health counselors acting under physician referral and supervision, other non-physician mental health providers recognized under CHAMPUS and the TRICARE program, and physicians, with treatment outcomes under the demonstration project allowing independent practice of professional counselors on the same basis as other non-physician mental health providers.

(8) The effect of policies of the Department of Defense on the willingness of licensed or certified professional mental health counselors to participate as health care providers in CHAMPUS and the TRICARE program.

(9) Any policy requests or recommendations regarding mental health counselors made by health care plans and managed care organizations participating in CHAMPUS or the TRICARE program.

SEC. 732. TELERADIOLOGY DEMONSTRATION PROJECT.

(a) AUTHORITY TO CONDUCT PROJECT.—(1) The Secretary of Defense may conduct a demonstration project for the purposes of increasing

efficiency of operations with respect to teleradiology at military medical treatment facilities, supporting remote clinics, and increasing coordination with respect to teleradiology between such facilities and clinics. Under the project, a military medical treatment facility and each clinic supported by such facility shall be linked by a digital radiology network through which digital radiology X-rays may be sent electronically from clinics to the military medical treatment facility.

(2) The demonstration project may be conducted at several multispecialty tertiary-care military medical treatment facilities affiliated with a university medical school. One of such facilities shall be supported by at least 5 geographically dispersed remote clinics of the Departments of the Army, Navy, and Air Force, and clinics of the Department of Veterans Affairs and the Coast Guard. Another of such facilities shall be in an underserved rural geographic region served under established telemedicine contracts between the Department of Defense, the Department of Veterans Affairs, and a local university.

(b) DURATION OF PROJECT.—The Secretary shall conduct the project during the 2-year period beginning on the date of the enactment of this Act.

SEC. 733. HEALTH CARE MANAGEMENT DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a demonstration program on health care management to explore opportunities for improving the planning, programming, budgeting systems, and management of the Department of Defense health care system.

(b) TEST MODELS.—Under the demonstration program, the Secretary shall test the use of the following planning and management models:

(1) A health care simulation model for studying alternative delivery policies, processes, organizations, and technologies.

(2) A health care simulation model for studying long term disease management.

(c) DEMONSTRATION SITES.—The Secretary shall test each model separately at one or more sites.

(d) PERIOD FOR PROGRAM.—The demonstration program shall begin not later than 180 days after the date of the enactment of this Act and shall terminate on December 31, 2001.

(e) REPORTS.—The Secretary of Defense shall submit a report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than March 15, 2002. The report shall include the Secretary's assessment of the value of incorporating the use of the tested planning and management models throughout the planning, programming, budgeting systems, and management of the Department of Defense health care system.

(f) FUNDING.—Of the amount authorized to be appropriated under section 301(22), $6,000,000 shall be available for the demonstration program under this section.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

SEC. 741. VA-DOD SHARING AGREEMENTS FOR HEALTH SERVICES.

(a) PRIMACY OF SHARING AGREEMENTS.—The Secretary of Defense shall—

(1) give full force and effect to any agreement into which the Secretary or the Secretary of a military department entered under section 8111 of title 38, United States Code, or under section 1535 of title 31, United States Code, which was in effect on September 30, 1999; and

(2) ensure that the Secretary of the military department concerned directly reimburses the Secretary of Veterans Affairs for any services or resources provided under such agreement in accordance with the terms of such agreement, including terms providing for reimbursement from funds available for that military department.

(b) MODIFICATION OR TERMINATION.—Any agreement described in subsection (a) shall remain in effect in accordance with such subsection unless, during the 12-month period following the date of the enactment of this Act, such agreement is modified or terminated in accordance with the terms of such agreement.

SEC. 742. PROCESSES FOR PATIENT SAFETY IN MILITARY AND VETERANS HEALTH CARE SYSTEMS.

(a) ERROR TRACKING PROCESS.—The Secretary of Defense shall implement a centralized process for reporting, compilation, and analysis of errors in the provision of health care under the defense health program that endanger patients beyond the normal risks associated with the care and treatment of such patients. To the extent practicable, that process shall emulate the system established by the Secretary of Veterans Affairs for reporting, compilation, and analysis of errors in the provision of health care under the Department of Veterans Affairs health care system that endanger patients beyond such risks.

(b) SHARING OF INFORMATION.—The Secretary of Defense and the Secretary of Veterans Affairs—

(1) shall share information regarding the designs of systems or protocols established to reduce errors in the provision of health care described in subsection (a); and

(2) shall develop such protocols as the Secretaries consider necessary for the establishment and administration of effective processes for the reporting, compilation, and analysis of such errors.

SEC. 743. COOPERATION IN DEVELOPING PHARMACEUTICAL IDENTIFICATION TECHNOLOGY.

The Secretary of Defense and the Secretary of Veterans Affairs shall cooperate in developing systems for the use of bar codes for the identification of pharmaceuticals in the health care programs of the Department of Defense and the Department of Veterans Affairs. In any case in which a common pharmaceutical is used in such programs, the bar codes for those pharmaceuticals shall, to the maximum extent practicable, be identical.

Subtitle F—Other Matters

SEC. 751. MANAGEMENT OF ANTHRAX VACCINE IMMUNIZATION PROGRAM.

(a) SYSTEM AND PROCEDURES FOR TRACKING SEPARATIONS.—(1) Chapter 59 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1178. System and procedures for tracking separations resulting from refusal to participate in anthrax vaccine immunization program

''(a) REQUIREMENT TO ESTABLISH SYSTEM.—The Secretary of each military department shall establish a system for tracking, recording, and reporting separations of members of the armed forces under the Secretary's jurisdiction that result from procedures initiated as a result of a refusal to participate in the anthrax vaccine immunization program.

''(b) REPORT.—The Secretary of Defense shall consolidate the information recorded under the system described in subsection (a) and shall submit to the Committees on Armed Services of the Senate and the House of Representatives not later than April 1 of each year a report on such information. Each such report shall include a description of—

''(1) the number of members separated, categorized by military department, grade, and active-duty or reserve status; and

''(2) any other information determined appropriate by the Secretary.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1178. System and procedures for tracking separations resulting from refusal to participate in anthrax vaccine immunization program.''.

(b) PROCEDURES FOR EXEMPTIONS; MONITORING ADVERSE REACTIONS.—(1) Chapter 55 of such title is amended by adding at the end the following new section:

"§ 1110. Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions

''(a) PROCEDURES FOR MEDICAL AND ADMINISTRATIVE EXEMPTIONS.—(1) The Secretary of Defense shall establish uniform procedures under which members of the armed forces may be exempted from participating in the anthrax vaccine immunization program for either administrative or medical reasons.

''(2) The Secretaries of the military departments shall provide for notification of all members of the armed forces of the procedures established pursuant to paragraph (1).

''(b) SYSTEM FOR MONITORING ADVERSE REACTIONS.—(1) The Secretary shall establish a system for monitoring adverse reactions of members of the armed forces to the anthrax vaccine. That system shall include the following:

''(A) Independent review of Vaccine Adverse Event Reporting System reports.

''(B) Periodic surveys of personnel to whom the vaccine is administered.

''(C) A continuing longitudinal study of a preidentified group of members of the armed forces (including men and women and members from all services).

''(D) Active surveillance of a sample of members to whom the anthrax vaccine has been administered that is sufficient to identify, at the earliest opportunity, any patterns of adverse reactions, the discovery of which might be delayed by reliance solely on the Vaccine Adverse Event Reporting System.

''(2) The Secretary may extend or expand any ongoing or planned study or analysis of trends in adverse reactions of members of the armed forces to the anthrax vaccine in order to meet any of the requirements in paragraph (1).

''(3) The Secretary shall establish guidelines under which members of the armed forces who are determined by an independent expert panel to be experiencing unexplained adverse reactions may obtain access to a Department of Defense Center of Excellence treatment facility for expedited treatment and follow up.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1110. Anthrax vaccine immunization program; procedures for exemptions and monitoring reactions.''.

(c) EMERGENCY ESSENTIAL EMPLOYEES.—(1) Chapter 81 of such title is amended by inserting after section 1580 the following new section:

"§ 1580a. Emergency essential employees: notification of required participation in anthrax vaccine immunization program

''The Secretary of Defense shall—

''(1) prescribe regulations for the purpose of ensuring that any civilian employee of the Department of Defense who is determined to be an emergency essential employee and who is required to participate in the anthrax vaccine immunization program is notified of the requirement to participate in the program and the consequences of a decision not to participate; and

''(2) ensure that any individual who is being considered for a position as such an employee is notified of the obligation to participate in the program before being offered employment in such position.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1580 the following new item:

''1580a. Emergency essential employees: notification of required participation in anthrax vaccine immunization program.''.

(d) COMPTROLLER GENERAL REPORT.—(1) Not later than April 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the effect of the Department of Defense anthrax vaccine immunization program on the recruitment and retention of active duty and reserve military personnel and civilian personnel of the Department of Defense. The study shall cover the period beginning on the date of the enactment of this Act and ending on December 31, 2001.

(2) The Comptroller General shall include in the report required by paragraph (1) a description of any personnel actions (including transfer, termination, or reassignment of any personnel) taken as a result of the refusal of any civilian employee of the Department of Defense to participate in the anthrax vaccine immunization program.

(e) DEADLINES FOR ESTABLISHMENT AND IMPLEMENTATION.—The Secretary of Defense shall—

(1) not later than April 1, 2001, establish the uniform procedures for exemption from participation in the anthrax vaccine immunization program of the Department of Defense required under subsection (a) of section 1110 of title 10, United States Code (as added by subsection (b));

(2) not later than July 1, 2001, establish the system for monitoring adverse reactions of members of the Armed Forces to the anthrax vaccine required under subsection (b)(1) of such section;

(3) not later than April 1, 2001, establish the guidelines under which members of the Armed Forces may obtain access to a Department of Defense Center of Excellence treatment facility for expedited treatment and follow up required under subsection (b)(3) of such section; and

(4) not later than July 1, 2001, prescribe the regulations regarding emergency essential employees of the Department of Defense required under subsection (a) of section 1580a of such title (as added by subsection(c)).

SEC. 752. ELIMINATION OF COPAYMENTS FOR IMMEDIATE FAMILY.

(a) NO COPAYMENT FOR IMMEDIATE FAMILY.—Section 1097a of title 10, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e) NO COPAYMENT FOR IMMEDIATE FAMILY.—No copayment shall be charged a member for care provided under TRICARE Prime to a dependent of a member of the uniformed services described in subparagraph (A), (D), or (I) of section 1072 of this title.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to care provided on or after that date.

SEC. 753. MEDICAL INFORMATICS.

(a) ADDITIONAL MATTERS FOR ANNUAL REPORT ON MEDICAL INFORMATICS ADVISORY COMMITTEE.—Section 723(d)(5) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 697; 10 U.S.C. 1071 note) is amended to read as follows:

''(5) The Secretary of Defense shall submit to Congress an annual report on medical informatics. The report shall include a discussion of the following matters:

''(A) The activities of the Committee.

''(B) The coordination of development, deployment, and maintenance of health care informatics systems within the Federal Government, and between the Federal Government and the private sector.

''(C) The progress or growth occurring in medical informatics.

''(D) How the TRICARE program and the Department of Veterans Affairs health care system can use the advancement of knowledge in medical informatics to raise the standards of health care and treatment and the expectations for improving health care and treatment.''.

(b) LIMITATION ON FISCAL YEAR 2001 FUNDING FOR PHARMACEUTICALS-RELATED MEDICAL INFORMATICS.—Of the funds authorized to be appropriated under section 301(22), any amounts used for pharmaceuticals-related informatics may be used only for the following:

(1) Commencement of the implementation of a new computerized medical record, including an automated entry order system for pharmaceuticals and an infrastructure network that is compliant with the provisions enacted in the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 110 Stat. 1936), to make all relevant clinical information on beneficiaries under the Defense Health Program available when needed.

(2) An integrated pharmacy system under the Defense Health Program that creates a single profile for all pharmaceuticals for such beneficiaries prescribed at military medical treatment facilities or private pharmacies that are part of the Department of Defense pharmacy network.

SEC. 754. PATIENT CARE REPORTING AND MANAGEMENT SYSTEM.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a patient care error reporting and management system.

(b) PURPOSES OF SYSTEM.—The purposes of the system are as follows:

(1) To study the occurrences of errors in the patient care provided under chapter 55 of title 10, United States Code.

(2) To identify the systemic factors that are associated with such occurrences.

(3) To provide for action to be taken to correct the identified systemic factors.

(c) REQUIREMENTS FOR SYSTEM.—The patient care error reporting and management system shall include the following:

(1) A hospital-level patient safety center, within the quality assurance department of each health care organization of the Department of Defense, to collect, assess, and report on the nature and frequency of errors related to patient care.

(2) For each health care organization of the Department of Defense and for the entire Defense health program, patient safety standards that are necessary for the development of a full understanding of patient safety issues in each such organization and the entire program, including the nature and types of errors and the systemic causes of the errors.

(3) Establishment of a Department of Defense Patient Safety Center within the Armed Forces Institute of Pathology, which shall have the following missions:

(A) To analyze information on patient care errors that is submitted to the Center by each military health care organization.

(B) To develop action plans for addressing patterns of patient care errors.

(C) To execute those action plans to mitigate and control errors in patient care with a goal of ensuring that the health care organizations of the Department of Defense provide highly reliable patient care with virtually no error.

(D) To provide, through the Assistant Secretary of Defense for Health Affairs, to the Agency for Healthcare Research and Quality of the Department of Health and Human Services any reports that the Assistant Secretary determines appropriate.

(E) To review and integrate processes for reducing errors associated with patient care and for enhancing patient safety.

(F) To contract with a qualified and objective external organization to manage the national patient safety database of the Department of Defense.

(d) MEDTEAMS PROGRAM.—The Secretary shall expand the health care team coordination program to integrate that program into all Department of Defense health care operations. In carrying out this subsection, the Secretary shall take the following actions:

(1) Establish not less than two Centers of Excellence for the development, validation, proliferation, and sustainment of the health care team coordination program, one of which shall support all fixed military health care organizations, the other of which shall support all combat casualty care organizations.

(2) Deploy the program to all fixed and combat casualty care organizations of each of the Armed Forces, at the rate of not less than 10 organizations in each fiscal year.

(3) Expand the scope of the health care team coordination program from a focus on emergency department care to a coverage that includes care in all major medical specialties, at the rate of not less than one specialty in each fiscal year.

(4) Continue research and development investments to improve communication, coordination, and team work in the provision of health care.

(e) CONSULTATION.—The Secretary shall consult with the other administering Secretaries (as defined in section 1072(3) of title 10, United States Code) in carrying out this section.

SEC. 755. AUGMENTATION OF ARMY MEDICAL DEPARTMENT BY DETAILING RESERVE OFFICERS OF THE PUBLIC HEALTH SERVICE.

(a) AUTHORITY.—The Secretary of the Army and the Secretary of Health and Human Services may jointly conduct a program to augment the Army Medical Department by exercising any authorities provided to those officials in law for the detailing of reserve commissioned officers of the Public Health Service not in an active status to the Army Medical Department for that purpose.

(b) AGREEMENT.—The Secretary of the Army and the Secretary of Health and Human Services shall enter into an agreement governing any program conducted under subsection (a).

(c) ASSESSMENT.—(1) The Secretary of the Army shall review the laws providing the authorities described in subsection (a) and assess the adequacy of those laws for authorizing—

(A) the Secretary of Health and Human Services to detail reserve commissioned officers of the Public Health Service not in an active status to the Army Medical Department to augment that department; and

(B) the Secretary of the Army to accept the detail of such officers for that purpose.

(2) The Secretary shall complete the review and assessment under paragraph (1) not later than 90 days after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—Not later than March 1, 2001, the Secretary of the Army shall submit a report on the results of the review and assessment under subsection (c) to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include the following:

(1) The findings resulting from the review and assessment.

(2) Any proposal for legislation that the Secretary recommends to strengthen the authority of the Secretary of Health and Human Services and the authority of the Secretary of the Army to take the actions described in subparagraphs (A) and (B), respectively, of subsection (c)(1).

(e) CONSULTATION REQUIREMENT.—The Secretary of the Army shall consult with the Secretary of Health and Human Services in carrying out the review and assessment under subsection (c) and in preparing the report (including making recommendations) under subsection (d).

SEC. 756. PRIVACY OF DEPARTMENT OF DEFENSE MEDICAL RECORDS.

(a) COMPREHENSIVE PLAN.—Not later than April 1, 2001, the Secretary of Defense shall submit to Congress a comprehensive plan to improve privacy protections for medical records maintained by the Department of Defense. Such plan shall be consistent with the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191; 42 U.S.C. 1320d–2 note).

(b) INTERIM REGULATIONS.—(1) Notwithstanding any other provision of law, the Secretary shall prescribe interim regulations, pending full implementation of the comprehensive plan described in subsection (a), to improve privacy protections for medical records maintained by the Department of Defense.

(2) The regulations prescribed under paragraph (1) shall provide maximum protections for privacy consistent with such actions that the Secretary determines are necessary for purposes of national security, law enforcement, patient treatment, public health reporting, accreditation and licensure review activities, external peer review and other quality assurance program activities, payment for health care services, fraud and abuse prevention, judicial and administrative proceedings, research consistent with regulations on Governmentwide protection of human subjects, Department of Veterans Affairs benefit programs, and any other purposes identified by the Secretary for the responsible management of the military health care system.

SEC. 757. AUTHORITY TO ESTABLISH SPECIAL LOCALITY-BASED REIMBURSEMENT RATES; REPORTS.

(a) IN GENERAL.—Section 1079(h) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) To assure access to care for all covered beneficiaries, the Secretary of Defense, in consultation with the other administering Secretaries, shall designate specific rates for reimbursement for services in certain localities if the Secretary determines that without payment of such rates access to health care services would be severely impaired. Such a determination shall be based on consideration of the number of providers in a locality who provide the services, the number of such providers who are CHAMPUS participating providers, the number of covered beneficiaries under CHAMPUS in the locality, the availability of military providers in the location or a nearby location, and any other factors determined to be relevant by the Secretary.''.

(b) REPORTS.—(1) Not later than March 31, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives and the General Accounting Office a report on actions taken to carry out section 1079(h)(5) of title 10, United States Code (as added by subsection (a)) and section 1097b of such title.

(2) Not later than May 1, 2001, the Comptroller General shall submit to Congress a report analyzing the utility of—

(A) increased reimbursement authorities with respect to ensuring the availability of network providers and nonnetwork providers under the TRICARE program to covered beneficiaries under chapter 55 of such title; and

(B) requiring a reimbursement limitation of 70 percent of usual and customary rates rather than 115 percent of maximum allowable charges under the Civilian Health and Medical Program of the Uniformed Services.

(3)(A) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the extent to which physicians are choosing not to participate in contracts for the furnishing of health care in rural States under chapter 55 of title 10, United States Code. The report shall include the following:

(i) The number of physicians in rural States who are withdrawing from participation, or otherwise refusing to participate, in the health care contracts.

(ii) The reasons for the withdrawals and refusals.

(iii) The actions that the Secretary of Defense can take to encourage more physicians to participate in the health care contracts.

(iv) Any recommendations for legislation that the Secretary considers necessary to encourage more physicians to participate in the health care contracts.

(B) In this paragraph, the term ''rural State'' means a State that has, on average, as determined by the Bureau of the Census in the latest decennial census—

(i) fewer than 76 residents per square mile; and

(ii) fewer than 211 actively practicing physicians (not counting physicians employed by the United States) per 100,000 residents.

SEC. 758. REIMBURSEMENT FOR CERTAIN TRAVEL EXPENSES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074h (as added by section 706) the following new section:

''§ 1074i. Reimbursement for certain travel expenses

''In any case in which a covered beneficiary is referred by a primary care physician to a specialty care provider who provides services more than 100 miles from the location in which the primary care provider provides services to the covered beneficiary, the Secretary shall provide reimbursement for reasonable travel expenses for the covered beneficiary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074g the following new item:

''1074i. Reimbursement for certain travel expenses.''.

SEC. 759. REDUCTION OF CAP ON PAYMENTS.

Section 1086(b)(4) of title 10, United States Code, is amended by striking ''$7,500'' and inserting ''$3,000''.

SEC. 760. TRAINING IN HEALTH CARE MANAGEMENT AND ADMINISTRATION.

(a) EXPANSION OF PROGRAM.—Section 715(a) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat 375; 10 U.S.C. 1073 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than six months after the date of the enactment of this Act, the'' and inserting ''The'';

(2) in paragraph (1)—

(A) by inserting '', deputy commander, and managed care coordinator'' after ''commander''; and

(B) by inserting '', and any other person,'' after ''Defense''; and

(3) by amending subsection (b) to read as follows:

''(b) LIMITATION ON ASSIGNMENT UNTIL COMPLETION OF TRAINING.—No person may be assigned as the commander, deputy commander, or managed care coordinator of a military medical treatment facility or as a TRICARE lead agent or senior member of the staff of a TRICARE lead agent office until the Secretary of the military department concerned submits a certification to the Secretary of Defense that such person has completed the training described in subsection (a).''.

(b) REPORT REQUIREMENT.—(1) Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on progress in meeting the requirements of section 715 of such Act (as amended by subsection (a)) by implementing a professional educational program to provide appropriate training in health care management and administration.

(2) The report required by paragraph (1) shall include the following:

(A) A survey of professional civilian certifications and credentials which demonstrate achievement of the requirements of such section.

(B) A description of the continuing education activities required to obtain initial certification and periodic required recertification.

(C) A description of the prominence of such credentials or certifications among senior civilian health care executives.

(c) APPLICABILITY.—The amendments made by subsection (a) to section 715 of such Act—

(1) shall apply to a deputy commander, a managed care coordinator of a military medical treatment facility, or a lead agent for coordinating the delivery of health care by military and civilian providers under the TRICARE program, who is assigned to such position on or after the date that is one year after the date of the enactment of this Act; and

(2) may apply, in the discretion of the Secretary of Defense, to a deputy commander, a managed care coordinator of such a facility, or a lead agent for coordinating the delivery of such health care, who is assigned to such position before the date that is one year after the date of the enactment of this Act.

SEC. 761. STUDIES ON FEASIBILITY OF SHARING BIOMEDICAL RESEARCH FACILITY.

(a) STUDIES REQUIRED.—(1) The Secretary of the Army shall conduct a study on the feasibility of the Tripler Army Medical Center, Hawaii, sharing a biomedical research facility with the Department of Veterans Affairs and the School of Medicine at the University of Hawaii for the purpose of making more efficient use of funding for biomedical research.

(2) The Secretary of the Air Force shall conduct a study on the feasibility of the Little Rock Medical Facility, Arkansas, sharing a biomedical research facility with the Department of Veterans Affairs and the School of Medicine at the University of Arkansas for the purpose of making more efficient use of funding for biomedical research.

(3) The biomedical research facilities described in paragraphs (1) and (2) would include a clinical research center and facilities for educational, academic, and laboratory research.

(b) REPORTS.—Not later than March 1, 2001—

(1) the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the study conducted under subsection (a)(1); and

(2) the Secretary of the Air Force shall submit to such committees a report on the study conducted under subsection (a)(2).

SEC. 762. STUDY ON COMPARABILITY OF COVERAGE FOR PHYSICAL, SPEECH, AND OCCUPATIONAL THERAPIES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study comparing coverage and reimbursement for covered beneficiaries under chapter 55 of title 10, United States Code, for physical, speech, and occupational therapies under the TRICARE program and the Civilian Health and Medical Program of the Uniformed Services to coverage and reimbursement for such therapies by insurers under Medicare and the

Federal Employees Health Benefits Program. The study shall examine the following:

(1) Types of services covered.

(2) Whether prior authorization is required to receive such services.

(3) Reimbursement limits for services covered.

(4) Whether services are covered on both an inpatient and outpatient basis.

(b) REPORT.—Not later than March 31, 2001, the Secretary shall submit a report on the findings of the study conducted under this section to the Committees on Armed Services of the Senate and the House of Representatives.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 801. Department of Defense acquisition pilot programs.
Sec. 802. Multiyear services contracts.
Sec. 803. Clarification and extension of authority to carry out certain prototype projects.
Sec. 804. Clarification of authority of Comptroller General to review records of participants in certain prototype projects.
Sec. 805. Extension of time period of limitation on procurement of ball bearings and roller bearings.
Sec. 806. Reporting requirements relating to multiyear contracts.
Sec. 807. Eligibility of small business concerns owned and controlled by women for assistance under the mentor-protege program.
Sec. 808. Qualifications required for employment and assignment in contracting positions.
Sec. 809. Revision of authority for solutions-based contracting pilot program.
Sec. 810. Procurement notice of contracting opportunities through electronic means.

Subtitle B—Information Technology

Sec. 811. Acquisition and management of information technology.
Sec. 812. Tracking and management of information technology purchases.
Sec. 813. Appropriate use of requirements regarding experience and education of contractor personnel in the procurement of information technology services.
Sec. 814. Navy-Marine Corps Intranet.
Sec. 815. Sense of Congress regarding information technology systems for Guard and Reserve components.

Subtitle C—Other Acquisition-Related Matters

Sec. 821. Improvements in procurements of services.
Sec. 822. Financial analysis of use of dual rates for quantifying overhead costs at Army ammunition plants.
Sec. 823. Repeal of prohibition on use of Department of Defense funds for procurement of nuclear-capable shipyard crane from a foreign source.
Sec. 824. Extension of waiver period for live-fire survivability testing for MH–47E and MH–60K helicopter modification programs.
Sec. 825. Compliance with existing law regarding purchases of equipment and products.
Sec. 826. Requirement to disregard certain agreements in awarding contracts for the purchase of firearms or ammunition.

Subtitle D—Studies and Reports

Sec. 831. Study on impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure.
Sec. 832. Study of policies and procedures for transfer of commercial activities.
Sec. 833. Study and report on practice of contract bundling in military construction contracts.
Sec. 834. Requirement to conduct study on contract bundling.

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 801. DEPARTMENT OF DEFENSE ACQUISITION PILOT PROGRAMS.

(a) EXTENSION OF AUTHORITY.—Section 5064(d)(2) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355; 108 Stat. 3361; 10 U.S.C. 2430 note) is amended by striking ''45 days after the date of the enactment of this Act and ends on September 30, 1998'' and inserting ''on October 13, 1994, and ends on October 1, 2007''.

(b) EXPANSION OF JDAM PROGRAM.—Section 5064(a)(2) of such Act is amended by striking ''1000-pound and 2000-pound bombs'' and inserting ''500-pound, 1000-pound, and 2000-pound bombs''.

(c) REPORT REQUIRED.—(1) Not later than January 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the acquisition pilot programs of the Department of Defense. The report shall describe, for each acquisition program identified in section 5064(a) of the Federal Acquisition Streamlining Act of 1994, the following:

(A) Each quantitative measure and goal established for each item described in paragraph (2), which of such goals have been achieved, and the extent to which the use of the authorities in section 809 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2430 note) and section 5064 of the Federal Acquisition Streamlining Act of 1994 was a factor in achieving each of such goals.

(B) Recommended revisions to statutes or the Federal Acquisition Regulation as a result of participation in the pilot program.

(C) Any innovative business practices developed as a result of participation in the pilot program, whether such business practices could be applied to other acquisition programs, and any impediments to application of such practices to other programs.

(D) Technological changes to the program, and to what extent those changes affected the items in paragraph (2).

(E) Any other information determined appropriate by the Secretary.

(2) The items under this paragraph are, with respect to defense acquisition programs, the following:

(A) The acquisition management costs.

(B) The unit cost of the items procured.

(C) The acquisition cycle.

(D) The total cost of carrying out the contract.

(E) Staffing necessary to carry out the program.

SEC. 802. MULTIYEAR SERVICES CONTRACTS.

(a) IN GENERAL.—(1) Chapter 137 of title 10, United States Code, is amended by inserting after section 2306b the following:

''§ 2306c. Multiyear contracts: acquisition of services

''(a) AUTHORITY.—Subject to subsections (d) and (e), the head of an agency may enter into contracts for periods of not more than five years for services described in subsection (b), and for items of supply related to such services, for which funds would otherwise be available for obligation only within the fiscal year for which appropriated whenever the head of the agency finds that—

''(1) there will be a continuing requirement for the services consonant with current plans for the proposed contract period;

''(2) the furnishing of such services will require a substantial initial investment in plant or equipment, or the incurrence of substantial contingent liabilities for the assembly, training, or transportation of a specialized work force; and

''(3) the use of such a contract will promote the best interests of the United States by encouraging effective competition and promoting economies in operation.

''(b) COVERED SERVICES.—The authority under subsection (a) applies to the following types of services:

''(1) Operation, maintenance, and support of facilities and installations.

''(2) Maintenance or modification of aircraft, ships, vehicles, and other highly complex military equipment.

''(3) Specialized training necessitating high quality instructor skills (for example, pilot and air crew members; foreign language training).

''(4) Base services (for example, ground maintenance; in-plane refueling; bus transportation; refuse collection and disposal).

''(c) APPLICABLE PRINCIPLES.—In entering into multiyear contracts for services under the authority of this section, the head of the agency shall be guided by the following principles:

''(1) The portion of the cost of any plant or equipment amortized as a cost of contract performance should not exceed the ratio between the period of contract performance and the anticipated useful commercial life of such plant or equipment. Useful commercial life, for this purpose, means the commercial utility of the facilities rather than the physical life thereof, with due consideration given to such factors as location of facilities, specialized nature thereof, and obsolescence.

''(2) Consideration shall be given to the desirability of obtaining an option to renew the contract for a reasonable period not to exceed three years, at prices not to include charges for plant, equipment and other nonrecurring costs, already amortized.

''(3) Consideration shall be given to the desirability of reserving in the agency the right, upon payment of the unamortized portion of the cost of the plant or equipment, to take title thereto under appropriate circumstances.

''(d) RESTRICTIONS APPLICABLE GENERALLY.—(1) The head of an agency may not initiate under this section a contract for services that includes an unfunded contingent liability in excess of $20,000,000 unless the committees of Congress named in paragraph (5) are notified of the proposed contract at least 30 days in advance of the award of the proposed contract.

''(2) The head of an agency may not initiate a multiyear contract for services under this section if the value of the multiyear contract would exceed $500,000,000 unless authority for the contract is specifically provided by law.

''(3) The head of an agency may not terminate a multiyear procurement contract for services until 10 days after the date on which notice of the proposed termination is provided to the committees of Congress named in paragraph (5).

''(4) Before any contract described in subsection (a) that contains a clause setting forth a cancellation ceiling in excess of $100,000,000 may be awarded, the head of the agency concerned shall give written notification of the proposed contract and of the proposed cancellation ceiling for that contract to the committees of Congress named in paragraph (5), and such contract may not then be awarded until the end of a period of 30 days beginning on the date of such notification.

''(5) The committees of Congress referred to in paragraphs (1), (3), and (4) are as follows:

''(A) The Committee on Armed Services and the Committee on Appropriations of the Senate.

''(B) The Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(e) CANCELLATION OR TERMINATION FOR INSUFFICIENT FUNDING AFTER FIRST YEAR.—In the event that funds are not made available for the continuation of a multiyear contract for services into a subsequent fiscal year, the contract shall be canceled or terminated, and the costs of cancellation or termination may be paid from—

''(1) appropriations originally available for the performance of the contract concerned;

''(2) appropriations currently available for procurement of the type of services concerned, and not otherwise obligated; or

''(3) funds appropriated for those payments.

''(f) MULTIYEAR CONTRACT DEFINED.—For the purposes of this section, a multiyear contract is a contract for the purchase of services for more than one, but not more than five, program years. Such a contract may provide that performance under the contract during the second and subsequent years of the contract is contingent upon the appropriation of funds and (if it does so provide) may provide for a cancellation payment to be made to the contractor if such appropriations are not made.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2306b the following:

''2306c. Multiyear contracts: acquisition of services.''.

(b) REFERENCE TO RELOCATED AUTHORITY.—Subsection (g) of section 2306 of such title is amended to read as follows:

''(g) Multiyear contracting authority for the acquisition of services is provided in section 2306c of this title.''.

(c) CONFORMING AMENDMENT.—Section 2306b(k) of title 10, United States Code, is amended by striking ''or services''.

(d) APPLICABILITY.—Section 2306c of title 10, United States Code (as added by subsection (a)), shall apply with respect to contracts for which solicitations of offers are issued after the date of the enactment of this Act.

SEC. 803. CLARIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) AMENDMENTS TO AUTHORITY.—Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 2371 note) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

''(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless—

''(A) there is at least one nontraditional defense contractor participating to a significant extent in the prototype project; or

''(B) no nontraditional defense contractor is participating to a significant extent in the prototype project, but at least one of the following circumstances exists:

''(i) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government.

''(ii) The senior procurement executive for the agency (as designated for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)) determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract.

''(2)(A) Except as provided in subparagraph (B), the amounts counted for the purposes of this subsection as being provided, or to be provided, by a party to a transaction with respect to a prototype project that is entered into under this section other than the Federal Government do not include costs that were incurred before the date on which the transaction becomes effective.

''(B) Costs that were incurred for a prototype project by a party after the beginning of negotiations resulting in a transaction (other than a contract, grant, or cooperative agreement) with respect to the project before the date on which the transaction becomes effective may be counted for purposes of this subsection as being provided, or to be provided, by the party to the transaction if and to the extent that the official responsible for entering into the transaction determines in writing that—

''(i) the party incurred the costs in anticipation of entering into the transaction; and

''(ii) it was appropriate for the party to incur the costs before the transaction became effective in order to ensure the successful implementation of the transaction.

''(e) NONTRADITIONAL DEFENSE CONTRACTOR DEFINED.—In this section, the term 'nontraditional defense contractor' means an entity that has not, for a period of at least one year prior to the date that a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section is entered into, entered into or performed with respect to—

''(1) any contract that is subject to full coverage under the cost accounting standards prescribed pursuant to section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422) and the regulations implementing such section; or

''(2) any other contract in excess of $500,000 to carry out prototype projects or to perform basic, applied, or advanced research projects for a Federal agency, that is subject to the Federal Acquisition Regulation.''.

(b) EXTENSION OF AUTHORITY.—Subsection (f) of such section, as redesignated by subsection (a)(1), is amended by striking ''September 30, 2001'' and inserting ''September 30, 2004''.

SEC. 804. CLARIFICATION OF AUTHORITY OF COMPTROLLER GENERAL TO REVIEW RECORDS OF PARTICIPANTS IN CERTAIN PROTOTYPE PROJECTS.

(a) COMPTROLLER GENERAL REVIEW.—Section 845(c) of the National Defense Authorization Act for Fiscal Year 1994 (10 U.S.C. 2371 note) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) The right provided to the Comptroller General in a clause of an agreement under paragraph (1) is limited as provided in subparagraph (B) in the case of a party to the agreement, an entity that participates in the performance of the agreement, or a subordinate element of that party or entity if the only agreements or other transactions that the party, entity, or subordinate element entered into with Government entities in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of title 10, United States Code.

''(B) The only records of a party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine in the exercise of the right referred to in that subparagraph are records of the same type as the records that the Government has had the right to examine under the audit access clauses of the previous agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.''.

SEC. 805. EXTENSION OF TIME PERIOD OF LIMITATION ON PROCUREMENT OF BALL BEARINGS AND ROLLER BEARINGS.

Section 2534(c)(3) of title 10, United States Code, is amended by striking ''October 1, 2000'' and inserting ''October 1, 2005''.

SEC. 806. REPORTING REQUIREMENTS RELATING TO MULTIYEAR CONTRACTS.

Section 2306b(l) of title 10, United States Code, is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''The head of an agency'' and all that follows through ''following information'' and inserting ''Not later than the date of the submission of the President's budget request under section 1105 of title 31, the Secretary of Defense shall submit a report to the congressional defense committees each year, providing the following information with respect to each multiyear contract (and each extension of an existing multiyear contract) entered into, or planned to be entered into, by the head of an agency during the current or preceding year''; and

(B) in subparagraph (B), by striking ''in effect immediately before the contract (or contract extension) is entered into'' and inserting ''in effect at the time the report is submitted'';

(2) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively; and

(3) by inserting after paragraph (4) the following new paragraph (5):

''(5) The head of an agency may not enter into a multiyear contract (or extend an existing multiyear contract), the value of which would exceed $500,000,000 (when entered into or when extended, as the case may be), until the Secretary of Defense submits to the congressional defense committees a report containing the information described in paragraph (4) with respect to the contract (or contract extension).''.

SEC. 807. ELIGIBILITY OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN FOR ASSISTANCE UNDER THE MENTOR-PROTEGE PROGRAM.

Section 831(m)(2) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note) is amended—

(1) by striking ''or'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; or''; and

(3) by adding at the end the following:

''(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).''.

SEC. 808. QUALIFICATIONS REQUIRED FOR EMPLOYMENT AND ASSIGNMENT IN CONTRACTING POSITIONS.

(a) APPLICABILITY OF REQUIREMENTS TO MEMBERS OF THE ARMED FORCES.—Section 1724 of title 10, United States Code, is amended in the first sentence of subsection (d)—

(1) by striking ''employee of'' and inserting ''employee or member of''; and

(2) by striking ''employee possesses'' and inserting ''employee or member possesses''.

(b) MANDATORY ACADEMIC QUALIFICATIONS.—(1) Subsection (a)(3) of such section is amended—

(A) by inserting ''and'' before ''(B)''; and

(B) by striking '', or (C)'' and all that follows through ''listed in subparagraph (B)''.

(2) Subsection (b) of such section is amended to read as follows:

''(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—The Secretary of Defense shall require that a person meet the requirements set forth in paragraph (3) of subsection

(a), but not the other requirements set forth in that subsection, in order to qualify to serve in a position in the Department of Defense in—

''(1) the GS–1102 occupational series; or

''(2) a similar occupational specialty if the position is to be filled by a member of the armed forces.''.

(c) EXCEPTION.—Subsection (c) of such section is amended to read as follows:

''(c) EXCEPTION.—The requirements imposed under subsection (a) or (b) shall not apply to a person for the purpose of qualifying to serve in a position in which the person is serving on September 30, 2000.''.

(d) DELETION OF UNNECESSARY CROSS REFERENCES.—Subsection (a) of such section is amended by striking ''(except as provided in subsections (c) and (d))'' in the matter preceding paragraph (1).

(e) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on October 1, 2000, and shall apply to appointments and assignments to contracting positions made on or after that date.

SEC. 809. REVISION OF AUTHORITY FOR SOLUTIONS-BASED CONTRACTING PILOT PROGRAM.

(a) PILOT PROJECTS UNDER THE PROGRAM.—Section 5312 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1492) is amended—

(1) in subsection (a), by striking ''subsection (d)(2)'' and inserting ''subsection (d)''; and

(2) by striking subsection (d) and inserting the following:

''(d) PILOT PROGRAM PROJECTS.—The Administrator shall authorize to be carried out under the pilot program—

''(1) not more than 10 projects, each of which has an estimated cost of at least $25,000,000 and not more than $100,000,000; and

''(2) not more than 10 projects for small business concerns, each of which has an estimated cost of at least $1,000,000 and not more than $5,000,000.''.

(b) ELIMINATION OF REQUIREMENT FOR FEDERAL FUNDING OF PROGRAM DEFINITION PHASE.—Subsection (c)(9)(B) of such section is amended by striking ''program definition phase (funded, in the case of the source ultimately awarded the contract, by the Federal Government)—'' and inserting ''program definition phase—''.

SEC. 810. PROCUREMENT NOTICE OF CONTRACTING OPPORTUNITIES THROUGH ELECTRONIC MEANS.

(a) PUBLICATION BY ELECTRONIC MEANS.—Subsection (a) of section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published—

''(i) by electronic means that meets the requirements for accessibility under paragraph (7); or

''(ii) by the Secretary of Commerce in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) by adding at the end the following:

''(7) A publication of a notice of solicitation by electronic means meets the requirements for accessibility under this paragraph if the notice is electronically accessible in a form that allows convenient and universal user access through the single Government-wide point of entry designated in the Federal Acquisition Regulation.''.

(b) WAITING PERIOD FOR ISSUANCE OF SOLICITATION.—Paragraph (3) of such subsection is amended—

(1) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(2) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(c) CONFORMING AMENDMENTS TO SMALL BUSINESS ACT.—Subsection (e) of section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in paragraph (1)(A), by striking ''furnish for publication by the Secretary of Commerce'' and inserting ''publish'';

(2) by striking paragraph (2) and inserting the following:

''(2)(A) A notice of solicitation required to be published under paragraph (1) may be published—

''(i) by electronic means that meet the accessibility requirements under section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7)); or

''(ii) by the Secretary of Commerce in the Commerce Business Daily.

''(B) The Secretary of Commerce shall promptly publish in the Commerce Business Daily each notice or announcement received under this subsection for publication by that means.''; and

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''furnish a notice to the Secretary of Commerce'' and inserting ''publish a notice of solicitation''; and

(B) in subparagraph (A), by striking ''by the Secretary of Commerce''.

(d) PERIODIC REPORTS ON IMPLEMENTATION OF ELECTRONIC COMMERCE IN FEDERAL PROCUREMENT.—Section 30(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 426(e)) is amended—

(1) in the first sentence, by striking ''Not later than March 1, 1998, and every year afterward through 2003'' and inserting ''Not later than March 1 of each even-numbered year through 2004''; and

(2) in paragraph (4)—

(A) by striking ''Beginning with the report submitted on March 1, 1999, an'' and inserting ''An''; and

(B) by striking ''calendar year'' and inserting ''two fiscal years''.

(e) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall take effect on October 1, 2000. The amendments made by subsections (a), (b), and (c) shall apply with respect to solicitations issued on or after that date.

Subtitle B—Information Technology

SEC. 811. ACQUISITION AND MANAGEMENT OF INFORMATION TECHNOLOGY.

(a) RESPONSIBILITY OF DOD CHIEF INFORMATION OFFICER RELATING TO MISSION CRITICAL AND MISSION ESSENTIAL INFORMATION TECHNOLOGY SYSTEMS.—Section 2223(a) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) maintain a consolidated inventory of Department of Defense mission critical and mission essential information systems, identify interfaces between those systems and other information systems, and develop and maintain contingency plans for responding to a disruption in the operation of any of those information systems.''.

(b) MINIMUM PLANNING REQUIREMENTS FOR THE ACQUISITION OF INFORMATION TECHNOLOGY SYSTEMS.—(1) Not later than 60 days after the date of the enactment of this Act, Department of Defense Directive 5000.1 shall be revised to establish minimum planning requirements for the acquisition of information technology systems.

(2) The revised directive required by (1) shall—

(A) include definitions of the terms ''mission critical information system'' and ''mission essential information system'';

(B) prohibit the award of any contract for the acquisition of a mission critical or mission essential information technology system until—

(i) the system has been registered with the Chief Information Officer of the Department of Defense;

(ii) the Chief Information Officer has received all information on the system that is required under the directive to be provided to that official; and

(iii) the Chief Information Officer has determined that there is in place for the system an appropriate information assurance strategy; and

(C) require that, in the case of each system registered pursuant to subparagraph (B)(i), the information required under subparagraph (B)(ii) to be submitted as part of the registration shall be updated on not less than a quarterly basis.

(c) MILESTONE APPROVAL FOR MAJOR AUTOMATED INFORMATION SYSTEMS.—The revised directive required by subsection (b) shall prohibit Milestone I approval, Milestone II approval, or Milestone III approval (or the equivalent) of a major automated information system within the Department of Defense until the Chief Information Officer has determined that—

(1) the system is being developed in accordance with the requirements of division E of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.);

(2) appropriate actions have been taken with respect to the system in the areas of business process reengineering, analysis of alternatives, economic analysis, and performance measures; and

(3) the system has been registered as described in subsection (b)(2)(B).

(d) NOTICE OF REDESIGNATION OF SYSTEMS.—(1) Whenever during fiscal year 2001, 2002, or 2003 the Chief Information Officer designates a system previously designated as a major automated information system to be in a designation category other than a major automated information system, the Chief Information Officer shall notify the congressional defense committees of that designation. The notice shall be provided not later than 30 days after the date of that designation. Any such notice shall include the rationale for the decision to make the designation and a description of the program management oversight that will be implemented for the system so designated.

(2) Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall submit to the congressional defense committees a report specifying each information system of the Department of Defense previously designated as a major automated information system that is currently designated in a designation category other than a major automated information system including designation as a ''special interest major technology initiative''. The report shall include for each such system the information specified in the third sentence of paragraph (1).

(e) ANNUAL IMPLEMENTATION REPORT.—(1) The Secretary of Defense shall submit to the congressional defense committees, not later than April 1 of each of fiscal years 2001, 2002, and 2003, a report on the implementation of the requirements of this section during the preceding fiscal year.

(2) The report for a fiscal year under paragraph (1) shall include, at a minimum, for each major automated information system that was approved during such preceding fiscal year

under Department of Defense Directive 5000.1 (as revised pursuant to subsection (b)), the following:

(A) The funding baseline.

(B) The milestone schedule.

(C) The actions that have been taken to ensure compliance with the requirements of this section and the directive.

(3) The first report shall include, in addition to the information required by paragraph (2), an explanation of the manner in which the responsible officials within the Department of Defense have addressed, or intend to address, the following acquisition issues for each major automated information system planned to be acquired after that fiscal year:

(A) Requirements definition.

(B) Presentation of a business case analysis, including an analysis of alternatives and a calculation of return on investment.

(C) Performance measurement.

(D) Test and evaluation.

(E) Interoperability.

(F) Cost, schedule, and performance baselines.

(G) Information assurance.

(H) Incremental fielding and implementation.

(I) Risk mitigation.

(J) The role of integrated product teams.

(K) Issues arising from implementation of the Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance Plan required by Department of Defense Directive 5000.1 and Chairman of the Joint Chiefs of Staff Instruction 3170.01.

(L) Oversight, including the Chief Information Officer's oversight of decision reviews.

(f) DEFINITIONS.—In this section:

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology system'' has the meaning given the term ''information technology'' in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

(3) The term ''major automated information system'' has the meaning given that term in Department of Defense Directive 5000.1.

SEC. 812. TRACKING AND MANAGEMENT OF INFORMATION TECHNOLOGY PURCHASES.

(a) IN GENERAL.—(1) Chapter 131 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2225. Information technology purchases: tracking and management

''(a) COLLECTION OF DATA REQUIRED.—To improve tracking and management of information technology products and services by the Department of Defense, the Secretary of Defense shall provide for the collection of the data described in subsection (b) for each purchase of such products or services made by a military department or Defense Agency in excess of the simplified acquisition threshold, regardless of whether such a purchase is made in the form of a contract, task order, delivery order, military interdepartmental purchase request, or any other form of interagency agreement.

''(b) DATA TO BE COLLECTED.—The data required to be collected under subsection (a) includes the following:

''(1) The products or services purchased.

''(2) Whether the products or services are categorized as commercially available off-the-shelf items, other commercial items, nondevelopmental items other than commercial items, other noncommercial items, or services.

''(3) The total dollar amount of the purchase.

''(4) The form of contracting action used to make the purchase.

''(5) In the case of a purchase made through an agency other than the Department of Defense—

''(A) the agency through which the purchase is made; and

''(B) the reasons for making the purchase through that agency.

''(6) The type of pricing used to make the purchase (whether fixed price or another type of pricing).

''(7) The extent of competition provided in making the purchase.

''(8) A statement regarding whether the purchase was made from—

''(A) a small business concern;

''(B) a small business concern owned and controlled by socially and economically disadvantaged individuals; or

''(C) a small business concern owned and controlled by women.

''(9) A statement regarding whether the purchase was made in compliance with the planning requirements under sections 5122 and 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1422, 1423).

''(c) RESPONSIBILITY TO ENSURE FAIRNESS OF CERTAIN PRICES.—The head of each contracting activity in the Department of Defense shall have responsibility for ensuring the fairness and reasonableness of unit prices paid by the contracting activity for information technology products and services that are frequently purchased commercially available off-the-shelf items.

''(d) LIMITATION ON CERTAIN PURCHASES.—No purchase of information technology products or services in excess of the simplified acquisition threshold shall be made for the Department of Defense from a Federal agency outside the Department of Defense unless—

''(1) the purchase data is collected in accordance with subsection (a); or

''(2)(A) in the case of a purchase by a Defense Agency, the purchase is approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics; or

''(B) in the case of a purchase by a military department, the purchase is approved by the senior procurement executive of the military department.

''(e) ANNUAL REPORT.—Not later than March 15 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing a summary of the data collected in accordance with subsection (a).

''(f) DEFINITIONS.—In this section:

''(1) The term 'senior procurement executive', with respect to a military department, means the official designated as the senior procurement executive for the military department for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)).

''(2) The term 'simplified acquisition threshold' has the meaning given the term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).

''(3) The term 'small business concern' means a business concern that meets the applicable size standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(4) The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given that term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

''(5) The term 'small business concern owned and controlled by women' has the meaning given that term in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D)).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2225. Information technology purchases: tracking and management.''.

(b) TIME FOR IMPLEMENTATION; APPLICABILITY.—(1) The Secretary of Defense shall collect data as required under section 2225 of title 10, United States Code (as added by subsection (a)) for all contractual actions covered by such section entered into on or after the date that is one year after the date of the enactment of this Act.

(2) Subsection (d) of such section shall apply with respect to purchases described in that subsection for which solicitations of offers are issued on or after the date that is one year after the date of the enactment of this Act.

(c) GAO REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the collection of data under such section 2225. The report shall include the Comptroller General's assessment of the extent to which the collection of data meets the requirements of that section.

SEC. 813. APPROPRIATE USE OF REQUIREMENTS REGARDING EXPERIENCE AND EDUCATION OF CONTRACTOR PERSONNEL IN THE PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES.

(a) AMENDMENT OF THE FEDERAL ACQUISITION REGULATION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be amended to address the use, in the procurement of information technology services, of requirements regarding the experience and education of contractor personnel.

(b) CONTENT OF AMENDMENT.—The amendment issued pursuant to subsection (a) shall, at a minimum, provide that solicitations for the procurement of information technology services shall not set forth any minimum experience or educational requirement for proposed contractor personnel in order for a bidder to be eligible for award of a contract unless—

(1) the contracting officer first determines that the needs of the executive agency cannot be met without any such requirement; or

(2) the needs of the executive agency require the use of a type of contract other than a performance-based contract.

(c) GAO REPORT.—Not later than one year after the date on which the regulations required by subsection (a) are published in the Federal Register, the Comptroller General shall submit to Congress an evaluation of—

(1) executive agency compliance with the regulations; and

(2) conformance of the regulations with existing law, together with any recommendations that the Comptroller General considers appropriate.

(d) DEFINITIONS.—In this section:

(1) The term ''executive agency'' has the meaning given that term in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(2) The term ''information technology'' has the meaning given that term in section 5002(3) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401(3)).

(3) The term ''performance-based'', with respect to a contract, means that the contract includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.

SEC. 814. NAVY-MARINE CORPS INTRANET.

(a) LIMITATION.—None of the funds authorized to be appropriated for the Department of the Navy may be obligated or expended to carry out a Navy-Marine Corps Intranet contract before—

(1) the Comptroller of the Department of Defense and the Director of the Office of Management and Budget—

(A) have reviewed—

(i) the Report to Congress on the Navy-Marine Corps Intranet submitted by the Department of the Navy on June 30, 2000; and

(ii) the Business Case Analysis Supplement for the Report to Congress on the Navy-Marine Corps Intranet submitted by the Department of the Navy on July 15, 2000; and

(B) have provided their written comments to the Secretary of the Navy and the Chief of Naval Operations; and

(2) the Secretary of the Navy and the Chief of Naval Operations have submitted to Congress a joint certification that they have reviewed the business case for the contract and the comments provided by the Comptroller of the Department of Defense and the Director of the Office of Management and Budget and that they have determined that the implementation of the contract is in the best interest of the Department of the Navy.

(b) PHASED IMPLEMENTATION—(1) Upon the submission of the certification under subsection (a)(2), the Secretary of the Navy may commence a phased implementation of a Navy-Marine Corps Intranet contract.

(2) Not more than 15 percent of the total number of work stations to be provided under the Navy-Marine Corps Intranet program may be provided in the first increment of implementation of the Navy-Marine Corps Intranet contract.

(3) No work stations in excess of the number permitted by paragraph (2) may be provided under the program until—

(A) the Secretary of the Navy has conducted operational testing and cost review of the increment covered by that paragraph;

(B) the Chief Information Officer of the Department of Defense has certified to the Secretary of the Navy that the results of the operational testing of the Intranet are acceptable;

(C) the Comptroller of the Department of Defense has certified to the Secretary of the Navy that the cost review provides a reliable basis for forecasting the cost impact of continued implementation; and

(D) the Secretary of the Navy and the Chief of Naval Operations have submitted to Congress a joint certification that they have reviewed the certifications submitted under subparagraphs (B) and (C) and have determined that the continued implementation of the contract is in the best interest of the Department of the Navy.

(4) No increment of the Navy-Marine Corps Intranet that is implemented during fiscal year 2001 may include any activities of the Marine Corps, the naval shipyards, or the naval aviation depots. Funds available for fiscal year 2001 for activities of the Marine Corps, the naval shipyards, or the naval aviation depots may not be expended for any contract for the Navy-Marine Corps Intranet.

(c) PROHIBITION ON INCREASE OF RATES CHARGED.—The Secretary of the Navy shall ensure that rates charged by a working capital funded industrial facility of the Department of the Navy for goods or services provided by such facility are not increased during fiscal year 2001 for the purpose of funding the Navy-Marine Corps Intranet contract.

(d) APPLICABILITY OF STATUTORY AND REGULATORY REQUIREMENTS.—The acquisition of a Navy-Marine Corps Intranet shall be managed by the Department of the Navy in accordance with the requirements of—

(1) the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106), including the requirement for utilizing modular contracting in accordance with section 38 of the Office of Federal Procurement Policy Act (41 U.S.C. 434); and

(2) Department of Defense Directives 5000.1 and 5000.2–R and all other directives, regulations, and management controls that are applicable to major investments in information technology and related services.

(e) IMPACT ON FEDERAL EMPLOYEES.—The Secretary shall mitigate any adverse impact of the implementation of the Navy-Marine Corps Intranet on civilian employees of the Department of the Navy who, as of the date of the enactment of this Act, are performing functions that are included in the scope of the Navy-Marine Corps Intranet program by—

(1) developing a comprehensive plan for the transition of such employees to the performance of other functions within the Department of the Navy;

(2) taking full advantage of transition authorities available for the benefit of employees;

(3) encouraging the retraining of employees who express a desire to qualify for reassignment to the performance of other functions within the Department of the Navy; and

(4) including a provision in the Navy-Marine Corps Intranet contract that requires the contractor to provide a preference for hiring employees of the Department of the Navy who, as of the date of the enactment of this Act, are performing functions that are included in the scope of the contract.

(f) NAVY-MARINE CORPS INTRANET CONTRACT DEFINED.—In this section, the term ''Navy-Marine Corps Intranet contract'' means a contract providing for a long-term arrangement of the Department of the Navy with the commercial sector that imposes on the contractor a responsibility for, and transfers to the contractor the risk of, providing and managing the significant majority of desktop, server, infrastructure, and communication assets and services of the Department of the Navy.

SEC. 815. SENSE OF CONGRESS REGARDING INFORMATION TECHNOLOGY SYSTEMS FOR GUARD AND RESERVE COMPONENTS.

It is the sense of Congress—

(1) that the Secretary of Defense should take appropriate steps to provide for upgrading information technology systems of the reserve components to ensure that those systems are capable, as required for mission purposes, of communicating with other relevant information technology systems of the military department concerned and of the Department of Defense in general; and

(2) that the Secretary of each military department should ensure that communications systems for the reserve components under the Secretary's jurisdiction receive appropriate funding for information technology systems in order to achieve the capability referred to in paragraph (1).

Subtitle C—Other Acquisition-Related Matters

SEC. 821. IMPROVEMENTS IN PROCUREMENTS OF SERVICES.

(a) PREFERENCE FOR PERFORMANCE-BASED SERVICE CONTRACTING.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued in accordance with sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421) shall be revised to establish a preference for use of contracts and task orders for the purchase of services in the following order of precedence:

(1) A performance-based contract or performance-based task order that contains firm fixed prices for the specific tasks to be performed.

(2) Any other performance-based contract or performance-based task order.

(3) Any contract or task order that is not a performance-based contract or a performance-based task order.

(b) INCENTIVE FOR USE OF PERFORMANCE-BASED SERVICE CONTRACTS.—(1) A Department of Defense performance-based service contract or performance-based task order may be treated as a contract for the procurement of commercial items if—

(A) the contract or task order is valued at $5,000,000 or less;

(B) the contract or task order sets forth specifically each task to be performed and, for each task—

(i) defines the task in measurable, mission-related terms;

(ii) identifies the specific end products or output to be achieved; and

(iii) contains a firm fixed price; and

(C) the source of the services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.

(2) The special simplified procedures provided in the Federal Acquisition Regulation pursuant to section 2304(g)(1)(B) of title 10, United States Code, shall not apply to a performance-based service contract or performance-based task order that is treated as a contract for the procurement of commercial items under paragraph (1).

(3) Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit a report on the implementation of this subsection to the congressional defense committees.

(4) The authority under this subsection shall not apply to contracts entered into or task orders issued more than 3 years after the date of the enactment of this Act.

(c) CENTERS OF EXCELLENCE IN SERVICE CONTRACTING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall establish at least one center of excellence in contracting for services. Each center of excellence shall assist the acquisition community by identifying, and serving as a clearinghouse for, best practices in contracting for services in the public and private sectors.

(d) ENHANCED TRAINING IN SERVICE CONTRACTING.—(1) The Secretary of Defense shall ensure that classes focusing specifically on contracting for services are offered by the Defense Acquisition University and the Defense Systems Management College and are otherwise available to contracting personnel throughout the Department of Defense.

(2) The Secretary of each military department and the head of each Defense Agency shall ensure that the personnel of the department or agency, as the case may be, who are responsible for the awarding and management of contracts for services receive appropriate training that is focused specifically on contracting for services.

(e) DEFINITIONS.—In this section:

(1) The term ''performance-based'', with respect to a contract, a task order, or contracting, means that the contract, task order, or contracting, respectively, includes the use of performance work statements that set forth contract requirements in clear, specific, and objective terms with measurable outcomes.

(2) The term ''commercial item'' has the meaning given the term in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

(3) The term ''Defense Agency'' has the meaning given the term in section 101(a)(11) of title 10, United States Code.

SEC. 822. FINANCIAL ANALYSIS OF USE OF DUAL RATES FOR QUANTIFYING OVERHEAD COSTS AT ARMY AMMUNITION PLANTS.

(a) REQUIREMENT FOR ANALYSIS.—The Secretary of the Army shall carry out a financial analysis of the costs that would be incurred and the benefits that would be derived from the implementation of a policy of using—

(1) one set of rates for quantifying the overhead costs associated with Government-owned ammunition plants of the Department of the Army when allocating those costs to contractors operating the plants; and

(2) another set of rates for quantifying the overhead costs to be allocated to the operation

of such plants by employees of the United States.

(b) REPORT.—Not later than February 15, 2001, the Secretary shall submit to the congressional defense committees a report on the results of the analysis carried out under subsection (a). The report shall include the following:

(1) The costs and benefits identified in the analysis under subsection (a).

(2) The risks to the United States of implementing a dual-rate policy described in subsection (a).

(3) The effects that a use of dual rates under such a policy would have on the defense industrial base of the United States.

SEC. 823. REPEAL OF PROHIBITION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PROCUREMENT OF NUCLEAR-CAPABLE SHIPYARD CRANE FROM A FOREIGN SOURCE.

Section 8093 of the Department of Defense Appropriations Act, 2000 (Public Law 106–79; 113 Stat. 1253), is amended by striking subsection (d), relating to a prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

SEC. 824. EXTENSION OF WAIVER PERIOD FOR LIVE-FIRE SURVIVABILITY TESTING FOR MH–47E AND MH–60K HELICOPTER MODIFICATION PROGRAMS.

(a) EXISTING WAIVER PERIOD NOT APPLICABLE.—Section 2366(c)(1) of title 10, United States Code, shall not apply with respect to survivability and lethality tests for the MH–47E and MH–60K helicopter modification programs. Except as provided in the previous sentence, the provisions and requirements in section 2366(c) of such title shall apply with respect to such programs, and the certification required by subsection (b) shall comply with the requirements in paragraph (3) of such section.

(b) EXTENDED PERIOD FOR WAIVER.—With respect to the MH–47E and MH–60K helicopter modification programs, the Secretary of Defense may waive the application of the survivability and lethality tests described in section 2366(a) of title 10, United States Code, if the Secretary, before full materiel release of the MH–47E and MH–60K helicopters for operational use, certifies to Congress that live-fire testing of the programs would be unreasonably expensive and impracticable.

(c) CONFORMING AMENDMENT.—Section 142(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2338) is amended by striking ''and survivability testing'' in paragraphs (1) and (2).

SEC. 825. COMPLIANCE WITH EXISTING LAW REGARDING PURCHASES OF EQUIPMENT AND PRODUCTS.

(a) SENSE OF CONGRESS REGARDING PURCHASE BY THE DEPARTMENT OF DEFENSE OF EQUIPMENT AND PRODUCTS.—It is the sense of Congress that any entity of the Department of Defense, in expending funds authorized by this Act for the purchase of equipment or products, should fully comply with the Buy American Act (41 U.S.C. 10a et seq.) and section 2533 of title 10, United States Code.

(b) DEBARMENT OF PERSONS CONVICTED OF FRAUDULENT USE OF ''MADE IN AMERICA'' LABELS.—If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription, or another inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 826. REQUIREMENT TO DISREGARD CERTAIN AGREEMENTS IN AWARDING CONTRACTS FOR THE PURCHASE OF FIREARMS OR AMMUNITION.

In accordance with the requirements contained in the amendments enacted in the Competition in Contracting Act of 1984 (title VII of division B of Public Law 98–369; 98 Stat. 1175), the Secretary of Defense may not, in awarding a contract for the purchase of firearms or ammunition, take into account whether a manufacturer or vendor of firearms or ammunition is a party to an agreement under which the manufacturer or vendor agrees to adopt limitations with respect to importing, manufacturing, or dealing in firearms or ammunition in the commercial market.

Subtitle D—Studies and Reports

SEC. 831. STUDY ON IMPACT OF FOREIGN SOURCING OF SYSTEMS ON LONG-TERM MILITARY READINESS AND RELATED INDUSTRIAL INFRASTRUCTURE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study analyzing in detail—

(1) the amount and sources of parts, components, and materials of the systems described in subsection (b) that are obtained from foreign sources;

(2) the impact of obtaining such parts, components, and materials from foreign sources on the long-term readiness of the Armed Forces and on the economic viability of the national technology and industrial base;

(3) the impact on military readiness that would result from the loss of the ability to obtain parts, components, and materials identified pursuant to paragraph (1) from foreign sources; and

(4) the availability of domestic sources for parts, components, and materials identified as being obtained from foreign sources pursuant to paragraph (1).

(b) SYSTEMS.—The systems referred to in subsection (a) are the following:

(1) AH–64D Apache helicopter.

(2) F/A–18 E/F aircraft.

(3) M1A2 Abrams tank.

(4) AIM–120 AMRAAM missile.

(5) Patriot missile ground station.

(6) Hellfire missile.

(c) SOURCE OF INFORMATION.—The Secretary shall collect information to be analyzed under the study from prime contractors and first and second tier subcontractors.

(d) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required by this section.

(e) DEFINITIONS.—In this section:

(1) The term ''domestic source'' means a person or organization that falls within the term ''national technology and industrial base'', as defined in section 2500(1) of title 10, United States Code.

(2) The term ''foreign source'' means a person or organization that does not fall within the meaning of the term ''national technology and industrial base'', as defined in such section.

(3) The term ''national technology and industrial base'' has the meaning given that term in such section.

SEC. 832. STUDY OF POLICIES AND PROCEDURES FOR TRANSFER OF COMMERCIAL ACTIVITIES.

(a) GAO-CONVENED PANEL.—The Comptroller General shall convene a panel of experts to study the policies and procedures governing the transfer of commercial activities for the Federal Government from Government personnel to a Federal contractor, including—

(1) procedures for determining whether functions should continue to be performed by Government personnel;

(2) procedures for comparing the costs of performance of functions by Government personnel and the costs of performance of such functions by Federal contractors;

(3) implementation by the Department of Defense of the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note); and

(4) procedures of the Department of Defense for public-private competitions pursuant to the Office of Management and Budget Circular A–76.

(b) COMPOSITION OF PANEL.—(1) The Comptroller General shall appoint highly qualified and knowledgeable persons to serve on the panel and shall ensure that the following entities receive fair representation on the panel:

(A) The Department of Defense.

(B) Persons in private industry.

(C) Federal labor organizations.

(D) The Office of Management and Budget.

(2) For the purposes of the requirement for fair representation under paragraph (1), persons serving on the panel under subparagraph (C) of that paragraph shall not be counted as persons serving on the panel under subparagraph (A), (B), or (D) of that paragraph.

(c) CHAIRMAN.—The Comptroller General, or an individual within the General Accounting Office designated by the Comptroller General, shall be the chairman of the panel.

(d) PARTICIPATION BY OTHER INTERESTED PARTIES.—The chairman shall ensure that all interested parties, including individuals who are not represented on the panel who are officers or employees of the United States, persons in private industry, or representatives of Federal labor organizations, have the opportunity to submit information and views on the matters being studied by the panel.

(e) INFORMATION FROM AGENCIES.—The panel may request directly from any department or agency of the United States any information that the panel considers necessary to carry out a meaningful study of the policies and procedures described in subsection (a), including the Office of Management and Budget Circular A–76 process. To the extent consistent with applicable laws and regulations, the head of such department or agency shall furnish the requested information to the panel.

(f) REPORT.—Not later than May 1, 2002, the Comptroller General shall submit the report of the panel on the results of the study to Congress, including recommended changes with respect to implementation of policies and enactment of legislation.

(g) DEFINITION.—In this section, the term ''Federal labor organization'' has the meaning given the term ''labor organization'' in section 7103(a)(4) of title 5, United States Code.

SEC. 833. STUDY AND REPORT ON PRACTICE OF CONTRACT BUNDLING IN MILITARY CONSTRUCTION CONTRACTS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study regarding the use of the practice known as ''contract bundling'' with respect to military construction contracts.

(b) REPORT.—Not later than February 1, 2001, the Comptroller General shall submit to the committees on Armed Services of the Senate and the House of Representatives a report on the results of the study conducted under subsection (a).

SEC. 834. REQUIREMENT TO CONDUCT STUDY ON CONTRACT BUNDLING.

(a) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive study on the practice known as ''contract bundling'' by the Department of Defense, and the effects of such practice on small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled

by women, and historically underutilized business zones (as such terms are used in the Small Business Act (15 U.S.C. 631 et seq.)).

(b) DEADLINE.—The Secretary shall submit the results of the study to the Committees on Armed Services and Small Business of the Senate and the House of Representatives before submission of the budget request of the Department of Defense for fiscal year 2002.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Duties and Functions of Department of Defense Officers

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Subtitle A—Duties and Functions of Department of Defense Officers

SEC. 901. OVERALL SUPERVISION OF DEPARTMENT OF DEFENSE ACTIVITIES FOR COMBATING TERRORISM.

Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6)(A) One of the Assistant Secretaries, as designated by the Secretary of Defense from among those Assistant Secretaries with responsibilities that include responsibilities related to combating terrorism, shall have, among that Assistant Secretary's duties, the duty to provide overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of the Department of Defense for combating terrorism, including antiterrorism activities, counterterrorism activities, terrorism consequences management activities, and terrorism-related intelligence support activities.

''(B) The Assistant Secretary designated under subparagraph (A) shall be the principal civilian adviser to the Secretary of Defense on combating terrorism and (after the Secretary and Deputy Secretary) shall be the principal official within the senior management of the Department of Defense responsible for combating terrorism.

''(C) If the Secretary of Defense designates under subparagraph (A) an Assistant Secretary other than the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, then the responsibilities of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict related to combating terrorism shall be exercised subject to subparagraph (B).''.

SEC. 902. CHANGE OF TITLE OF CERTAIN POSITIONS IN THE HEADQUARTERS, MARINE CORPS.

(a) INSTITUTION OF POSITIONS AS DEPUTY COMMANDANTS.—Section 5041(b) of title 10, United States Code, is amended—

(1) by striking paragraphs (3) through (5) and inserting the following:

''(3) The Deputy Commandants.''; and

(2) by redesignating paragraphs (6) and (7) as paragraphs (4) and (5), respectively.

(b) DESIGNATION OF DEPUTY COMMANDANTS.—(1) Section 5045 of such title is amended to read as follows:

''§ 5045. Deputy Commandants

''There are in the Headquarters, Marine Corps, not more than five Deputy Commandants, detailed by the Secretary of the Navy from officers on the active-duty list of the Marine Corps.''.

(2) The item relating to section 5045 in the table of sections at the beginning of chapter 506 of such title is amended to read as follows:

''5045. Deputy Commandants.''.

(c) CONFORMING AMENDMENT.—Section 1502(7)(D) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 401) is amended to read as follows:

''(D) the Deputy Commandant of the Marine Corps with responsibility for personnel matters.''.

SEC. 903. CLARIFICATION OF SCOPE OF INSPECTOR GENERAL AUTHORITIES UNDER MILITARY WHISTLEBLOWER LAW.

(a) CLARIFICATION OF RESPONSIBILITIES.—Subsection (c)(3)(A) of section 1034 of title 10, United States Code, is amended by inserting '', in accordance with regulations prescribed under subsection (h),'' after ''shall expeditiously determine''.

(b) REDEFINITION OF INSPECTOR GENERAL.—Subsection (i)(2) of such section is amended—

(1) by inserting ''any of'' in the matter preceding subparagraph (A) after ''means'';

(2) by striking subparagraphs (C), (D), (E), (F) and (G); and

(3) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) Any officer of the armed forces or employee of the Department of Defense who is assigned or detailed to serve as an Inspector General at any level in the Department of Defense.''.

SEC. 904. POLICY TO ENSURE CONDUCT OF SCIENCE AND TECHNOLOGY PROGRAMS SO AS TO FOSTER THE TRANSITION OF SCIENCE AND TECHNOLOGY TO HIGHER LEVELS OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(a) IN GENERAL.—(1) Chapter 139 of title 10, United States Code, is amended by inserting after section 2358 the following new section:

''§ 2359. Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation

''(a) POLICY.—Each official specified in subsection (b) shall ensure that the management and conduct of the science and technology programs under the authority of that official are carried out in a manner that will foster the transition of science and technology to higher levels of research, development, test, and evaluation.

''(b) COVERED OFFICIALS.—Subsection (a) applies to the following officials of the Department of Defense:

''(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(2) The Secretary of each military department.

''(3) The Director of the Defense Advanced Research Projects Agency.

''(4) The directors and heads of other offices and agencies of the Department of Defense with assigned research, development, test, and evaluation responsibilities.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2358 the following new item:

''2359. Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation.''.

(b) OFFICE OF NAVAL RESEARCH.—Section 5022(b) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

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

''(4) the execution of, and management responsibility for, programs for which funds are provided in the basic and applied research and advanced technology categories of the Department of the Navy research, development, test, and evaluation budget in such a manner that will foster the transition of science and technology to higher levels of research, development, test and evaluation.''.

SEC. 905. ADDITIONAL COMPONENTS OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF ANNUAL REPORT ON COMBATANT COMMAND REQUIREMENTS.

(a) ADDITIONAL COMPONENTS.—Section 153(d)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraphs:

''(C) A description of the extent to which the most recent future-years defense program (under section 221 of this title) addresses the requirements on the consolidated lists.

''(D) A description of the funding proposed in the President's budget for the next fiscal year,

and for the subsequent fiscal years covered by the most recent future-years defense program, to address each deficiency in readiness identified during the joint readiness review conducted under section 117 of this title for the first quarter of the current fiscal year.''.

(b) TIME FOR SUBMISSION.—Such section is further amended by striking ''Not later than August 15 of each year,'' and inserting ''At or about the time that the budget is submitted to Congress for a fiscal year under section 1105(a) of title 31,''.

Subtitle B—Department of Defense Organizations

SEC. 911. WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION.

(a) IN GENERAL.—Chapter 108 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2166. Western Hemisphere Institute for Security Cooperation

''(a) ESTABLISHMENT AND ADMINISTRATION.—(1) The Secretary of Defense may operate an education and training facility for the purpose set forth in subsection (b). The facility shall be known as the 'Western Hemisphere Institute for Security Cooperation'.

''(2) The Secretary may designate the Secretary of a military department as the Department of Defense executive agent for carrying out the responsibilities of the Secretary of Defense under this section.

''(b) PURPOSE.—The purpose of the Institute is to provide professional education and training to eligible personnel of nations of the Western Hemisphere within the context of the democratic principles set forth in the Charter of the Organization of American States (such charter being a treaty to which the United States is a party), while fostering mutual knowledge, transparency, confidence, and cooperation among the participating nations and promoting democratic values, respect for human rights, and knowledge and understanding of United States customs and traditions.

''(c) ELIGIBLE PERSONNEL.—(1) Subject to paragraph (2), personnel of nations of the Western Hemisphere are eligible for education and training at the Institute as follows:

''(A) Military personnel.

''(B) Law enforcement personnel.

''(C) Civilian personnel.

''(2) The Secretary of State shall be consulted in the selection of foreign personnel for education or training at the Institute.

''(d) CURRICULUM.—(1) The curriculum of the Institute shall include mandatory instruction for each student, for at least 8 hours, on human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.

''(2) The curriculum may include instruction and other educational and training activities on the following:

''(A) Leadership development.

''(B) Counterdrug operations.

''(C) Peace support operations.

''(D) Disaster relief.

''(E) Any other matter that the Secretary determines appropriate.

''(e) BOARD OF VISITORS.—(1) There shall be a Board of Visitors for the Institute. The Board shall be composed of the following:

''(A) The chairman and ranking minority member of the Committee on Armed Services of the Senate, or a designee of either of them.

''(B) The chairman and ranking minority member of the Committee on Armed Services of the House of Representatives, or a designee of either of them.

''(C) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia and the religious and human rights communities.

''(D) One person designated by the Secretary of State.

''(E) The senior military officer responsible for training and doctrine for the Army or, if the Secretary of the Navy or the Secretary of the Air Force is designated as the executive agent of the Secretary of Defense under subsection (a)(2), the senior military officer responsible for training and doctrine for the Navy or Marine Corps or for the Air Force, respectively, or a designee of the senior military officer concerned.

''(F) The commander of the unified combatant command having geographic responsibility for Latin America, or a designee of that officer.

''(2) A vacancy in a position on the Board shall be filled in the same manner as the position was originally filled.

''(3) The Board shall meet at least once each year.

''(4)(A) The Board shall inquire into the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Institute, other matters relating to the Institute that the Board decides to consider, and any other matter that the Secretary of Defense determines appropriate.

''(B) The Board shall review the curriculum of the Institute to determine whether—

''(i) the curriculum complies with applicable United States laws and regulations;

''(ii) the curriculum is consistent with United States policy goals toward Latin America and the Caribbean;

''(iii) the curriculum adheres to current United States doctrine; and

''(iv) the instruction under the curriculum appropriately emphasizes the matters specified in subsection (d)(1).

''(5) Not later than 60 days after its annual meeting, the Board shall submit to the Secretary of Defense a written report of its activities and of its views and recommendations pertaining to the Institute.

''(6) Members of the Board shall not be compensated by reason of service on the Board.

''(7) With the approval of the Secretary of Defense, the Board may accept and use the services of voluntary and uncompensated advisers appropriate to the duties of the Board without regard to section 1342 of title 31.

''(8) Members of the Board and advisers whose services are accepted under paragraph (7) shall be allowed travel and transportation expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Board. Allowances under this paragraph shall be computed—

''(A) in the case of members of the Board who are officers or employees of the United States, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5; and

''(B) in the case of other members of the Board and advisers, as authorized under section 5703 of title 5 for employees serving without pay.

''(9) The Federal Advisory Committee Act (5 U.S.C. App. 2), other than section 14 (relating to termination after two years), shall apply to the Board.

''(f) FIXED COSTS.—The fixed costs of operating and maintaining the Institute for a fiscal year may be paid from—

''(1) any funds available for that fiscal year for operation and maintenance for the executive agent designated under subsection (a)(2); or

''(2) if no executive agent is designated under subsection (a)(2), any funds available for that fiscal year for the Department of Defense for operation and maintenance for Defense-wide activities.

''(g) TUITION.—Tuition fees charged for persons who attend the Institute may not include the fixed costs of operating and maintaining the Institute.

''(h) ANNUAL REPORT.—Not later than March 15 of each year, the Secretary of Defense shall submit to Congress a detailed report on the activities of the Institute during the preceding year. The report shall be prepared in consultation with the Secretary of State.''.

(b) REPEAL OF AUTHORITY FOR UNITED STATES ARMY SCHOOL OF THE AMERICAS.—Section 4415 of title 10, United States Code, is repealed.

(c) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by inserting after the item relating to section 2165 the following new item:

''2166. Western Hemisphere Institute for Security Cooperation.''.

(2) The table of sections at the beginning of chapter 407 of such title is amended by striking the item relating to section 4415.

SEC. 912. DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) REQUIREMENT FOR ANNUAL REPORT.—(1) Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 184. Department of Defense regional centers for security studies

''(a) ADVANCE NOTIFICATION TO CONGRESS OF THE ESTABLISHMENT OF NEW REGIONAL CENTERS.—After the date of the enactment of this section, a regional center for security studies may not be established in the Department of Defense until—

''(1) the Secretary of Defense submits to Congress a notification of the intent of the Secretary to establish the center, including a description of the mission and functions of the proposed center and a justification for the proposed center; and

''(2) a period of 90 days has elapsed after the date on which that notification is submitted.

''(b) REQUIREMENT FOR ANNUAL REPORT.—Not later than February 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the operation of the Department of Defense regional centers for security studies during the preceding fiscal year. The annual report shall include, for each regional center, the following information:

''(1) The status and objectives of the center.

''(2) The budget of the center, including the costs of operating the center.

''(3) A description of the extent of the international participation in the programs of the center, including the costs incurred by the United States for the participation of each foreign nation.

''(4) A description of the foreign gifts and donations, if any, accepted under any of the following provisions of law:

''(A) Section 2611 of this title.

''(B) Section 1306 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2892).

''(C) Section 1065 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2653; 10 U.S.C. 113 note).

''(c) REGIONAL CENTER FOR SECURITY STUDIES DEFINED.—For the purposes of this section, a regional center for security studies is any center within the Department of Defense that—

''(1) is operated, and designated as such, by the Secretary of Defense for the study of security issues relating to a specified geographic region of the world; and

''(2) serves as a forum for bilateral and multilateral communication and military and civilian exchanges with nations in that region.''.

(2) The table of sections at the beginning of chapter 7 of such title is amended by adding at the end the following new item:

''184. Department of Defense regional centers for security studies.''.

(b) FIRST ANNUAL REPORT.—In the first annual report on Department of Defense regional centers for security studies under section 184(b) of title 10, United States Code (as added by subsection (a)), to be submitted not later than February 1, 2001, the Secretary of Defense shall include any recommendation for legislation that the Secretary considers appropriate for the operation of Department of Defense regional centers for security studies, together with a detailed justification for the recommended legislation.

SEC. 913. CHANGE IN NAME OF ARMED FORCES STAFF COLLEGE TO JOINT FORCES STAFF COLLEGE.

(a) CHANGE IN NAME.—The Armed Forces Staff College of the Department of Defense is hereby renamed the ''Joint Forces Staff College''.

(b) CONFORMING AMENDMENT.—Section 2165(b)(3) of title 10, United States Code, is amended by striking ''Armed Forces Staff College'' and inserting ''Joint Forces Staff College''.

(c) REFERENCES.—Any reference to the Armed Forces Staff College in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Joint Forces Staff College.

SEC. 914. SPECIAL AUTHORITY FOR ADMINISTRATION OF NAVY FISHER HOUSES.

(a) BASE OPERATING SUPPORT.—Section 2493 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL AUTHORITY FOR NAVY.—The Secretary of the Navy shall provide base operating support for Fisher Houses associated with health care facilities of the Navy. The level of the support shall be equivalent to the base operating support that the Secretary provides for morale, welfare, and recreation category B community activities (as defined in regulations, prescribed by the Secretary, that govern morale, welfare, and recreation activities associated with Navy installations).''.

(b) SAVINGS PROVISIONS FOR CERTAIN NAVY EMPLOYEES.—(1) The Secretary of the Navy may continue to employ, and pay out of appropriated funds, any employee of the Navy in the competitive service who, as of October 17, 1998, was employed by the Navy in a position at a Fisher House administered by the Navy, but only for so long as the employee is continuously employed in that position.

(2) After a person vacates a position in which the person was continued to be employed under the authority of paragraph (1), a person employed in that position shall be employed as an employee of a nonappropriated fund instrumentality of the United States and may not be paid for services in that position out of appropriated funds.

(3) In this subsection:

(A) The term ''Fisher House'' has the meaning given the term in section 2493(a)(1) of title 10, United States Code.

(B) The term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code.

(c) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall be effective as of October 17, 1998, as if included in section 2493 of title 10, United States Code, as enacted by section 906(a) of Public Law 105–261.

(2) Subsection (b) applies with respect to the pay period that includes October 17, 1998, and subsequent pay periods.

SEC. 915. SUPERVISORY CONTROL OF ARMED FORCES RETIREMENT HOME BOARD BY SECRETARY OF DEFENSE.

The Armed Forces Retirement Home Act of 1991 (title XV of Public Law 101–510; 24 U.S.C. 401 et seq.) is amended by inserting after section 1523 the following new section:

''SEC. 1524. CONDITIONAL SUPERVISORY CONTROL OF RETIREMENT HOME BOARD BY SECRETARY OF DEFENSE.

''(a) APPLICABILITY.—This section shall apply only when the deduction authorized by section 1007(i)(1) of title 37, United States Code, to be made from the monthly pay of certain members of the armed forces is equal to $1.00 for each enlisted member, warrant officer, and limited duty officer of the armed forces on active duty.

''(b) BOARD AUTHORITY SUBJECT TO SECRETARY'S CONTROL.—The Retirement Home Board shall be subject to the authority, direction, and control of the Secretary of Defense in the performance of the Board's duties under section 1516.

''(c) APPOINTMENT OF BOARD MEMBERS.—When an appointment of a member of the Retirement Home Board under section 1515 is not made by the Secretary of Defense, the appointment shall be subject to the approval of the Secretary of Defense.

''(d) TERMS OF BOARD MEMBERS.—(1) Notwithstanding section 1515(e)(3), only the Secretary of Defense may appoint a member of the Retirement Home Board for a second consecutive term.

''(2) The Secretary of Defense may terminate the appointment of a member of the Retirement Home Board at the pleasure of the Secretary.

''(e) RESPONSIBILITY OF CHAIRMAN TO THE SECRETARY.—Notwithstanding section 1515(d)(1)(B), the chairman of the Retirement Home Board shall be responsible to the Secretary of Defense, but not to the Secretaries of the military departments, for direction and management of the Retirement Home or each facility maintained as a separate facility of the Retirement Home.''.

SEC. 916. SEMIANNUAL REPORT ON JOINT REQUIREMENTS OVERSIGHT COUNCIL REFORM INITIATIVE.

(a) SEMIANNUAL REPORT.—The Chairman of the Joints Chiefs of Staff shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a series of five semiannual reports, as prescribed by subsection (b), on the activities of the Joint Requirements Oversight Council. The principal focus of each such report shall be on the progress made on the initiative of the Chairman to reform and refocus the Joint Requirements Oversight Council.

(b) SUBMISSION OF REPORTS.—Reports under this section shall be submitted not later than March 1, 2001, September 1, 2001, March 1, 2002, September 1, 2002, and March 1, 2003. Each report shall cover the half of a fiscal year that ends five months before the date on which the report is due.

(c) CONTENT.—In the case of any report under this section after the first such report, if any matter to be included is unchanged from the preceding report, that matter may be included by reference to the preceding report. Each such report shall include, to the extent practicable, the following:

(1) A listing of each of the capability areas designated by the Chairman of the Joints Chiefs of Staff as being within the principal domain of the Joint Requirements Oversight Council and a justification for each such designation.

(2) A listing of the joint requirements developed, considered, or approved within each of the capability areas listed pursuant to paragraph (1).

(3) A listing and explanation of the decisions made by the Joint Requirements Oversight Council and, to the extent appropriate, a listing of each of the recommendations to the Council made by the commander of the United States Joint Forces Command.

(4) An assessment of—

(A) the progress made in shifting the Joint Requirements Oversight Council to having a more strategic focus on future war fighting requirements;

(B) the progress made on integration of requirements; and

(C) the progress made on development of overarching common architectures for defense information systems to ensure that common defense information systems are fully interoperable.

(5) A description of any actions that have been taken to improve the Joint Requirements Oversight Council.

SEC. 917. COMPTROLLER GENERAL REVIEW OF OPERATIONS OF DEFENSE LOGISTICS AGENCY.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall review the operations of the Defense Logistics Agency—

(1) to assess—

(A) the efficiency of those operations;

(B) the effectiveness of those operations in meeting customer requirements; and

(C) the flexibility of those operation to adopt best business practices; and

(2) to identify alternative approaches for improving the operations of that agency.

(b) REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives one or more reports setting forth the Comptroller General's findings resulting from the review under subsection (a).

SEC. 918. COMPTROLLER GENERAL REVIEW OF OPERATIONS OF DEFENSE INFORMATION SYSTEMS AGENCY.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall review the operations of the Defense Information Systems Agency—

(1) to assess—

(A) the efficiency of those operations;

(B) the effectiveness of those operations in meeting customer requirements; and

(C) the flexibility of those operations to adopt best business practices; and

(2) to identify alternative approaches for improving the operations of that agency.

(b) REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives one or more reports setting forth the Comptroller General's findings resulting from the review under subsection (a).

Subtitle C—Information Security

SEC. 921. INSTITUTE FOR DEFENSE COMPUTER SECURITY AND INFORMATION PROTECTION.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an Institute for Defense Computer Security and Information Protection.

(b) MISSION.—The Secretary shall require the institute—

(1) to conduct research and technology development that is relevant to foreseeable computer and network security requirements and information assurance requirements of the Department of Defense with a principal focus on areas not being carried out by other organizations in the private or public sector; and

(2) to facilitate the exchange of information regarding cyberthreats, technology, tools, and other relevant issues.

(c) CONTRACTOR OPERATION.—The Secretary shall enter into a contract with a not-for-profit entity, or a consortium of not-for-profit entities, to organize and operate the institute. The Secretary shall use competitive procedures for the selection of the contractor to the extent determined necessary by the Secretary.

(d) FUNDING.—Of the amount authorized to be appropriated by section 301(5), $5,000,000 shall

be available for the Institute for Defense Computer Security and Information Protection.

(e) REPORT.—Not later than April 1, 2001, the Secretary shall submit to the congressional defense committees the Secretary's plan for implementing this section.

SEC. 922. INFORMATION SECURITY SCHOLARSHIP PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Part III of subtitle A of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 112—INFORMATION SECURITY SCHOLARSHIP PROGRAM

''Sec.
''2200. Programs; purpose.
''2200a. Scholarship program.
''2200b. Grant program.
''2200c. Centers of Academic Excellence in Information Assurance Education.
''2200d. Regulations.
''2200e. Definitions.
''2200f. Inapplicability to Coast Guard.

"§ 2200. Programs; purpose

''(a) IN GENERAL.—To encourage the recruitment and retention of Department of Defense personnel who have the computer and network security skills necessary to meet Department of Defense information assurance requirements, the Secretary of Defense may carry out programs in accordance with this chapter to provide financial support for education in disciplines relevant to those requirements at institutions of higher education.

''(b) TYPES OF PROGRAMS.—The programs authorized under this chapter are as follows:

''(1) Scholarships for pursuit of programs of education in information assurance at institutions of higher education.

''(2) Grants to institutions of higher education.

"§ 2200a. Scholarship program

''(a) AUTHORITY.—The Secretary of Defense may, subject to subsection (g), provide financial assistance in accordance with this section to a person—

''(1) who is pursuing an associate, baccalaureate, or advanced degree, or a certification, in an information assurance discipline referred to in section 2200(a) of this title at an institution of higher education; and

''(2) who enters into an agreement with the Secretary as described in subsection (b).

''(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—(1) To receive financial assistance under this section—

''(A) a member of the armed forces shall enter into an agreement to serve on active duty in the member's armed force for the period of obligated service determined under paragraph (2);

''(B) an employee of the Department of Defense shall enter into an agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

''(C) a person not referred to in subparagraph (A) or (B) shall enter into an agreement—

''(i) to enlist or accept a commission in one of the armed forces and to serve on active duty in that armed force for the period of obligated service determined under paragraph (2); or

''(ii) to accept and continue employment in the Department of Defense for the period of obligated service determined under paragraph (2).

''(2) For the purposes of this subsection, the period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for the financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title. In no event may the period of service required of a recipient be less than the period equal to three-fourths of the total period of pursuit of a degree for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty or in the civil service, as the case may be.

''(3) An agreement entered into under this section by a person pursuing an academic degree shall include terms that provide the following:

''(A) That the period of obligated service begins on a date after the award of the degree that is determined under the regulations prescribed under section 2200d of this title.

''(B) That the person will maintain satisfactory academic progress, as determined in accordance with those regulations, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

''(C) Any other terms and conditions that the Secretary of Defense determines appropriate for carrying out this section.

''(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of Defense as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the degree for which assistance is provided the person under this section.

''(e) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (b) shall refund to the United States an amount determined by the Secretary of Defense as being appropriate to obtain adequate service in exchange for financial assistance and otherwise to achieve the goals set forth in section 2200(a) of this title.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary of Defense may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(f) EFFECT OF DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under subsection (e).

''(g) ALLOCATION OF FUNDING.—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of degrees referred to in subsection (a) at institutions of higher education that have established, improved, or are administering programs of education in information assurance under the grant program established in section 2200b of this title, as determined by the Secretary of Defense.

"§ 2200b. Grant program

''(a) AUTHORITY.—The Secretary of Defense may provide grants of financial assistance to institutions of higher education to support the establishment, improvement, or administration of programs of education in information assurance disciplines referred to in section 2200(a) of this title.

''(b) PURPOSES.—The proceeds of grants under this section may be used by an institution of higher education for the following purposes:

''(1) Faculty development.

''(2) Curriculum development.

''(3) Laboratory improvements.

''(4) Faculty research in information security.

"§ 2200c. Centers of Academic Excellence in Information Assurance Education

''In the selection of a recipient for the award of a scholarship or grant under this chapter, consideration shall be given to whether—

''(1) in the case of a scholarship, the institution at which the recipient pursues a degree is a Center of Academic Excellence in Information Assurance Education; and

''(2) in the case of a grant, the recipient is a Center of Academic Excellence in Information Assurance Education.

"§ 2200d. Regulations

''The Secretary of Defense shall prescribe regulations for the administration of this chapter.

"§ 2200e. Definitions

''In this chapter:

''(1) The term 'information assurance' includes the following:

''(A) Computer security.

''(B) Network security.

''(C) Any other information technology that the Secretary of Defense considers related to information assurance.

''(2) The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) The term 'Center of Academic Excellence in Information Assurance Education' means an institution of higher education that is designated by the Director of the National Security Agency as a Center of Academic Excellence in Information Assurance Education.

"§ 2200f. Inapplicability to Coast Guard

''This chapter does not apply to the Coast Guard when it is not operating as a service in the Navy.''.

(2) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part III of such subtitle are amended by inserting after the item relating to chapter 111 the following new item:

''112. Information Security Scholarship Program ..... 2200''.

(b) FUNDING.—Of the amount authorized to be appropriated by section 301(5), $15,000,000 shall be available for carrying out chapter 112 of title 10, United States Code (as added by subsection (a)).

(c) REPORT.—Not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing the programs under chapter 112 of title 10, United States Code.

Subtitle D—Reports

SEC. 931. DATE OF SUBMITTAL OF REPORTS ON SHORTFALLS IN EQUIPMENT PROCUREMENT AND MILITARY CONSTRUCTION FOR THE RESERVE COMPONENTS IN FUTURE-YEARS DEFENSE PROGRAMS.

Section 10543(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) A report required under paragraph (1) for a fiscal year shall be submitted not later than 15 days after the date on which the President submits to Congress the budget for such fiscal year under section 1105(a) of title 31.''.

SEC. 932. REPORT ON NUMBER OF PERSONNEL ASSIGNED TO LEGISLATIVE LIAISON FUNCTIONS.

(a) REPORT.—Not later than December 1, 2000, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth the number of personnel of the Department of Defense performing legislative liaison functions as of April 1, 2000.

(b) MATTERS TO BE INCLUDED.—The report shall include the following:

(1) The number of military and civilian personnel of the Department of Defense assigned to full-time legislative liaison functions, shown by organizational entity and by pay grade.

(2) The number of military and civilian personnel of the Department not covered by paragraph (1) (other than personnel described in subsection (e)) who perform legislative liaison functions as part of their assigned duties, shown by organizational entity and by pay grade.

(c) LEGISLATIVE LIAISON FUNCTIONS.—For purposes of this section, a legislative liaison function is a function (regardless of how characterized within the Department of Defense) that has been established or designated to principally provide advice, information, and assistance to the legislative branch on Department of Defense policies, plans, and programs.

(d) ORGANIZATIONAL ENTITIES.—The display of information under subsection (b) by organizational entity shall be for the Department of Defense and for each military department as a whole and separately for each organization at the level of major command or Defense Agency or higher.

(e) PERSONNEL NOT COVERED.—Subsection (b)(2) does not apply to civilian officers appointed by the President, by and with the advice and consent of the Senate, or to general or flag officers.

SEC. 933. JOINT REPORT ON ESTABLISHMENT OF NATIONAL COLLABORATIVE INFORMATION ANALYSIS CAPABILITY.

(a) REPORT.—Not later than March 1, 2000, the Secretary of Defense and the Director of Central Intelligence shall submit to the congressional defense committees and the congressional intelligence committees a joint report assessing alternatives for the establishment of a national collaborative information analysis capability. The report shall include the following:

(1) An assessment of alternative architectures to establish a national collaborative information analysis capability to conduct data mining and profiling of information from a wide array of electronic data sources.

(2) Identification, from among the various architectures assessed under paragraph (1), of the preferred architecture and a detailed description of that architecture and of a program to acquire and implement the capability that would be provided through that architecture.

(3) A detailed explanation of how the personal information resulting from the data mining and profiling capability developed under the preferred architecture will be employed consistent with the requirements of section 552a of title 5, United States Code

(b) COMPLETION AND USE OF ARMY LAND INFORMATION WARFARE ACTIVITY.—The Secretary of Defense—

(1) shall ensure that the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity is completed and is fully operational as soon as possible; and

(2) shall make appropriate use of that capability to provide support to all appropriate national defense components.

SEC. 934. NETWORK CENTRIC WARFARE.

(a) FINDINGS.—Congress makes the following findings:

(1) Joint Vision 2020 set the goal for the Department of Defense to pursue information superiority in order that joint forces may possess superior knowledge and attain decision superiority during operations across the spectrum of conflict.

(2) One concept being pursued to attain information superiority is known as Network Centric Warfare. The concept of Network Centric Warfare links sensors, communications systems and weapons systems in an interconnected grid that allows for a seamless information flow to warfighters, policy makers, and support personnel.

(3) The Joint Staff, the Defense Agencies, and the military departments are all pursuing various concepts related to Network Centric Warfare.

(b) GOAL.—It shall be the goal of Department of Defense to fully coordinate various efforts being pursued by the Joint Staff, the Defense Agencies, and the military departments as they develop the concept of Network Centric Warfare.

(c) REPORT ON NETWORK CENTRIC WARFARE.—(1) The Secretary of Defense shall submit to the congressional defense committees a report on the development and implementation of network centric warfare concepts within the Department of Defense. The report shall be prepared in consultation with the Chairman of the Joint Chiefs of Staff.

(2) The report shall include the following:

(A) A clear definition and terminology to describe the set of operational concepts referred to as ''network centric warfare''.

(B) An identification and description of the current and planned activities by the Office of the Secretary of Defense, the Joint Chiefs of Staff, and the United States Joint Forces Command relating to network centric warfare.

(C) A discussion of how the concept of network centric warfare is related to the strategy of transformation as outlined in the document entitled ''Joint Vision 2020'', along with the advantages and disadvantages of pursing that concept.

(D) A discussion on how the Department is implementing the concepts of network centric warfare as it relates to information superiority and decision superiority articulated in ''Joint Vision 2020.''

(E) An identification and description of the current and planned activities of each of the Armed Forces relating to network centric warfare.

(F) A discussion on how the Department plans to attain a fully integrated, joint command, control, communications, computers, intelligence, surveillance, and reconnaissance (C^4ISR) capability.

(G) A description of the joint requirements under development that will lead to the acquisition of technologies for enabling network centric warfare and whether those joint requirements are modifying existing service requirements and vision statements.

(H) A discussion of how Department of Defense activities to establish a joint network centric capability are coordinated with other departments and agencies of the United States and with United States allies.

(I) A discussion of the coordination of the science and technology investments of the military departments and Defense Agencies in the development of future joint network centric warfare capabilities.

(J) The methodology being used to measure progress toward stated goals.

(d) STUDY ON THE USE OF JOINT EXPERIMENTATION FOR DEVELOPING NETWORK CENTRIC WARFARE CONCEPTS.—(1) The Secretary of Defense shall conduct a study on the present and future use of the joint experimentation program of the Department of Defense in the development of network centric warfare concepts.

(2) The Secretary shall submit to the congressional defense committees a report on the results of the study. The report shall include the following:

(A) A survey of and description of how experimentation under the joint experimentation at United States Joint Forces Command is being used for evaluating emerging concepts in network centric warfare.

(B) A survey of and description of how experimentation under the joint experimentation of each of the armed services are being used for evaluating emerging concepts in network centric warfare.

(C) A description of any emerging concepts and recommendations developed by those experiments, with special emphasis on force structure implications.

(3) The Secretary of Defense, acting through the Chairman of the Joint Chief of Staff, shall designate the Commander in Chief of the United States Joint Forces Command to carry out the study and prepare the report required under this subsection.

(e) TIME FOR SUBMISSION OF REPORTS.—Each report required under this section shall be submitted not later than March 1, 2001.

SEC. 935. REPORT ON AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than September 30, 2001, the Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the roles and missions, organizational structure, funding, and operations of the Air Force Institute of Technology as projected through 2010.

(b) MATTERS TO BE INCLUDED.—The report shall provide—

(1) a statement of the Institute's roles and missions through 2010 in meeting the critical scientific and educational requirements of the Air Force;

(2) a statement of the strategic priorities for the Institute in meeting long-term core science and technology educational needs of the Air Force; and

(3) a plan for the near-term increase in the production by the Institute of masters and doctoral degree graduates.

(c) RECOMMENDATIONS TO BE PROVIDED.—Based on the matters determined for purposes of subsection (b), the report shall include recommendations of the Secretary of the Air Force with respect to the following:

(1) The grade of the Commandant of the Institute.

(2) The chain of command of the Commandant within the Air Force.

(3) The employment and compensation of civilian professors at the Institute.

(4) The processes for the identification of requirements for personnel with advanced degrees within the Air Force and identification and selection of candidates for annual enrollment at the Institute.

(5) Postgraduation opportunities within the Air Force for graduates of the Institute.

(6) The policies and practices regarding the admission to the Institute of—

(A) officers of the Army, Navy, Marine Corps, and Coast Guard;

(B) employees of the Department of the Army, Department of the Navy, and Department of Transportation;

(C) personnel of the military forces of foreign countries;

(D) enlisted members of the Armed Forces; and

(E) other persons eligible for admission.

(7) Near- and long-term funding of the institute.

(8) Opportunities for cooperation, collaboration, and joint endeavors with other military and civilian scientific and technical educational

institutions for the production of qualified personnel to meet Department of Defense scientific and technical requirements.

(d) CONSULTATION.—The report shall be prepared in consultation with the Chief of Staff of the Air Force and the Commander of the Air Force Materiel Command.

Subtitle E—Other Matters

SEC. 941. FLEXIBILITY IN IMPLEMENTATION OF LIMITATION ON MAJOR DEPARTMENT OF DEFENSE HEADQUARTERS ACTIVITIES PERSONNEL.

Section 130a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) FLEXIBILITY.—(1) If during fiscal year 2001 or fiscal year 2002 the Secretary of Defense determines, and certifies to Congress, that the limitation under subsection (a), or a limitation under subsection (b), would adversely affect United States national security, the Secretary may take any of the following actions:

''(A) Increase the percentage specified in subsection (b)(1) by such amount as the Secretary determines necessary or waive the limitation under that subsection.

''(B) Increase the percentage specified in subsection (b)(2) by such amount as the Secretary determines necessary, not to exceed a cumulative increase of 7.5 percentage points.

''(C) Increase the percentage specified in subsection (a) by such amount as the Secretary determines necessary, not to exceed a cumulative increase of 7.5 percentage points.

''(2) Any certification under paragraph (1) shall include notice of the specific waiver or increases made pursuant to the authority provided in that paragraph.''.

SEC. 942. CONSOLIDATION OF CERTAIN NAVY GIFT FUNDS.

(a) MERGER OF NAVAL HISTORICAL CENTER FUND INTO DEPARTMENT OF THE NAVY GENERAL GIFT FUND.—(1) The Secretary of the Navy shall transfer all amounts in the Naval Historical Center Fund maintained under section 7222 of title 10, United States Code, to the Department of the Navy General Gift Fund maintained under section 2601 of such title. Upon completing the transfer, the Secretary shall close the Naval Historical Center Fund.

(2) Amounts transferred to the Department of the Navy General Gift Fund under this subsection shall be merged with other amounts in that Fund and shall be available for the purposes for which amounts in that Fund are available.

(b) CONSOLIDATION OF NAVAL ACADEMY GENERAL GIFT FUND AND NAVAL ACADEMY MUSEUM FUND.—(1) The Secretary of the Navy shall transfer all amounts in the United States Naval Academy Museum Fund established by section 6974 of title 10, United States Code, to the gift fund maintained for the benefit and use of the United States Naval Academy under section 6973 of such title. Upon completing the transfer, the Secretary shall close the United States Naval Academy Museum Fund.

(2) Amounts transferred under this subsection shall be merged with other amounts in the gift fund to which transferred and shall be available for the purposes for which amounts in that gift fund are available.

(c) CONSOLIDATION AND REVISION OF AUTHORITIES FOR ACCEPTANCE OF GIFTS, BEQUESTS, AND LOANS FOR THE UNITED STATES NAVAL ACADEMY.—(1) Subsection (a) of section 6973 of title 10, United States Code, is amended—

(A) in the first sentence—

(i) by striking ''gifts and bequests of personal property'' and inserting ''any gift or bequest of personal property, and may accept, hold, and administer any loan of personal property other than money, that is''; and

(ii) by inserting ''or the Naval Academy Museum, its collection, or its services'' before the period at the end;

(B) in the second sentence, by striking '''United States Naval Academy general gift fund''' and inserting '''United States Naval Academy Gift and Museum Fund'''; and

(C) in the third sentence, by inserting ''(including the Naval Academy Museum)'' after ''the Naval Academy''.

(2) Such section is further amended—

(A) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) The Secretary shall prescribe written guidelines to be used for determinations of whether the acceptance of money, any personal property, or any loan of personal property under subsection (a) would reflect unfavorably on the ability of the Department of the Navy or any officer or employee of the Department of the Navy to carry out responsibilities or duties in a fair and objective manner, or would compromise either the integrity or the appearance of the integrity of any program of the Department of the Navy or any officer or employee of the Department of the Navy who is involved in any such program.''.

(3) Subsection (d) of such section, as redesignated by paragraph (2)(A), is amended by striking ''United States Naval Academy general gift fund'' both places it appears and inserting ''United States Naval Academy Gift and Museum Fund''.

(4) The heading for such section is amended to read as follows:

''§ 6973. Gifts, bequests, and loans of property: acceptance for benefit and use of Naval Academy''.

(d) REFERENCES TO CLOSED GIFT FUNDS.—(1) Section 6974 of title 10, United States Code, is amended to read as follows:

''§ 6974. United States Naval Academy Museum Fund: references to Fund

''Any reference in a law, regulation, document, paper, or other record of the United States to the United States Naval Academy Museum Fund formerly maintained under this section shall be deemed to refer to the United States Naval Academy Gift and Museum Fund maintained under section 6973 of this title.''.

(2) Section 7222 of such title is amended to read as follows:

''§ 7222. Naval Historical Center Fund: references to Fund

''Any reference in a law, regulation, document, paper, or other record of the United States to the Naval Historical Center Fund formerly maintained under this section shall be deemed to refer to the Department of the Navy General Gift Fund maintained under section 2601 of this title.''.

(e) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 603 of title 10, United States Code, is amended by striking the items relating to sections 6973 and 6974 and inserting the following:

''6973. Gifts, bequests, and loans of property: acceptance for benefit and use of Naval Academy.

''6974. United States Naval Academy Museum Fund: references to Fund.''.

(2) The item relating to section 7222 of such title in the table of sections at the beginning of chapter 631 of such title is amended to read as follows:

''7222. Naval Historical Center Fund: references to Fund.''.

SEC. 943. TEMPORARY AUTHORITY TO DISPOSE OF A GIFT PREVIOUSLY ACCEPTED FOR THE NAVAL ACADEMY.

Notwithstanding section 6973 of title 10, United States Code, during fiscal year 2001 the Secretary of the Navy may dispose of a gift accepted before the date of the enactment of this Act for the United States Naval Academy by disbursing from the United States Naval Academy general gift fund to an entity designated by the donor of the gift the amount equal to the current cash value of that gift.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. Transfer authority.
Sec. 1002. Incorporation of classified annex.
Sec. 1003. Authorization of emergency supplemental appropriations for fiscal year 2000.
Sec. 1004. United States contribution to NATO common-funded budgets in fiscal year 2001.
Sec. 1005. Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2001.
Sec. 1006. Requirement for prompt payment of contract vouchers.
Sec. 1007. Plan for prompt recording of obligations of funds for contractual transactions.
Sec. 1008. Electronic submission and processing of claims for contract payments.
Sec. 1009. Administrative offsets for overpayment of transportation costs.
Sec. 1010. Interest penalties for late payment of interim payments due under Government service contracts.

Subtitle B—Naval Vessels and Shipyards

Sec. 1011. Revisions to national defense features program.
Sec. 1012. Sense of Congress on the naming of the CVN–77 aircraft carrier.
Sec. 1013. Authority to transfer naval vessels to certain foreign countries.
Sec. 1014. Authority to consent to retransfer of alternative former naval vessel by Government of Greece.

Subtitle C—Counter-Drug Activities

Sec. 1021. Extension of authority to provide support for counter-drug activities of Colombia.
Sec. 1022. Report on Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1023. Recommendations on expansion of support for counter-drug activities.
Sec. 1024. Review of riverine counter-drug program.
Sec. 1025. Report on tethered aerostat radar system.
Sec. 1026. Sense of Congress regarding use of Armed Forces for counter-drug and counter-terrorism activities.

Subtitle D—Counterterrorism and Domestic Preparedness

Sec. 1031. Preparedness of military installation first responders for incidents involving weapons of mass destruction.
Sec. 1032. Additional weapons of mass destruction civil support teams.
Sec. 1033. Authority to provide loan guarantees to improve domestic preparedness to combat cyberterrorism.
Sec. 1034. Report on the status of domestic preparedness against the threat of biological terrorism.
Sec. 1035 Report on strategy, policies, and programs to combat domestic terrorism.

Subtitle E—Strategic Forces

Sec. 1041. Revised nuclear posture review.
Sec. 1042. Plan for the long-term sustainment and modernization of United States strategic nuclear forces.

Sec. 1043. Modification of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems.
Sec. 1044. Report on the defeat of hardened and deeply buried targets.
Sec. 1045. Sense of Congress on the maintenance of the strategic nuclear triad.

Subtitle F—Miscellaneous Reporting Requirements

Sec. 1051. Management review of working-capital fund activities.
Sec. 1052. Report on submarine rescue support vessels.
Sec. 1053. Report on Federal Government progress in developing information assurance strategies.
Sec. 1054. Department of Defense process for decisionmaking in cases of false claims.

Subtitle G—Government Information Security Reform

Sec. 1061. Coordination of Federal information policy.
Sec. 1062. Responsibilities of certain agencies.
Sec. 1063. Relationship of Defense Information Assurance Program to Government-wide information security program.
Sec. 1064. Technical and conforming amendments.
Sec. 1065. Effective date.

Subtitle H—Security Matters

Sec. 1071. Limitation on granting of security clearances.
Sec. 1072. Process for prioritizing background investigations for security clearances for Department of Defense personnel and defense contractor personnel.
Sec. 1073. Authority to withhold certain sensitive information from public disclosure.
Sec. 1074. Expansion of authority to exempt geodetic products of the Department of Defense from public disclosure.
Sec. 1075. Expenditures for declassification activities.
Sec. 1076. Enhanced access to criminal history record information for national security and other purposes
Sec. 1077. Two-year extension of authority to engage in commercial activities as security for intelligence collection activities.
Sec. 1078. Coordination of nuclear weapons secrecy policies and consideration of health of workers at former Department of Defense nuclear facilities.

Subtitle I—Other Matters

Sec. 1081. Funds for administrative expenses under Defense Export Loan Guarantee program.
Sec. 1082. Transit pass program for Department of Defense personnel in poor air quality areas.
Sec. 1083. Transfer of Vietnam era TA–4 aircraft to nonprofit foundation.
Sec. 1084. Transfer of 19th century cannon to museum.
Sec. 1085. Fees for providing historical information to the public.
Sec. 1086. Grants to American Red Cross for Armed Forces emergency services.
Sec. 1087. Technical and clerical amendments.
Sec. 1088. Maximum size of parcel post packages transported overseas for Armed Forces post offices.
Sec. 1089. Sense of Congress regarding tax treatment of members receiving special pay for duty subject to hostile fire or imminent danger.
Sec. 1090. Organization and management of Civil Air Patrol.
Sec. 1091. Additional duties for Commission to Assess United States National Security Space Management and Organization.
Sec. 1092. Commission on the Future of the United States Aerospace Industry.
Sec. 1093. Drug addiction treatment.

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2001 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $2,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the committee of conference to accompany the conference report on the bill H.R. 4205 of the One Hundred Sixth Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF ACT.—The amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for that program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SEC. 1003. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2000.

Amounts authorized to be appropriated to the Department of Defense for fiscal year 2000 in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased (by a supplemental appropriation) or decreased (by a rescission), or both, in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246) or in title IX of the Department of Defense Appropriations Act, 2001 (Public Law 106–259).

SEC. 1004. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2001.

(a) FISCAL YEAR 2001 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2001 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 1998 baseline limitation).

(b) TOTAL AMOUNT.—The amount of the limitation applicable under subsection (a) is the sum of the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 2000, of funds appropriated for fiscal years before fiscal year 2001 for payments for those budgets.

(2) The amount specified in subsection (c)(1).

(3) The amount specified in subsection (c)(2).

(4) The total amount of the contributions authorized to be made under section 2501.

(c) AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated by titles II and III of this Act are available for contributions for the common-funded budgets of NATO as follows:

(1) Of the amount provided in section 201(1), $743,000 for the Civil Budget.

(2) Of the amount provided in section 301(1), $181,981,000 for the Military Budget.

(d) DEFINITIONS.—For purposes of this section:

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ''common-funded budgets of NATO'' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ''fiscal year 1998 baseline limitation'' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1005. LIMITATION ON FUNDS FOR BOSNIA AND KOSOVO PEACEKEEPING OPERATIONS FOR FISCAL YEAR 2001.

(a) LIMITATION.—Of the amounts authorized to be appropriated by section 301(24) for the Overseas Contingency Operations Transfer Fund—

(1) no more than $1,387,800,000 may be obligated for incremental costs of the Armed Forces for Bosnia peacekeeping operations; and

(2) no more than $1,650,400,000 may be obligated for incremental costs of the Armed Forces for Kosovo peacekeeping operations.

(b) PRESIDENTIAL WAIVER.—The President may waive the limitation in subsection (a)(1), or the limitation in subsection (a)(2), after submitting to Congress the following:

(1) The President's written certification that the waiver is necessary in the national security interests of the United States.

(2) The President's written certification that exercising the waiver will not adversely affect the readiness of United States military forces.

(3) A report setting forth the following:

(A) The reasons that the waiver is necessary in the national security interests of the United States.

(B) The specific reasons that additional funding is required for the continued presence of

United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be, for fiscal year 2001.

(C) A discussion of the impact on the military readiness of United States Armed Forces of the continuing deployment of United States military forces participating in, or supporting, Bosnia peacekeeping operations, or Kosovo peacekeeping operations, as the case may be.

(4) A supplemental appropriations request for the Department of Defense for such amounts as are necessary for the additional fiscal year 2001 costs associated with United States military forces participating in, or supporting, Bosnia or Kosovo peacekeeping operations.

(c) PEACEKEEPING OPERATIONS DEFINED.—For the purposes of this section:

(1) The term ''Bosnia peacekeeping operations'' has the meaning given such term in section 1004(e) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2112).

(2) The term ''Kosovo peacekeeping operations''—

(A) means the operation designated as Operation Joint Guardian and any other operation involving the participation of any of the Armed Forces in peacekeeping or peace enforcement activities in and around Kosovo; and

(B) includes, with respect to Operation Joint Guardian or any such other operation, each activity that is directly related to the support of the operation.

SEC. 1006. REQUIREMENT FOR PROMPT PAYMENT OF CONTRACT VOUCHERS.

(a) REQUIREMENT.—(1) Chapter 131 of title 10, United States Code, is amended by adding after section 2225, as added by section 812(a)(1), the following new section:

''§ 2226. Contracted property and services: prompt payment of vouchers

''(a) REQUIREMENT.—Of the contract vouchers that are received by the Defense Finance and Accounting Service by means of the mechanization of contract administration services system, the number of such vouchers that remain unpaid for more than 30 days as of the last day of each month may not exceed 5 percent of the total number of the contract vouchers so received that remain unpaid on that day.

''(b) CONTRACT VOUCHER DEFINED.—In this section, the term 'contract voucher' means a voucher or invoice for the payment to a contractor for services, commercial items (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))), or other deliverable items provided by the contractor under a contract funded by the Department of Defense.''.

(2) The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2225, as added by section 812(a)(2), the following new item:

''2226. Contracted property and services: prompt payment of vouchers.''.

(b) EFFECTIVE DATE.—Section 2226 of title 10, United States Code (as added by subsection (a)), shall take effect on December 1, 2000.

(c) CONDITIONAL REQUIREMENT FOR REPORT.—(1) If for any month of the noncompliance reporting period the requirement in section 2226 of title 10, United States Code (as added by subsection (a)), is not met, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the magnitude of the unpaid contract vouchers. The report for a month shall be submitted not later than 30 days after the end of that month.

(2) A report for a month under paragraph (1) shall include information current as of the last day of the month as follows:

(A) The number of the vouchers received by the Defense Finance and Accounting Service by means of the mechanization of contract administration services system during each month.

(B) The number of the vouchers so received, whenever received by the Defense Finance and Accounting Service, that remain unpaid for each of the following periods:

(i) Over 30 days and not more than 60 days.

(ii) Over 60 days and not more than 90 days.

(iii) More than 90 days.

(C) The number of the vouchers so received that remain unpaid for the major categories of procurements, as defined by the Secretary of Defense.

(D) The corrective actions that are necessary, and those that are being taken, to ensure compliance with the requirement in subsection (a).

(3) For purposes of this subsection:

(A) The term ''noncompliance reporting period'' means the period beginning on December 1, 2000, and ending on November 30, 2004.

(B) The term ''contract voucher'' has the meaning given that term in section 2226(b) of title 10, United States Code (as added by subsection (a)).

SEC. 1007. PLAN FOR PROMPT RECORDING OF OBLIGATIONS OF FUNDS FOR CONTRACTUAL TRANSACTIONS.

(a) REQUIREMENT FOR PLAN.—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, not later than November 15, 2000, a plan for ensuring that each obligation of the Department of Defense under a transaction described in subsection (c) be recorded in the appropriate financial administration systems of the Department of Defense not later than 10 days after the date on which the obligation is incurred.

(b) CONTENT OF PLAN.—The plan under subsection (a) shall provide for the following:

(1) The recording of obligations in accordance with requirements that apply uniformly throughout the Department of Defense, including requirements for the recording of detailed data on each such obligation.

(2) A system of accounting classification reference numbers for the recording of obligations that applies uniformly throughout the Department of Defense.

(3) A discussion of how the plan is to be implemented, including a schedule for implementation.

(c) COVERED TRANSACTIONS.—The plan shall apply to each obligation under any of the following transactions of the Department of Defense:

(1) A contract.

(2) A grant.

(3) A cooperative agreement.

(4) A transaction authorized under section 2371 of title 10, United States Code.

SEC. 1008. ELECTRONIC SUBMISSION AND PROCESSING OF CLAIMS FOR CONTRACT PAYMENTS.

(a) REQUIREMENTS.—(1) Chapter 131 of title 10, United States Code, is amended by adding after section 2226, as added by section 1006(a)(1), the following new section:

''§ 2227. Electronic submission and processing of claims for contract payments

''(a) SUBMISSION OF CLAIMS.—The Secretary of Defense shall require that any claim for payment under a Department of Defense contract shall be submitted to the Department of Defense in electronic form.

''(b) PROCESSING.—A contracting officer, contract administrator, certifying official, or other officer or employee of the Department of Defense who receives a claim for payment in electronic form in accordance with subsection (a) and is required to transmit the claim to any other officer or employee of the Department of Defense for processing under procedures of the department shall transmit the claim and any additional documentation necessary to support the determination and payment of the claim to such other officer or employee electronically.

''(c) WAIVER AUTHORITY.—If the Secretary of Defense determines that the requirement for using electronic means for submitting claims under subsection (a), or for transmitting claims and supporting documentation under subsection (b), is unduly burdensome in any category of cases, the Secretary may exempt the cases in that category from the application of the requirement.

''(d) IMPLEMENTATION OF REQUIREMENTS.—In implementing subsections (a) and (b), the Secretary of Defense shall provide for the following:

''(1) Policies, requirements, and procedures for using electronic means for the submission of claims for payment to the Department of Defense and for the transmission, between Department of Defense officials, of claims for payment received in electronic form, together with supporting documentation (such as receiving reports, contracts and contract modifications, and required certifications).

''(2) The format in which information can be accepted by the corporate database of the Defense Finance and Accounting Service.

''(3) The requirements to be included in contracts regarding the electronic submission of claims for payment by contractors.

''(e) CLAIM FOR PAYMENT DEFINED.—In this section, the term 'claim for payment' means an invoice or any other demand or request for payment.''.

(2) The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2226, as added by section 1006(a)(2), the following new item:

''2227. Electronic submission and processing of claims for contract payments.''.

(b) IMPLEMENTATION PLAN.—Not later than March 30, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the requirements imposed under section 2227 of title 10, United States Code (as added by subsection (a)). The plan shall provide for each of the matters specified in subsection (d) of that section.

(c) APPLICABILITY.—(1) Subject to paragraph (2), the Secretary of Defense shall apply section 2227 of title 10, United States Code (as added by subsection (a)), with respect to contracts for which solicitations of offers are issued after June 30, 2001.

(2)(A) The Secretary may delay the implementation of section 2227 to a date after June 30, 2001, upon a finding that it is impracticable to implement that section until that later date. In no event, however, may the implementation be delayed to a date after October 1, 2002.

(B) Upon determining to delay the implementation of such section 2227 to a later date under subparagraph (A), the Secretary shall promptly publish a notice of the delay in the Federal Register. The notice shall include a specification of the later date on which the implementation of that section is to begin. Not later than 30 days before the later implementation date, the Secretary shall publish in the Federal Register another notice that such section is being implemented beginning on that date.

SEC. 1009. ADMINISTRATIVE OFFSETS FOR OVERPAYMENT OF TRANSPORTATION COSTS.

(a) OFFSETS FOR OVERPAYMENTS OR LIQUIDATED DAMAGES.—(1) Section 2636 of title 10, United States Code, is amended to read as follows:

"§ 2636. Deductions from amounts due carriers

''(a) AMOUNTS FOR LOSS OR DAMAGE.—An amount deducted from an amount due a carrier shall be credited as follows:

''(1) If deducted because of loss of or damage to material in transit for a military department, the amount shall be credited to the proper appropriation, account, or fund from which the same or similar material may be replaced.

''(2) If deducted as an administrative offset for an overpayment previously made to the carrier under any Department of Defense contract for transportation services or as liquidated damages due under any such contract, the amount shall be credited to the appropriation or account from which payments for the transportation services were made.

''(b) SIMPLIFIED OFFSET FOR COLLECTION OF CLAIMS NOT IN EXCESS OF THE SIMPLIFIED ACQUISITION THRESHOLD.—(1) In any case in which the total amount of a claim for the recovery of overpayments or liquidated damages under a contract described in subsection (a)(2) does not exceed the simplified acquisition threshold, the Secretary of Defense or the Secretary concerned, in exercising the authority to collect the claim by administrative offset under section 3716 of title 31, may apply paragraphs (2) and (3) of subsection (a) of that section with respect to that collection after (rather than before) the claim is so collected.

''(2) Regulations prescribed by the Secretary of Defense under subsection (b) of section 3716 of title 31—

''(A) shall include provisions to carry out paragraph (1); and

''(B) shall provide the carrier for a claim subject to paragraph (1) with an opportunity to offer an alternative method of repaying the claim (rather than by administrative offset) if the collection of the claim by administrative offset has not already been made.

''(3) In this subsection, the term 'simplified acquisition threshold' has the meaning given that term in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)).''.

(2) The item relating to such section in the table of sections at the beginning of chapter 157 of such title is amended to read as follows:

''2636. Deductions from amounts due carriers.''.

(b) EFFECTIVE DATE.—Subsections (a)(2) and (b) of section 2636 of title 10, United States Code, as added by subsection (a)(1), shall apply with respect to contracts entered into after the date of the enactment of this Act.

SEC. 1010. INTEREST PENALTIES FOR LATE PAYMENT OF INTERIM PAYMENTS DUE UNDER GOVERNMENT SERVICE CONTRACTS.

(a) PROMPT PAYMENT REQUIREMENT FOR INTERIM PAYMENTS.—Under regulations prescribed under subsection (c), the head of an agency acquiring services from a business concern under a cost reimbursement contract requiring interim payments who does not pay the concern a required interim payment by the date that is 30 days after the date of the receipt of a proper invoice shall pay an interest penalty to the concern on the amount of the payment due. The interest shall be computed as provided in section 3902(a) of title 31, United States Code.

(b) REGULATIONS.—The Director of the Office of Management and Budget shall prescribe regulations to carry out this section. Such regulations shall be prescribed as part of the regulations prescribed under section 3903 of title 31, United States Code.

(c) INCORPORATION OF CERTAIN PROVISIONS OF LAW.—The provisions of chapter 39 of title 31, United States Code, shall apply to this section in the same manner as if this section were enacted as part of such chapter.

(d) EFFECTIVE DATE.—Subsection (a) shall take effect on December 15, 2000. No interest shall accrue by reason of that subsection for any period before that date.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. REVISIONS TO NATIONAL DEFENSE FEATURES PROGRAM.

Section 2218(k) of title 10, United States Code, is amended—

(1) by adding at the end of paragraph (1) the following new sentence: ''As consideration for a contract with the head of an agency under this subsection, the company entering into the contract shall agree with the Secretary of Defense to make any vessel covered by the contract available to the Secretary, fully crewed and ready for sea, at any time at any port determined by the Secretary, and for whatever duration the Secretary determines necessary.'';

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

''(E) Payments of such sums as the Government would otherwise expend, if the vessel were placed in the Ready Reserve Fleet, for maintaining the vessel in the status designated as 'ROS–4 status' in the Ready Reserve Fleet for 25 years.''; and

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

''(6) The head of an agency may not enter into a contract under paragraph (1) that would provide for payments to the contractor as authorized in paragraph (2)(E) until notice of the proposed contract is submitted to the congressional defense committees and a period of 90 days has elapsed.''.

SEC. 1012. SENSE OF CONGRESS ON THE NAMING OF THE CVN–77 AIRCRAFT CARRIER.

(a) FINDINGS.—Congress makes the following findings:

(1) Over the last three decades Congress has authorized and appropriated funds for a total of 10 Nimitz class aircraft carriers.

(2) The last vessel in the Nimitz class of aircraft carriers, CVN–77, is currently under construction and will be delivered in 2008.

(3) The first nine vessels in this class bear the following proud names:

(A) U.S.S. Nimitz (CVN–68).

(B) U.S.S. Dwight D. Eisenhower (CVN–69).

(C) U.S.S. Carl Vinson (CVN–70).

(D) U.S.S. Theodore Roosevelt (CVN–71).

(E) U.S.S. Abraham Lincoln (CVN–72).

(F) U.S.S. George Washington (CVN–73).

(G) U.S.S. John C. Stennis (CVN–74).

(H) U.S.S. Harry S. Truman (CVN–75).

(I) U.S.S. Ronald Reagan (CVN–76).

(4) It is appropriate for Congress to recommend to the President, as Commander in Chief of the Armed Forces, an appropriate name for the final vessel in the Nimitz class of aircraft carriers.

(5) Over the last 25 years the vessels in the Nimitz class of aircraft carriers have served as one of the principal means of United States diplomacy and as one of the principal means for the defense of the United States and its allies around the world.

(6) The name bestowed upon the aircraft carrier CVN–77 should embody the American spirit and provide a lasting symbol of the American commitment to freedom.

(7) The name ''Lexington'' has been a symbol of freedom from the first battle of the American Revolution.

(8) The two aircraft carriers previously named U.S.S. Lexington (the CV–2 and the CV–16) served the Nation for 64 years, served in World War II, and earned a total of 13 battle stars.

(9) One of those honored vessels, the CV–2, was lost at the Battle of the Coral Sea on May 8, 1942.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the CVN–77 aircraft carrier should be named the ''U.S.S. Lexington''—

(1) in order to honor the men and women who served in the Armed Forces of the United States during World War II and the incalculable number of United States citizens on the home front during that war who mobilized in the name of freedom; and

(2) as a special tribute to the 16,000,000 veterans of the Armed Forces who served on land, sea, and air during World War II (of whom fewer than 6,000,000 remain alive today) and a lasting symbol of their commitment to freedom as they pass on having proudly taken their place in history.

SEC. 1013. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) TRANSFERS BY GRANT.—The President is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) as follows:

(1) BRAZIL.—To the Government of Brazil—

(A) the THOMASTON class dock landing ships ALAMO (LSD 33) and HERMITAGE (LSD 34); and

(B) the GARCIA class frigates BRADLEY (FF 1041), DAVIDSON (FF 1045), SAMPLE (FF 1048) and ALBERT DAVID (FF 1050).

(2) GREECE.—To the Government of Greece, the KNOX class frigates VREELAND (FF 1068) and TRIPPE (FF 1075).

(b) TRANSFERS ON A COMBINED LEASE-SALE BASIS.—(1) The President is authorized to transfer vessels to foreign countries on a combined lease-sale basis under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796 and 2761) and in accordance with subsection (c) as follows:

(A) CHILE.—To the Government of Chile, the OLIVER HAZARD PERRY class guided missile frigates WADSWORTH (FFG 9), and ESTOCIN (FFG 15).

(B) TURKEY.—To the Government of Turkey, the OLIVER HAZARD PERRY class guided missile frigates JOHN A. MOORE (FFG 19) and FLATLEY (FFG 21).

(2) The authority provided under paragraph (1)(B) is in addition to the authority provided under section 1018(a)(9) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 745) for the transfer of those vessels to the Government of Turkey on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761).

(c) CONDITIONS RELATING TO COMBINED LEASE-SALE TRANSFERS.—A transfer of a vessel on a combined lease-sale basis authorized by subsection (b) shall be made in accordance with the following requirements:

(1) The President may initially transfer the vessel by lease, with lease payments suspended for the term of the lease, if the country entering into the lease for the vessel simultaneously enters into a foreign military sales agreement for the transfer of title to the vessel.

(2) The President may not deliver to the purchasing country title to the vessel until the purchase price of the vessel under such a foreign military sales agreement is paid in full.

(3) Upon payment of the purchase price in full under such a sales agreement and delivery of title to the recipient country, the President shall terminate the lease.

(4) If the purchasing country fails to make full payment of the purchase price in accordance with the sales agreement by the date required under the sales agreement—

(A) the sales agreement shall be immediately terminated;

(B) the suspension of lease payments under the lease shall be vacated; and

(C) the United States shall be entitled to retain all funds received on or before the date of the termination under the sales agreement, up to the amount of the lease payments due and payable under the lease and all other costs required by the lease to be paid to that date.

(5) If a sales agreement is terminated pursuant to paragraph (4), the United States shall not be required to pay any interest to the recipient country on any amount paid to the United States by the recipient country under the sales agreement and not retained by the United States under the lease.

(d) AUTHORIZATION OF APPROPRIATIONS FOR COSTS OF LEASE-SALE TRANSFERS.—There is hereby authorized to be appropriated into the Defense Vessels Transfer Program Account such sums as may be necessary for paying the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale transfers authorized by subsection (b). Amounts so appropriated shall be available only for the purpose of paying those costs.

(e) GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.—The value of a vessel transferred to another country on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) pursuant to authority provided by subsection (a) shall not be counted for the purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(f) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient (notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1))) in the case of a transfer authorized to be made on a grant basis under subsection (a)).

(g) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(h) EXPIRATION OF AUTHORITY.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

(i) COORDINATION OF PROVISIONS.—(1) If the Security Assistance Act of 2000 is enacted before this Act, the provisions of this section shall not take effect.

(2) If the Security Assistance Act of 2000 is enacted after this Act, this section shall cease to be in effect upon the enactment of that Act.

SEC. 1014. AUTHORITY TO CONSENT TO RETRANSFER OF ALTERNATIVE FORMER NAVAL VESSEL BY GOVERNMENT OF GREECE.

(a) AUTHORITY FOR RETRANSFER OF ALTERNATIVE VESSEL.—Section 1012 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 740) is amended—

(1) in subsection (a), by inserting after ''HS Rodos (ex-USS BOWMAN COUNTY (LST 391))'' the following: '', LST 325, or any other former United States LST previously transferred to the Government of Greece that is excess to the needs of that government''; and

(2) in subsection (b)(1), by inserting ''retransferred under subsection (a)'' after ''the vessel''.

(b) REPEAL.—Section 1305 of the Arms Control, Nonproliferation, and Security Assistance Act of 1999 (113 Stat. 1501A–511) is repealed.

Subtitle C—Counter-Drug Activities

SEC. 1021. EXTENSION OF AUTHORITY TO PROVIDE SUPPORT FOR COUNTER-DRUG ACTIVITIES OF COLOMBIA.

(a) EXTENSION OF AUTHORITY.—Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) is amended—

(1) in subsection (a), by striking ''during fiscal years 1998 through 2002,''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting before the period at the end the following: '', for fiscal years 1998 through 2002''; and

(B) in paragraph (2), by inserting before the period at the end the following: '', for fiscal years 1998 through 2006''.

(b) MAXIMUM ANNUAL AMOUNT OF SUPPORT.—Subsection (e)(2) of such section is amended by striking ''2002'' and inserting ''2006''.

SEC. 1022. REPORT ON DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Not later than January 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report detailing the expenditure of funds by the Secretary during fiscal year 2000 in direct or indirect support of the counter-drug activities of foreign governments. The report shall include the following for each foreign government:

(1) The total amount of assistance provided to, or expended on behalf of, the foreign government.

(2) A description of the types of counter-drug activities conducted using the assistance.

(3) An explanation of the legal authority under which the assistance was provided.

SEC. 1023. RECOMMENDATIONS ON EXPANSION OF SUPPORT FOR COUNTER-DRUG ACTIVITIES.

(a) REQUIREMENT FOR SUBMITTAL OF RECOMMENDATIONS.—Not later than February 1, 2001, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives the recommendations of the Secretary regarding whether expanded support for counter-drug activities should be authorized under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) for the region that includes the countries that are covered by that authority on the date of the enactment of this Act.

(b) CONTENT OF SUBMISSION.—The submission under subsection (a) shall include the following:

(1) What, if any, additional countries should be covered.

(2) What, if any, additional support should be provided to covered countries, together with the reasons for recommending the additional support.

(3) For each country recommended under paragraph (1), a plan for providing support, including the counter-drug activities proposed to be supported.

SEC. 1024. REVIEW OF RIVERINE COUNTER-DRUG PROGRAM.

(a) REQUIREMENT FOR REVIEW.—The Secretary of Defense shall review the riverine counter-drug program supported under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881).

(b) REPORT.—Not later than February 1, 2001, the Secretary shall submit a report on the riverine counter-drug program to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include, for each country receiving support under the riverine counter-drug program, the following:

(1) The Assistant Secretary's assessment of the effectiveness of the program.

(2) A recommendation regarding which of the Armed Forces, units of the Armed Forces, or other organizations within the Department of Defense should be responsible for managing the program.

(c) DELEGATION OF AUTHORITY.—The Secretary shall require the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict to carry out the responsibilities under this section.

SEC. 1025. REPORT ON TETHERED AEROSTAT RADAR SYSTEM.

(a) REPORT REQUIRED.—Not later than May 1, 2001, The Secretary of Defense shall submit to Congress a report on the status of the Tethered Aerostat Radar System used to conduct counter-drug detection and monitoring and border security and air sovereignty operations. The report shall include the following:

(1) The status and operational availability of each of the existing sites of the Tethered Aerostat Radar System.

(2) A discussion of any plans to close, during the next 5 years, currently operational sites, including a review of the justification for each proposed closure.

(3) A review of the requirements of other agencies, especially the United States Customs Service, for data derived from the Tethered Aerostat Radar System.

(4) A assessment of the value of the Tethered Aerostat Radar System in the conduct of counter-drug detection and monitoring and border security and air sovereignty operations compared to other surveillance systems available for such operations.

(5) The costs associated with the planned standardization of the Tethered Aerostat Radar System and the Secretary's analysis of that standardization.

(b) CONSULTATION.—The Secretary of Defense shall prepare the report in consultation with the Secretary of the Treasury.

SEC. 1026. SENSE OF CONGRESS REGARDING USE OF ARMED FORCES FOR COUNTER-DRUG AND COUNTER-TERRORISM ACTIVITIES.

It is the sense of Congress that the President should be able to use members of the Army, Navy, Air Force, and Marine Corps to assist law enforcement agencies, to the full extent consistent with section 1385 of title 18, United States Code (commonly known as the Posse Comitatus Act), section 375 of title 10, United States Code, and other applicable law, in preventing the entry into the United States of terrorists and drug traffickers, weapons of mass destruction, components of weapons of mass destruction, and prohibited narcotics and drugs.

Subtitle D—Counterterrorism and Domestic Preparedness

SEC. 1031. PREPAREDNESS OF MILITARY INSTALLATION FIRST RESPONDERS FOR INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION.

(a) REQUIREMENT FOR REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the program of the Department of Defense to ensure the preparedness of the first responders of the Department of Defense for incidents involving weapons of mass destruction on installations of the Department of Defense.

(b) CONTENT OF REPORT.—The report shall include the following:

(1) A detailed description of the overall preparedness program.

(2) A detailed description of the deficiencies in the preparedness of Department of Defense installations to respond to an incident involving a weapon of mass destruction, together with a discussion of the actions planned to be taken by the Department of Defense to correct the deficiencies.

(3) The schedule and costs associated with the implementation of the preparedness program.

(4) The Department's plan for coordinating the preparedness program with responders in the communities in the localities of the installations.

(5) The Department's plan for promoting the interoperability of the equipment used by the installation first responders referred to in subsection (a) with the equipment used by the first responders in those communities.

(c) FORM OF REPORT.—The report shall be submitted in an unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term ''first responder'' means an organization responsible for responding to an incident involving a weapon of mass destruction.

(2) The term ''weapon of mass destruction'' has the meaning given that term in section 1403(1) of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302(1)).

SEC. 1032. ADDITIONAL WEAPONS OF MASS DESTRUCTION CIVIL SUPPORT TEAMS.

During fiscal year 2001, the Secretary of Defense shall establish five additional teams designated as Weapons of Mass Destruction Civil Support Teams (for a total of 32 such teams).

SEC. 1033. AUTHORITY TO PROVIDE LOAN GUARANTEES TO IMPROVE DOMESTIC PREPAREDNESS TO COMBAT CYBERTERRORISM.

(a) ESTABLISHMENT OF PROGRAM.—(1) Chapter 148 of title 10, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER VII—CRITICAL INFRASTRUCTURE PROTECTION LOAN GUARANTEES

''Sec.
''2541. Establishment of loan guarantee program.
''2541a. Fees charged and collected.
''2541b. Administration.
''2541c. Transferability, additional limitations, and definition.
''2541d. Reports.

''§2541. Establishment of loan guarantee program

''(a) ESTABLISHMENT.—In order to meet the national security objectives in section 2501(a) of this title, the Secretary of Defense shall establish a program under which the Secretary may issue guarantees assuring lenders against losses of principal or interest, or both principal and interest, for loans made to qualified commercial firms to fund, in whole or in part, any of the following activities:

(1) The improvement of the protection of the critical infrastructure of the commercial firms.

(2) The refinancing of improvements previously made to the protection of the critical infrastructure of the commercial firms.

''(b) QUALIFIED COMMERCIAL FIRMS.—For purposes of this section, a qualified commercial firm is a company or other business entity (including a consortium of such companies or other business entities, as determined by the Secretary) that the Secretary determines—

''(1) conducts a significant level of its research, development, engineering, and manufacturing activities in the United States;

''(2) is a company or other business entity the majority ownership or control of which is by United States citizens or is a company or other business of a parent company that is incorporated in a country the government of which—

''(A) encourages the participation of firms so owned or controlled in research and development consortia to which the government of that country provides funding directly or provides funding indirectly through international organizations or agreements; and

''(B) affords adequate and effective protection for the intellectual property rights of companies incorporated in the United States;

''(3) provides technology products or services critical to the operations of the Department of Defense;

''(4) meets standards of prevention of cyberterrorism applicable to the Department of Defense; and

''(5) agrees to submit the report required under section 2541d of this title.

''(c) LOAN LIMITS.—The maximum amount of loan principal guaranteed during a fiscal year under this section may not exceed $10,000,000, with respect to all borrowers.

''(d) GOALS AND STANDARDS.—The Secretary shall prescribe regulations setting forth goals for the use of the loan guarantees provided under this section and standards for evaluating whether those goals are met by each entity receiving such loan guarantees.

''(e) AUTHORITY SUBJECT TO PROVISIONS OF APPROPRIATIONS.—The Secretary may guarantee a loan under this subchapter only to such extent or in such amounts as may be provided in advance in appropriations Acts.

''§2541a. Fees charged and collected

''(a) FEE REQUIRED.—The Secretary of Defense shall assess a fee for providing a loan guarantee under this subchapter.

''(b) AMOUNT OF FEE.—The amount of the fee shall be not less than 75 percent of the amount incurred by the Secretary to provide the loan guarantee.

''(c) SPECIAL ACCOUNT.—(1) Such fees shall be credited to a special account in the Treasury.

''(2) Amounts in the special account shall be available, to the extent and in amounts provided in appropriations Acts, for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

''(3)(A) If for any fiscal year amounts in the special account established under paragraph (1) are not available (or are not anticipated to be available) in a sufficient amount for administrative expenses of the Department of Defense for that fiscal year that are directly attributable to the administration of the program under this subchapter, the Secretary may use amounts currently available for operations and maintenance for Defense-wide activities, not to exceed $500,000 in any fiscal year, for those expenses.

''(B) The Secretary shall, from funds in the special account established under paragraph (1), replenish operations and maintenance accounts for amounts expended under subparagraph (A).

''§2541b. Administration

''(a) AGREEMENTS REQUIRED.—The Secretary of Defense may enter into one or more agreements, each with an appropriate Federal or private entity, under which such entity may, under this subchapter—

''(1) process applications for loan guarantees;

''(2) administer repayment of loans; and

''(3) provide any other services to the Secretary to administer this subchapter.

''(b) TREATMENT OF COSTS.—The costs of such agreements shall be considered, for purposes of the special account established under section 2541a(c), to be costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

''§2541c. Transferability, additional limitations, and definition

''The following provisions of subtitle VI of this chapter apply to guarantees issued under this subtitle:

''(1) Section 2540a, relating to transferability of guarantees.

''(2) Subsections (b) and (c) of section 2540b, providing limitations.

''(3) Section 2540d(2), providing a definition of the term 'cost'.

''§2541d. Reports

''(a) REPORT BY COMMERCIAL FIRMS TO SECRETARY OF DEFENSE.—The Secretary of Defense shall require each qualified commercial firm for which a loan is guaranteed under this subchapter to submit to the Secretary a report on the improvements financed or refinanced with the loan. The report shall include an assessment of the value of the improvements for the protection of the critical infrastructure of that commercial firm. The Secretary shall prescribe the time for submitting the report.

''(b) ANNUAL REPORT BY SECRETARY OF DEFENSE TO CONGRESS.—Not later than March 1 of each year in which guarantees are made under this subchapter, the Secretary of Defense shall submit to Congress a report on the loan guarantee program under this subchapter. The report shall include the following:

''(1) The amounts of the loans for which guarantees were issued during the year preceding the year of the report.

''(2) The success of the program in improving the protection of the critical infrastructure of the commercial firms covered by the guarantees.

''(3) The relationship of the loan guarantee program to the critical infrastructure protection program of the Department of Defense, together with an assessment of the extent to which the loan guarantee program supports the critical infrastructure protection program.

''(4) Any other information on the loan guarantee program that the Secretary considers appropriate to include in the report.''.

(2) The table of subchapters at the beginning of such chapter is amended by adding at the end the following new item:

''VII. Critical Infrastructure Protection Loan Guarantees ..... 2541''.

(b) REDESIGNATION OF DISPLACED SECTIONS.—(1) Sections 2541 through 2554 of chapter 152 of title 10, United States Code, are redesignated as sections 2551 through 2564, respectively.

(2) The items in the table of sections at the beginning of chapter 152 of such title are revised to reflect the redesignations made by paragraph (1).

(c) CONFORMING AMENDMENTS.—(1) Subsection (c)(3)(C) of section 2561 of such title, as redesignated by subsection (b), is amended by striking ''section 2547'' and inserting ''section 2557''.

(2) Subsection (b) of section 2562 of such title, as so redesignated, is amended by striking ''section 2547'' and inserting ''section 2557''.

(3) Section 7300 of such title is amended by striking ''section 2553'' and inserting ''section 2563''.

SEC. 1034. REPORT ON THE STATUS OF DOMESTIC PREPAREDNESS AGAINST THE THREAT OF BIOLOGICAL TERRORISM.

(a) REPORT REQUIRED.—Not later than March 31, 2001, the President shall submit to Congress a report on domestic preparedness against the threat of biological terrorism.

(b) REPORT ELEMENTS.—The report shall address the following:

(1) The current state of United States preparedness to defend against a biologic attack.

(2) The roles that various Federal agencies currently play, and should play, in preparing for, and defending against, such an attack.

(3) The roles that State and local agencies and public health facilities currently play, and should play, in preparing for, and defending against, such an attack.

(4) The advisability of establishing an intergovernmental task force to assist in preparations for such an attack.

(5) The potential role of advanced communications systems in aiding domestic preparedness against such an attack.

(6) The potential for additional research and development in biotechnology to aid domestic preparedness against such an attack.

(7) Other measures that should be taken to aid domestic preparedness against such an attack.

(8) The financial resources necessary to support efforts for domestic preparedness against such an attack.

(9) The deficiencies and vulnerabilities in the United States public health system for dealing with the consequences of a biological terrorist attack on the United States, and current plans to address those deficiencies and vulnerabilities.

(c) INTELLIGENCE ESTIMATE.—(1) Not later than March 1, 2001, the Secretary of Defense shall submit to Congress an intelligence estimate, prepared in consultation with the Director of Central Intelligence, containing—

(A) an assessment of the threat to the United States posed by a terrorist using a biological weapon; and

(B) an assessment of the relative consequences of an attack against the United States by a terrorist using a biological weapon compared with the consequences of an attack against the United States by a terrorist using a weapon that is a weapon of mass destruction other than a biological weapon or that is a conventional weapon.

(2) The intelligence estimate submitted under paragraph (1) shall include a comparison of—

(A) the likelihood of the threat of a terrorist attack against the United States through the use of a biological weapon, with

(B) the likelihood of the threat of a terrorist attack against the United States through the use of a weapon that is a weapon of mass destruction other than a biological weapon or that is a conventional weapon.

SEC. 1035. REPORT ON STRATEGY, POLICIES, AND PROGRAMS TO COMBAT DOMESTIC TERRORISM.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the strategy, policies, and programs of the United States for combating domestic terrorism, and in particular domestic terrorism involving weapons of mass destruction. The report shall document the progress and problems experienced by the Federal Government in organizing and preparing to respond to domestic terrorist incidents.

Subtitle E—Strategic Forces

SEC. 1041. REVISED NUCLEAR POSTURE REVIEW.

(a) REQUIREMENT FOR COMPREHENSIVE REVIEW.—In order to clarify United States nuclear deterrence policy and strategy for the near term, the Secretary of Defense shall conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years. The Secretary shall conduct the review in consultation with the Secretary of Energy.

(b) ELEMENTS OF REVIEW.—The nuclear posture review shall include the following elements:

(1) The role of nuclear forces in United States military strategy, planning, and programming.

(2) The policy requirements and objectives for the United States to maintain a safe, reliable, and credible nuclear deterrence posture.

(3) The relationship among United States nuclear deterrence policy, targeting strategy, and arms control objectives.

(4) The levels and composition of the nuclear delivery systems that will be required for implementing the United States national and military strategy, including any plans for replacing or modifying existing systems.

(5) The nuclear weapons complex that will be required for implementing the United States national and military strategy, including any plans to modernize or modify the complex.

(6) The active and inactive nuclear weapons stockpile that will be required for implementing the United States national and military strategy, including any plans for replacing or modifying warheads.

(c) REPORT TO CONGRESS.—The Secretary of Defense shall submit to Congress, in unclassified and classified forms as necessary, a report on the results of the nuclear posture review conducted under this section. The report shall be submitted concurrently with the Quadrennial Defense Review report due in December 2001.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the nuclear posture review conducted under this section should be used as the basis for establishing future United States arms control objectives and negotiating positions.

SEC. 1042. PLAN FOR THE LONG-TERM SUSTAINMENT AND MODERNIZATION OF UNITED STATES STRATEGIC NUCLEAR FORCES.

(a) REQUIREMENT FOR PLAN.—The Secretary of Defense, in consultation with the Secretary of Energy, shall develop a long-range plan for the sustainment and modernization of United States strategic nuclear forces to counter emerging threats and satisfy the evolving requirements of deterrence.

(b) ELEMENTS OF PLAN.—The plan specified under subsection (a) shall include the Secretary's plans, if any, for the sustainment and modernization of the following:

(1) Land-based and sea-based strategic ballistic missiles, including any plans for developing replacements for the Minuteman III intercontinental ballistic missile and the Trident II sea-launched ballistic missile and plans for common ballistic missile technology development.

(2) Strategic nuclear bombers, including any plans for a B–2 follow-on, a B–52 replacement, and any new air-launched weapon systems.

(3) Appropriate warheads to outfit the strategic nuclear delivery systems referred to in paragraphs (1) and (2) to satisfy evolving military requirements.

(c) SUBMITTAL OF PLAN.—The plan specified under subsection (a) shall be submitted to Congress not later than April 15, 2001. The plan shall be submitted in unclassified and classified forms, as necessary.

SEC. 1043. MODIFICATION OF SCOPE OF WAIVER AUTHORITY FOR LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

Section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1948), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 806), is further amended by striking ''the application of the limitation in effect under paragraph (1)(B) or (3) of subsection (a), as the case may be,'' and inserting ''the application of the limitation in effect under subsection (a) to a strategic nuclear delivery system''.

SEC. 1044. REPORT ON THE DEFEAT OF HARDENED AND DEEPLY BURIED TARGETS.

(a) STUDY.—The Secretary of Defense shall, in conjunction with the Secretary of Energy, conduct a study relating to the defeat of hardened and deeply buried targets. Under the study, the Secretaries shall—

(1) review—

(A) the requirements of the United States to defeat hardened and deeply buried targets and stockpiles of chemical and biological agents and related capabilities; and

(B) current and future plans to meet those requirements;

(2) determine if those plans adequately address all such requirements;

(3) identify potential future hardened and deeply buried targets and other related targets;

(4) determine what resources and research and development efforts are needed to defeat the targets identified under paragraph (3) as well as other requirements to defeat stockpiles of chemical and biological agents and related capabilities;

(5) assess both current and future options to defeat hardened and deeply buried targets as well as concepts to defeat stockpiles of chemical and biological agents and related capabilities; and

(6) determine the capability and cost of each option assessed under paragraph (5).

(b) CONDUCT OF ASSESSMENTS.—In conducting the study under subsection (a), the Secretaries may, in order to perform the assessments required by paragraph (5) of that subsection, conduct any limited research and development that may be necessary to perform those assessments.

(c) REPORT.—(1) Not later than July 1, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the results of the study conducted under subsection (a). The report shall be prepared in conjunction with the Secretary of Energy.

(2) The report under paragraph (1) shall be submitted in unclassified form, together with a classified annex if necessary.

SEC. 1045. SENSE OF CONGRESS ON THE MAINTENANCE OF THE STRATEGIC NUCLEAR TRIAD.

It is the sense of Congress that, in light of the potential for further arms control agreements with the Russian Federation limiting strategic forces—

(1) it is in the national interest of the United States to maintain a robust and balanced triad of strategic nuclear delivery vehicles, including (A) long-range bombers, (B) land-based intercontinental ballistic missiles (ICBMs), and (C) ballistic missile submarines; and

(2) reductions to United States conventional bomber capability are not in the national interest of the United States.

Subtitle F—Miscellaneous Reporting Requirements

SEC. 1051. MANAGEMENT REVIEW OF WORKING-CAPITAL FUND ACTIVITIES.

(a) COMPTROLLER GENERAL REVIEW REQUIRED.—The Comptroller General shall conduct a review of the working-capital fund activities of the Department of Defense to identify any potential changes in current management processes or policies that, if made, would result in a more efficient and economical operation of those activities.

(b) REVIEW TO INCLUDE CARRYOVER POLICY.—The review shall include a review of practices under the Department of Defense policy that authorizes funds available for working-capital fund activities for one fiscal year to be obligated for work to be performed at such activities within the first 90 days of the next fiscal year (known as ''carryover''). On the basis of the review, the Comptroller General shall determine the following:

(1) The extent to which the working-capital fund activities of the Department of Defense have complied with the 90-day carryover policy.

(2) The reasons for the carryover authority under the policy to apply to as much as a 90-day quantity of work.

(3) Whether applying the carryover authority to not more than a 30-day quantity of work would be sufficient to ensure uninterrupted operations at the working-capital fund activities early in a fiscal year.

(4) What, if any, savings could be achieved by restricting the carryover authority so as to apply to a 30-day quantity of work.

SEC. 1052. REPORT ON SUBMARINE RESCUE SUPPORT VESSELS.

(a) REQUIREMENT.—The Secretary of the Navy shall submit to Congress, together with the submission of the budget of the President for fiscal year 2002 under section 1105 of title 31, United States Code, a report on the plan of the Navy for providing for submarine rescue support vessels through fiscal year 2007.

(b) CONTENT.—The report shall include a discussion of the following:

(1) The requirement for submarine rescue support vessels through fiscal year 2007, including experience in changing from the provision of such vessels from dedicated platforms to the provision of such vessels through vessel of opportunity services and charter vessels.

(2) The resources required, the risks to submariners, and the operational impacts of the following:

(A) Chartering submarine rescue support vessels for terms of up to five years, with options to extend the charters for two additional five-year periods.

(B) Providing submarine rescue support vessels using vessel of opportunity services.

(C) Providing submarine rescue support services through other means considered by the Navy.

SEC. 1053. REPORT ON FEDERAL GOVERNMENT PROGRESS IN DEVELOPING INFORMATION ASSURANCE STRATEGIES.

Not later than January 15, 2001, the President shall submit to Congress a comprehensive report detailing the specific steps taken by the Federal Government as of the date of the report to develop critical infrastructure assurance strategies as outlined by Presidential Decision Directive No. 63 (PDD–63). The report shall include the following:

(1) A detailed summary of the progress of each Federal agency in developing an internal information assurance plan.

(2) The progress of Federal agencies in establishing partnerships with relevant private sector industries to address critical infrastructure vulnerabilities.

SEC. 1054. DEPARTMENT OF DEFENSE PROCESS FOR DECISIONMAKING IN CASES OF FALSE CLAIMS.

Not later than February 1, 2001, the Secretary of Defense shall submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking on issues arising under sections 3729 through 3733 of title 31, United States Code, in cases of claims submitted to the Department of Defense that are suspected or alleged to be false. The report shall include a discussion of any changes that have been made in the policies and procedures since January 1, 2000, and how such procedures are being implemented.

Subtitle G—Government Information Security Reform

SEC. 1061. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by inserting at the end the following new subchapter:

''SUBCHAPTER II—INFORMATION SECURITY

''§ 3531. Purposes

''The purposes of this subchapter are the following:

''(1) To provide a comprehensive framework for establishing and ensuring the effectiveness of controls over information resources that support Federal operations and assets.

''(2)(A) To recognize the highly networked nature of the Federal computing environment including the need for Federal Government interoperability and, in the implementation of improved security management measures, assure that opportunities for interoperability are not adversely affected.

''(B) To provide effective Government-wide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities.

''(3) To provide for development and maintenance of minimum controls required to protect Federal information and information systems.

''(4) To provide a mechanism for improved oversight of Federal agency information security programs.

''§ 3532. Definitions

''(a) Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

''(b) In this subchapter:

''(1) The term 'information technology' has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

''(2) The term 'mission critical system' means any telecommunications or information system used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency, that—

''(A) is defined as a national security system under section 5142 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1452);

''(B) is protected at all times by procedures established for information which has been specifically authorized under criteria established by an Executive order or an Act of Congress to be classified in the interest of national defense or foreign policy; or

''(C) processes any information, the loss, misuse, disclosure, or unauthorized access to or modification of, would have a debilitating impact on the mission of an agency.

''§ 3533. Authority and functions of the Director

''(a)(1) The Director shall establish Government-wide policies for the management of programs that—

''(A) support the cost-effective security of Federal information systems by promoting security as an integral component of each agency's business operations; and

''(B) include information technology architectures as defined under section 5125 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1425).

''(2) Policies under this subsection shall—

''(A) be founded on a continuing risk management cycle that recognizes the need to—

''(i) identify, assess, and understand risk; and

''(ii) determine security needs commensurate with the level of risk;

''(B) implement controls that adequately address the risk;

''(C) promote continuing awareness of information security risk; and

''(D) continually monitor and evaluate policy and control effectiveness of information security practices.

''(b) The authority under subsection (a) includes the authority to—

''(1) oversee and develop policies, principles, standards, and guidelines for the handling of Federal information and information resources to improve the efficiency and effectiveness of governmental operations, including principles, policies, and guidelines for the implementation of agency responsibilities under applicable law for ensuring the privacy, confidentiality, and security of Federal information;

''(2) consistent with the standards and guidelines promulgated under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and sections 5 and 6 of the Computer Security Act of 1987 (40 U.S.C. 1441 note; Public Law 100–235; 101 Stat. 1729), require Federal agencies to identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency;

''(3) direct the heads of agencies to—

''(A) identify, use, and share best security practices;

''(B) develop an agency-wide information security plan;

''(C) incorporate information security principles and practices throughout the life cycles of the agency's information systems; and

''(D) ensure that the agency's information security plan is practiced throughout all life cycles of the agency's information systems;

''(4) oversee the development and implementation of standards and guidelines relating to security controls for Federal computer systems by the Secretary of Commerce through the National Institute of Standards and Technology under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3);

''(5) oversee and coordinate compliance with this section in a manner consistent with—

''(A) sections 552 and 552a of title 5;

''(B) sections 20 and 21 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3 and 278g–4);

''(C) section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441);

''(D) sections 5 and 6 of the Computer Security Act of 1987 (40 U.S.C. 1441 note; Public Law 100–235; 101 Stat. 1729); and

''(E) related information management laws; and

''(6) take any authorized action under section 5113(b)(5) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1413(b)(5)) that the Director considers appropriate, including any action involving the budgetary process or appropriations management process, to enforce accountability of the head of an agency for information resources management, including the requirements of this subchapter, and for the investments made by the agency in information technology, including—

''(A) recommending a reduction or an increase in any amount for information resources that the head of the agency proposes for the budget submitted to Congress under section 1105(a) of title 31;

''(B) reducing or otherwise adjusting apportionments and reapportionments of appropriations for information resources; and

''(C) using other authorized administrative controls over appropriations to restrict the availability of funds for information resources.

''(c) The authorities of the Director under this section (other than the authority described in subsection (b)(6))—

''(1) shall be delegated to the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President in the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2);

''(2) shall be delegated to the Secretary of Defense in the case of systems described under subparagraph (C) of section 3532(b)(2) that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense; and

''(3) in the case of all other Federal information systems, may be delegated only to the Deputy Director for Management of the Office of Management and Budget.

''§ 3534. Federal agency responsibilities

''(a) The head of each agency shall—

''(1) be responsible for—

''(A) adequately ensuring the integrity, confidentiality, authenticity, availability, and nonrepudiation of information and information systems supporting agency operations and assets;

''(B) developing and implementing information security policies, procedures, and control techniques sufficient to afford security protections commensurate with the risk and magnitude of the harm resulting from unauthorized disclosure, disruption, modification, or destruction of information collected or maintained by or for the agency; and

''(C) ensuring that the agency's information security plan is practiced throughout the life cycle of each agency system;

''(2) ensure that appropriate senior agency officials are responsible for—

''(A) assessing the information security risks associated with the operations and assets for programs and systems over which such officials have control;

''(B) determining the levels of information security appropriate to protect such operations and assets; and

''(C) periodically testing and evaluating information security controls and techniques;

''(3) delegate to the agency Chief Information Officer established under section 3506, or a comparable official in an agency not covered by such section, the authority to administer all functions under this subchapter including—

''(A) designating a senior agency information security official who shall report to the Chief Information Officer or a comparable official;

''(B) developing and maintaining an agencywide information security program as required under subsection (b);

''(C) ensuring that the agency effectively implements and maintains information security policies, procedures, and control techniques;

''(D) training and overseeing personnel with significant responsibilities for information security with respect to such responsibilities; and

''(E) assisting senior agency officials concerning responsibilities under paragraph (2);

''(4) ensure that the agency has trained personnel sufficient to assist the agency in complying with the requirements of this subchapter and related policies, procedures, standards, and guidelines; and

''(5) ensure that the agency Chief Information Officer, in coordination with senior agency officials, periodically—

''(A)(i) evaluates the effectiveness of the agency information security program, including testing control techniques; and

''(ii) implements appropriate remedial actions based on that evaluation; and

''(B) reports to the agency head on—

''(i) the results of such tests and evaluations; and

''(ii) the progress of remedial actions.

''(b)(1) Each agency shall develop and implement an agencywide information security program to provide information security for the operations and assets of the agency, including operations and assets provided or managed by another agency.

''(2) Each program under this subsection shall include—

''(A) periodic risk assessments that consider internal and external threats to—

''(i) the integrity, confidentiality, and availability of systems; and

''(ii) data supporting critical operations and assets;

''(B) policies and procedures that—

''(i) are based on the risk assessments required under subparagraph (A) that cost-effectively reduce information security risks to an acceptable level; and

''(ii) ensure compliance with—

''(I) the requirements of this subchapter;

''(II) policies and procedures as may be prescribed by the Director; and

''(III) any other applicable requirements;

''(C) security awareness training to inform personnel of—

''(i) information security risks associated with the activities of personnel; and

''(ii) responsibilities of personnel in complying with agency policies and procedures designed to reduce such risks;

''(D) periodic management testing and evaluation of the effectiveness of information security policies and procedures;

''(E) a process for ensuring remedial action to address any significant deficiencies; and

''(F) procedures for detecting, reporting, and responding to security incidents, including—

''(i) mitigating risks associated with such incidents before substantial damage occurs;

''(ii) notifying and consulting with law enforcement officials and other offices and authorities;

''(iii) notifying and consulting with an office designated by the Administrator of General Services within the General Services Administration; and

''(iv) notifying and consulting with an office designated by the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President for incidents involving systems described under subparagraphs (A) and (B) of section 3532(b)(2).

''(3) Each program under this subsection is subject to the approval of the Director and is required to be reviewed at least annually by agency program officials in consultation with the Chief Information Officer. In the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2), the Director shall delegate approval authority under this paragraph to the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President.

''(c)(1) Each agency shall examine the adequacy and effectiveness of information security policies, procedures, and practices in plans and reports relating to—

''(A) annual agency budgets;

''(B) information resources management under subchapter I of this chapter;

''(C) performance and results based management under the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.);

''(D) program performance under sections 1105 and 1115 through 1119 of title 31, and sections 2801 through 2805 of title 39; and

''(E) financial management under—

''(i) chapter 9 of title 31, United States Code, and the Chief Financial Officers Act of 1990 (31 U.S.C. 501 note; Public Law 101–576) (and the amendments made by that Act);

''(ii) the Federal Financial Management Improvement Act of 1996 (31 U.S.C. 3512 note) (and the amendments made by that Act); and

''(iii) the internal controls conducted under section 3512 of title 31.

''(2) Any significant deficiency in a policy, procedure, or practice identified under paragraph (1) shall be reported as a material weakness in reporting required under the applicable provision of law under paragraph (1).

''(d)(1) In addition to the requirements of subsection (c), each agency, in consultation with the Chief Information Officer, shall include as part of the performance plan required under section 1115 of title 31 a description of—

''(A) the time periods, and

''(B) the resources, including budget, staffing, and training,

which are necessary to implement the program required under subsection (b)(1).

''(2) The description under paragraph (1) shall be based on the risk assessment required under subsection (b)(2)(A).

''§ 3535. Annual independent evaluation

''(a)(1) Each year each agency shall have performed an independent evaluation of the information security program and practices of that agency.

''(2) Each evaluation by an agency under this section shall include—

''(A) testing of the effectiveness of information security control techniques for an appropriate subset of the agency's information systems; and

''(B) an assessment (made on the basis of the results of the testing) of the compliance with—

''(i) the requirements of this subchapter; and

''(ii) related information security policies, procedures, standards, and guidelines.

''(3) The Inspector General or the independent evaluator performing an evaluation under this section may use an audit, evaluation, or report relating to programs or practices of the applicable agency.

''(b)(1)(A) Subject to subparagraph (B), for agencies with Inspectors General appointed under the Inspector General Act of 1978 (5 U.S.C. App.) or any other law, the annual evaluation required under this section or, in the case of systems described under subparagraphs (A) and (B) of section 3532(b)(2), an audit of the annual evaluation required under this section, shall be performed by the Inspector General or by an independent evaluator, as determined by the Inspector General of the agency.

''(B) For systems described under subparagraphs (A) and (B) of section 3532(b)(2), the evaluation required under this section shall be performed only by an entity designated by the Secretary of Defense, the Director of Central Intelligence, or another agency head as designated by the President.

''(2) For any agency to which paragraph (1) does not apply, the head of the agency shall contract with an independent evaluator to perform the evaluation.

''(c) Each year, not later than the anniversary of the date of the enactment of this subchapter, the applicable agency head shall submit to the Director—

''(1) the results of each evaluation required under this section, other than an evaluation of a system described under subparagraph (A) or (B) of section 3532(b)(2); and

''(2) the results of each audit of an evaluation required under this section of a system described under subparagraph (A) or (B) of section 3532(b)(2).

''(d)(1) The Director shall submit to Congress each year a report summarizing the materials received from agencies pursuant to subsection (c) in that year.

''(2) Evaluations and audits of evaluations of systems under the authority and control of the Director of Central Intelligence and evaluations and audits of evaluation of National Foreign Intelligence Programs systems under the authority and control of the Secretary of Defense shall be made available only to the appropriate oversight committees of Congress, in accordance with applicable laws.

''(e) Agencies and evaluators shall take appropriate actions to ensure the protection of information, the disclosure of which may adversely affect information security. Such protections shall be commensurate with the risk and comply with all applicable laws.

''§ 3536. Expiration

''This subchapter shall not be in effect after the date that is two years after the date on which this subchapter takes effect.''.

SEC. 1062. RESPONSIBILITIES OF CERTAIN AGENCIES.

(a) DEPARTMENT OF COMMERCE.—Notwithstanding section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) and except as provided under subsection (b), the Secretary of Commerce, through the National Institute of Standards and Technology and with technical assistance from the National Security Agency, as required or when requested, shall—

(1) develop, issue, review, and update standards and guidance for the security of Federal information systems, including development of methods and techniques for security systems and validation programs;

(2) develop, issue, review, and update guidelines for training in computer security awareness and accepted computer security practices, with assistance from the Office of Personnel Management;

(3) provide agencies with guidance for security planning to assist in the development of applications and system security plans for such agencies;

(4) provide guidance and assistance to agencies concerning cost-effective controls when interconnecting with other systems; and

(5) evaluate information technologies to assess security vulnerabilities and alert Federal agencies of such vulnerabilities as soon as those vulnerabilities are known.

(b) DEPARTMENT OF DEFENSE AND THE INTELLIGENCE COMMUNITY.—

(1) IN GENERAL.—Notwithstanding any other provision of this subtitle (including any amendment made by this subtitle)—

(A) the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President, shall, consistent with their respective authorities—

(i) develop and issue information security policies, standards, and guidelines for systems described under subparagraphs (A) and (B) of section 3532(b)(2) of title 44, United States Code (as added by section 1061 of this Act), that provide more stringent protection, to the maximum extent practicable, than the policies, principles, standards, and guidelines required under section 353 of such title (as added by such section 1061); and

(ii) ensure the implementation of the information security policies, principles, standards, and guidelines described under clause (i); and

(B) the Secretary of Defense shall, consistent with his authority—

(i) develop and issue information security policies, standards, and guidelines for systems described under subparagraph (C) of section 3532(b)(2) of title 44, United States Code (as added by section 1061 of this Act), that are operated by the Department of Defense, a contractor of the Department of Defense, or another entity on behalf of the Department of Defense that provide more stringent protection, to the maximum extent practicable, than the policies, principles, standards, and guidelines required under section 3533 of such title (as added by such section 1061); and

(ii) ensure the implementation of the information security policies, principles, standards, and guidelines described under clause (i).

(2) MEASURES ADDRESSED.—The policies, principles, standards, and guidelines developed by the Secretary of Defense and the Director of Central Intelligence under paragraph (1) shall address the full range of information assurance measures needed to protect and defend Federal information and information systems by ensuring their integrity, confidentiality, authenticity, availability, and nonrepudiation.

(c) DEPARTMENT OF JUSTICE.—The Attorney General shall review and update guidance to agencies on—

(1) legal remedies regarding security incidents and ways to report to and work with law enforcement agencies concerning such incidents; and

(2) lawful uses of security techniques and technologies.

(d) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall—

(1) review and update General Services Administration guidance to agencies on addressing security considerations when acquiring information technology; and

(2) assist agencies in—

(A) fulfilling agency responsibilities under section 3534(b)(2)(F) of title 44, United States Code (as added by section 1061 of this Act); and

(B) the acquisition of cost-effective security products, services, and incident response capabilities.

(e) OFFICE OF PERSONNEL MANAGEMENT.—The Director of the Office of Personnel Management shall—

(1) review and update Office of Personnel Management regulations concerning computer security training for Federal civilian employees;

(2) assist the Department of Commerce in updating and maintaining guidelines for training in computer security awareness and computer security best practices; and

(3) work with the National Science Foundation and other agencies on personnel and training initiatives (including scholarships and fellowships, as authorized by law) as necessary to ensure that the Federal Government—

(A) has adequate sources of continuing information security education and training available for employees; and

(B) has an adequate supply of qualified information security professionals to meet agency needs.

(f) INFORMATION SECURITY POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES.—

(1) ADOPTION OF POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES OF OTHER AGENCIES.—The policies, principles, standards, and guidelines developed under subsection (b) by the Secretary of Defense, the Director of Central Intelligence, and another agency head as designated by the President may be adopted, to the extent that such policies are consistent with policies and guidance developed by the Director of the Office of Management and Budget and the Secretary of Commerce—

(A) by the Director of the Office of Management and Budget, as appropriate, for application to the mission critical systems of all agencies; or

(B) by an agency head, as appropriate, for application to the mission critical systems of that agency.

(2) DEVELOPMENT OF MORE STRINGENT POLICIES, PRINCIPLES, STANDARDS, AND GUIDELINES.—To the extent that such policies are consistent with policies and guidance developed by the Director of the Office of Management and Budget and the Secretary of Commerce, an agency may develop and implement information security policies, principles, standards, and guidelines that provide more stringent protection than those required under section 3533 of title 44, United States Code (as added by section 1061 of this Act), or subsection (a) of this section.

(g) ATOMIC ENERGY ACT OF 1954.—Nothing in this subtitle (including any amendment made by this subtitle) shall supersede any requirement made by, or under, the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.). Restricted Data or Formerly Restricted Data shall be handled, protected, classified, downgraded, and declassified in conformity with the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

SEC. 1063. RELATIONSHIP OF DEFENSE INFORMATION ASSURANCE PROGRAM TO GOVERNMENT-WIDE INFORMATION SECURITY PROGRAM.

(a) CONSISTENCY OF REQUIREMENTS.—Subsection (b) of section 2224 of title 10, United States Code, is amended—

(1) by striking ''(b) OBJECTIVES OF THE PROGRAM.—'' and inserting ''(b) OBJECTIVES AND MINIMUM REQUIREMENTS.—(1)''; and

(2) by adding at the end the following:

''(2) The program shall at a minimum meet the requirements of sections 3534 and 3535 of title 44.''.

(b) ADDITION TO ANNUAL REPORT.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(7) A summary of the actions taken in the administration of sections 3534 and 3535 of title 44 within the Department of Defense.''.

SEC. 1064. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF SECTIONS.—Chapter 35 of title 44, United States Code, is amended—

(1) in the table of sections—

(A) by inserting after the chapter heading the following:

''SUBCHAPTER I—FEDERAL INFORMATION POLICY'';

and

(B) by inserting after the item relating to section 3520 the following:

''SUBCHAPTER II—INFORMATION SECURITY

''Sec.
''3531. Purposes.
''3532. Definitions.
''3533. Authority and functions of the Director.
''3534. Federal agency responsibilities.
''3535. Annual independent evaluation.
''3536. Expiration.'';

and

(2) by inserting before section 3501 the following:

''SUBCHAPTER I—FEDERAL INFORMATION POLICY''.

(b) REFERENCES TO CHAPTER 35.—Sections 3501 through 3520 of title 44, United States Code, are amended by striking ''chapter'' each place it appears and inserting ''subchapter'', except in section 3507(i)(1) of such title.

SEC. 1065. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect 30 days after the date of enactment of this Act.

Subtitle H—Security Matters

SEC. 1071. LIMITATION ON GRANTING OF SECURITY CLEARANCES.

(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 986. Security clearances: limitations

''(a) PROHIBITION.—After the date of the enactment of this section, the Department of Defense may not grant or renew a security clearance for a person to whom this section applies who is described in subsection (c).

''(b) COVERED PERSONS.—This section applies to the following persons:

''(1) An officer or employee of the Department of Defense.

''(2) A member of the Army, Navy, Air Force, or Marine Corps who is on active duty or is in an active status.

''(3) An officer or employee of a contractor of the Department of Defense.

''(c) PERSONS DISQUALIFIED FROM BEING GRANTED SECURITY CLEARANCES.—A person is described in this subsection if any of the following applies to that person:

''(1) The person has been convicted in any court of the United States of a crime and sentenced to imprisonment for a term exceeding one year.

''(2) The person is an unlawful user of, or is addicted to, a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(3) The person is mentally incompetent, as determined by a mental health professional approved by the Department of Defense.

''(4) The person has been discharged or dismissed from the Armed Forces under dishonorable conditions.

''(d) WAIVER AUTHORITY.—In a meritorious case, the Secretary of Defense or the Secretary of the military department concerned may authorize an exception to the prohibition in subsection (a) for a person described in paragraph (1) or (4) of subsection (c). The authority under the preceding sentence may not be delegated.

''(e) ANNUAL REPORT.—Not later than February 1 each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report identifying each waiver issued under subsection (d) during the preceding year with an explanation for each case of the disqualifying factor in subsection (c) that applied, and the reason for the waiver of the disqualification.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''986. Security clearances: limitations.''.

SEC. 1072. PROCESS FOR PRIORITIZING BACKGROUND INVESTIGATIONS FOR SECURITY CLEARANCES FOR DEPARTMENT OF DEFENSE PERSONNEL AND DEFENSE CONTRACTOR PERSONNEL.

(a) ESTABLISHMENT OF PROCESS.—Chapter 80 of title 10, United States Code, is amended by adding after section 1563, as added by section 542(a), the following new section:

''§ 1564. Security clearance investigations

''(a) EXPEDITED PROCESS.—The Secretary of Defense shall prescribe a process for expediting the completion of the background investigations necessary for granting security clearances for Department of Defense personnel and Department of Defense contractor personnel who are engaged in sensitive duties that are critical to the national security.

''(b) REQUIRED FEATURES.—The process developed under subsection (a) shall provide for the following:

''(1) Quantification of the requirements for background investigations necessary for grants of security clearances for Department of Defense personnel and Department of Defense contractor personnel.

''(2) Categorization of personnel on the basis of the degree of sensitivity of their duties and the extent to which those duties are critical to the national security.

''(3) Prioritization of the processing of background investigations on the basis of the categories of personnel determined under paragraph (2).

''(c) ANNUAL REVIEW.—The Secretary shall conduct an annual review of the process prescribed under subsection (a) and shall revise that process as determined necessary in relation to ongoing Department of Defense missions.

''(d) CONSULTATION REQUIREMENT.—The Secretary shall consult with the Secretaries of the military departments and the heads of Defense Agencies in carrying out this section.

''(e) SENSITIVE DUTIES.—For the purposes of this section, it is not necessary for the performance of duties to involve classified activities or classified matters in order for the duties to be considered sensitive and critical to the national security.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 1563, as added by section 542(b), the following new item:

''1564. Security clearance investigations.''.

(c) DEADLINE FOR PRESCRIBING PROCESS FOR PRIORITIZING BACKGROUND INVESTIGATIONS FOR SECURITY CLEARANCES.—The process required by section 1564(a) of title 10, United States Code, as added by subsection (a), for expediting the completion of the background investigations necessary for granting security clearances for certain persons shall be prescribed not later than January 1, 2001.

SEC. 1073. AUTHORITY TO WITHHOLD CERTAIN SENSITIVE INFORMATION FROM PUBLIC DISCLOSURE.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130b the following new section:

''§ 130c. Nondisclosure of information: certain sensitive information of foreign governments and international organizations

''(a) EXEMPTION FROM DISCLOSURE.—The national security official concerned (as defined in subsection (h)) may withhold from public disclosure otherwise required by law sensitive information of foreign governments in accordance with this section.

''(b) INFORMATION ELIGIBLE FOR EXEMPTION.—For the purposes of this section, information is sensitive information of a foreign government only if the national security official concerned makes each of the following determinations with respect to the information:

''(1) That the information was provided by, otherwise made available by, or produced in cooperation with, a foreign government or international organization.

''(2) That the foreign government or international organization is withholding the information from public disclosure (relying for that determination on the written representation of the foreign government or international organization to that effect).

''(3) That any of the following conditions are met:

''(A) The foreign government or international organization requests, in writing, that the information be withheld.

''(B) The information was provided or made available to the United States Government on the condition that it not be released to the public.

''(C) The information is an item of information, or is in a category of information, that the national security official concerned has specified in regulations prescribed under subsection (f) as being information the release of which would have an adverse effect on the ability of the United States Government to obtain the same or similar information in the future.

''(c) INFORMATION OF OTHER AGENCIES.—If the national security official concerned provides to the head of another agency sensitive information of a foreign government, as determined by that national security official under subsection (b), and informs the head of the other agency of that determination, then the head of the other agency shall withhold the information from any public disclosure unless that national security official specifically authorizes the disclosure.

''(d) LIMITATIONS.—(1) If a request for disclosure covers any sensitive information of a foreign government (as described in subsection (b)) that came into the possession or under the control of the United States Government before the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 and more than 25 years before the request is received by an agency, the information may be withheld only as set forth in paragraph (3).

''(2)(A) If a request for disclosure covers any sensitive information of a foreign government (as described in subsection (b)) that came into the possession or under the control of the United States Government on or after the date referred to in paragraph (1), the authority to withhold the information under this section is subject to the provisions of subparagraphs (B) and (C).

''(B) Information referred to in subparagraph (A) may not be withheld under this section after—

''(i) the date that is specified by a foreign government or international organization in a request or expression of a condition described in paragraph (1) or (2) of subsection (b) that is made by the foreign government or international organization concerning the information; or

''(ii) if there are more than one such foreign governments or international organizations, the latest date so specified by any of them.

''(C) If no date is applicable under subparagraph (B) to a request referred to in subparagraph (A) and the information referred to in that subparagraph came into possession or under the control of the United States more than 10 years before the date on which the request is received by an agency, the information may be withheld under this section only as set forth in paragraph (3).

''(3) Information referred to in paragraph (1) or (2)(C) may be withheld under this section in the case of a request for disclosure only if, upon the notification of each foreign government and international organization concerned in accordance with the regulations prescribed under subsection (g)(2), any such government or organization requests in writing that the information not be disclosed for an additional period stated in the request of that government or organization. After the national security official concerned considers the request of the foreign government or international organization, the official shall designate a later date as the date after which the information is not to be withheld under this section. The later date may be extended in accordance with a later request of any such foreign government or international organization under this paragraph.

''(e) INFORMATION PROTECTED UNDER OTHER AUTHORITY.—This section does not apply to information or matters that are specifically required in the interest of national defense or foreign policy to be protected against unauthorized disclosure under criteria established by an Executive order and are classified, properly, at the confidential, secret, or top secret level pursuant to such Executive order.

''(f) DISCLOSURES NOT AFFECTED.—Nothing in this section shall be construed to authorize any official to withhold, or to authorize the withholding of, information from the following:

''(1) Congress.

''(2) The Comptroller General, unless the information relates to activities that the President designates as foreign intelligence or counterintelligence activities.

''(g) REGULATIONS.—(1) The national security officials referred to in subsection (h)(1) shall each prescribe regulations to carry out this section. The regulations shall include criteria for making the determinations required under subsection (b). The regulations may provide for controls on access to and use of, and special markings and specific safeguards for, a category or categories of information subject to this section.

''(2) The regulations shall include procedures for notifying and consulting with each foreign government or international organization concerned about requests for disclosure of information to which this section applies.

''(h) DEFINITIONS.—In this section:

''(1) The term 'national security official concerned' means the following:

''(A) The Secretary of Defense, with respect to information of concern to the Department of Defense, as determined by the Secretary.

''(B) The Secretary of Transportation, with respect to information of concern to the Coast Guard, as determined by the Secretary, but only while the Coast Guard is not operating as a service in the Navy.

''(C) The Secretary of Energy, with respect to information concerning the national security programs of the Department of Energy, as determined by the Secretary.

''(2) The term 'agency' has the meaning given that term in section 552(f) of title 5.

''(3) The term 'international organization' means the following:

''(A) A public international organization designated pursuant to section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) as being entitled to enjoy the privileges, exemptions, and immunities provided in such Act.

''(B) A public international organization created pursuant to a treaty or other international agreement as an instrument through or by which two or more foreign governments engage in some aspect of their conduct of international affairs.

''(C) An official mission, except a United States mission, to a public international organization referred to in subparagraph (A) or (B).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130b the following new item:

''130c. Nondisclosure of information: certain sensitive information of foreign governments and international organizations.''.

SEC. 1074. EXPANSION OF AUTHORITY TO EXEMPT GEODETIC PRODUCTS OF THE DEPARTMENT OF DEFENSE FROM PUBLIC DISCLOSURE.

Section 455(b)(1)(C) of title 10, United States Code, is amended by striking ''or reveal military operational or contingency plans'' and inserting '', reveal military operational or contingency plans, or reveal, jeopardize, or compromise military or intelligence capabilities''.

SEC. 1075. EXPENDITURES FOR DECLASSIFICATION ACTIVITIES.

(a) IDENTIFICATION IN BUDGET MATERIALS OF AMOUNTS FOR DECLASSIFICATION ACTIVITIES.—Section 230 of title 10, United States Code, is amended—

(1) by striking '', as a budgetary line item,''; and

(2) by adding at the end the following new sentence: ''Identification of such amounts in such budget justification materials shall be in a single display that shows the total amount for the Department of Defense and the amount for each military department and Defense Agency.''.

(b) LIMITATION ON EXPENDITURES.—The total amount expended by the Department of Defense during fiscal year 2001 to carry out declassification activities under the provisions of sections 3.4, 3.5, and 3.6 of Executive Order 12958 (50 U.S.C. 435 note) and for special searches (including costs for document search, copying, and review and imagery analysis) may not exceed $30,000,000.

(c) COMPILATION AND ORGANIZATION OF RECORDS.—The Department of Defense may not be required, when conducting a special search, to compile or organize records that have already been declassified and placed into the public domain.

(d) SPECIAL SEARCHES.—For the purpose of this section, the term ''special search'' means the response of the Department of Defense to any of the following:

(1) A statutory requirement to conduct a declassification review on a specified set of agency records.

(2) An Executive order to conduct a declassification review on a specified set of agency records.

(3) An order from the President or an official with delegated authority from the President to conduct a declassification review on a specified set of agency records.

SEC. 1076. ENHANCED ACCESS TO CRIMINAL HISTORY RECORD INFORMATION FOR NATIONAL SECURITY AND OTHER PURPOSES

(a) COVERAGE OF DEPARTMENT OF TRANSPORTATION.—Section 9101 of title 5, United States Code, is amended—

(1) by adding at the end of subsection (a) the following new paragraph:

''(6) The term 'covered agency' means any of the following:

''(A) The Department of Defense.

''(B) The Department of State.

''(C) The Department of Transportation.

''(D) The Office of Personnel Management.

''(E) The Central Intelligence Agency.

''(F) The Federal Bureau of Investigation.'';

(2) in subsection (b)(1)—

(A) by striking ''by the Department of Defense'' and all that follows through ''Federal Bureau of Investigation'' and inserting ''by the head of a covered agency''; and

(B) by striking ''such department, office, agency, or bureau'' and inserting ''that covered agency''; and

(3) in subsection (c), by striking ''The Department of Defense'' and all that follows through ''Federal Bureau of Investigation'' and inserting ''A covered agency''.

(b) REPEAL OF EXPIRED PROVISION.—Subsection (b) of such section is amended by striking paragraph (3).

(c) EXPANDED PURPOSES FOR ACCESS TO CRIMINAL HISTORY INFORMATION.—Subsection (b) of such section is further amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) in the first sentence of paragraph (1)—

(A) by inserting ''any of the following:'' after ''eligibility for''; and

(B) by striking ''(A) access to classified information'' and all that follows through the end of the sentence and inserting the following:

''(A) Access to classified information.

''(B) Assignment to or retention in sensitive national security duties.

''(C) Acceptance or retention in the armed forces.

''(D) Appointment, retention, or assignment to a position of public trust or a critical or sensitive position while either employed by the Government or performing a Government contract.'';

(3) by designating the second sentence of paragraph (1) as paragraph (2); and

(4) by designating the third sentence of paragraph (1) as paragraph (3) and in that sentence by striking '', nor shall'' and all that follows through the end of the sentence and inserting a period.

(d) USE OF AUTOMATED INFORMATION DELIVERY SYSTEMS.—Such section is further amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e)(1) Automated information delivery systems shall be used to provide criminal history record information to a covered agency under subsection (b) whenever available.

''(2) Fees, if any, charged for automated access through such systems may not exceed the reasonable cost of providing such access.

''(3) The criminal justice agency providing the criminal history record information through such systems may not limit disclosure on the basis that the repository is accessed from outside the State.

''(4) Information provided through such systems shall be the full and complete criminal history record.

''(5) Criminal justice agencies shall accept and respond to requests for criminal history record information through such systems with printed or photocopied records when requested.''.

(e) TECHNICAL AMENDMENTS.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking ''includes'' and all that follows through ''thereof which'' and inserting ''means (A) any Federal, State, or local court, and (B) any Federal, State, or local agency, or any subunit thereof, which''; and

(2) in paragraph (4)—

(A) by inserting ''the Commonwealth of'' before ''the Northern Mariana Islands''; and

(B) by striking ''the Trust Territory of the Pacific Islands,'.

(f) CONFORMING AMENDMENTS.—(1)(A) The heading for chapter 91 of title 5, United States Code, is amended to read as follows:

''CHAPTER 91—ACCESS TO CRIMINAL HISTORY RECORDS FOR NATIONAL SECURITY AND OTHER PURPOSES''.

(B) The item relating to chapter 91 in the table of chapters at the beginning of part III of such title is amended to read as follows:

''91. Access to Criminal History Records for National Security and Other Purposes ..... 9101''.

(2)(A) The heading of section 9101 of such title is amended to read as follows:

''§ 9101. Access to criminal history records for national security and other purposes''.

(B) The item relating to that section in the table of sections at the beginning of chapter 91 of such title is amended to read as follows:

''9101. Access to criminal history records for national security and other purposes.''.

(g) REPEAL OF SUPERSEDED PROVISION.—(1) Section 520a of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 520a.

SEC. 1077. TWO-YEAR EXTENSION OF AUTHORITY TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended in the second sentence by striking ''December 31, 2000'' and inserting ''December 31, 2002''.

SEC. 1078. COORDINATION OF NUCLEAR WEAPONS SECRECY POLICIES AND CONSIDERATION OF HEALTH OF WORKERS AT FORMER DEPARTMENT OF DEFENSE NUCLEAR FACILITIES.

(a) REVIEW OF SECRECY POLICIES.—(1) The Secretary of Defense shall review classification and security policies of the Department of Defense in order to ensure that, within appropriate national security constraints, those policies do not prevent or discourage former defense nuclear weapons facility employees who may have been exposed to radioactive or other hazardous substances associated with nuclear weapons from discussing such exposures with appropriate health care providers and with other appropriate officials.

(2) The policies reviewed under paragraph (1) shall include the policy to neither confirm nor deny the presence of nuclear weapons as that policy is applied to former defense nuclear weapons facilities.

(b) DEFINITIONS.—For purposes of this section:

(1) The term ''former defense nuclear weapons facility employees'' means employees and former employees of the Department of Defense who are or were employed at a site that, as of the date of the enactment of this Act, is a former defense nuclear weapons facility.

(2) The term ''former defense nuclear weapons facility'' means a current or former Department of Defense site in the United States which at one time was a defense nuclear weapons facility but which no longer contains nuclear weapons or materials and otherwise is no longer used for such purpose.

(3) The term ''defense nuclear weapons facility'' means a Department of Defense site in the United States at which nuclear weapons or materials are stored, assembled, disassembled, or maintained.

(c) NOTIFICATION OF AFFECTED EMPLOYEES.—(1) The Secretary of Defense shall seek to identify individuals—

(A) who are former defense nuclear weapons facility employees; and

(B) who, while employed at a defense nuclear weapons facility, may have been exposed to radioactive or hazardous substances associated with nuclear weapons.

(2) Upon identification of any individual under paragraph (1), the Secretary of Defense shall notify that individual, by mail or other individual means, of any such exposure to radioactive or hazardous substances associated with nuclear weapons that has been identified by the Secretary. The notification shall include an explanation of how (or the degree to which) that

individual can discuss any such exposure with a health care provider who does not hold a security clearance without violating security or classification procedures and, if necessary, provide guidance to facilitate the ability of that individual to contact a health care provider with appropriate security clearances or otherwise to discuss such exposures with other officials who are determined by the Secretary of Defense to be appropriate.

(d) REPORT.—Not later than May 1, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report setting forth—

(1) the results of the review conducted under subsection (a), including any changes made or recommendations for legislation; and

(2) the status of the notifications required by subsection (b) and an anticipated date by which the identification and notification of individuals under that subsection will be completed.

(e) CONSULTATION WITH SECRETARY OF ENERGY.—The Secretary of Defense shall carry out the review under subsection (a) and the identification of individuals under subsection (b), and shall prepare the report under subsection (c), in consultation with the Secretary of Energy.

Subtitle I—Other Matters

SEC. 1081. FUNDS FOR ADMINISTRATIVE EXPENSES UNDER DEFENSE EXPORT LOAN GUARANTEE PROGRAM.

(a) AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS ON AN INTERIM BASIS.—Section 2540c(d) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''FEES.—''; and

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

''(2)(A) If for any fiscal year amounts in the special account established under paragraph (1) are not available (or are not anticipated to be available) in a sufficient amount for administrative expenses of the Department of Defense for that fiscal year that are directly attributable to the administration of the program under this subchapter, the Secretary may use amounts currently available for operations and maintenance for Defense-wide activities, not to exceed $500,000 in any fiscal year, for those expenses.

''(B) The Secretary shall, from funds in the special account established under paragraph (1), replenish operations and maintenance accounts for amounts expended under subparagraph (A) as soon as the Secretary determines practicable.''.

(b) EFFECTIVE DATE.—Paragraph (2) of section 2540c(d) of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2000.

(c) LIMITATION PENDING SUBMISSION OF REPORT.—The Secretary of Defense may not exercise the authority provided by paragraph (2) of section 2540c(d) of title 10, United States Code, as added by subsection (a), until the Secretary submits to Congress a report on the operation of the Defense Export Loan Guarantee Program under subchapter V of chapter 148 of title 10, United States Code. The report shall include the following:

(1) A discussion of the effectiveness of the loan guarantee program in furthering the sale of United States defense articles, defense services, and design and construction services to nations that are specified in section 2540(b) of such title, to include a comparison of the loan guarantee program with other United States Government programs that are intended to contribute to the sale of United States defense articles, defense services, and design and construction services and other comparisons the Secretary determines to be appropriate.

(2) A discussion of the requirements and resources (including personnel and funds) for continued administration of the loan guarantee program by the Defense Department, to include—

(A) an itemization of the requirements necessary and resources available (or that could be made available) to administer the loan guarantee program for each of the following entities: the Defense Security Cooperation Agency, the Department of Defense International Cooperation Office, and other Defense Department agencies, offices, or activities as the Secretary may specify; and

(B) for each such activity, agency, or office, a comparison of the use of Defense Department personnel exclusively to administer, manage, and oversee the program with the use of contracted commercial entities to administer and manage the program.

(3) Any legislative recommendations that the Secretary believes could improve the effectiveness of the program.

(4) A determination made by the Secretary of Defense indicating which Defense Department agency, office, or other activity should administer, manage, and oversee the loan guarantee program to increase sales of United States defense articles, defense services, and design and construction services, such determination to be made based on the information and analysis provided in the report.

SEC. 1082. TRANSIT PASS PROGRAM FOR DEPARTMENT OF DEFENSE PERSONNEL IN POOR AIR QUALITY AREAS.

(a) IN GENERAL.—(1) Chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

''§2259. Transit pass program: personnel in poor air quality areas

''(a) ESTABLISHMENT OF PROGRAM.—To encourage Department of Defense personnel assigned to duty, or employed, in poor air quality areas to use means other than single-occupancy motor vehicles to commute to or from the location of their duty assignments, the Secretary of Defense shall exercise the authority provided in section 7905 of title 5 to establish a program to provide a transit pass benefit under subsection (b)(2)(A) of that section for members of the Army, Navy, Air Force, and Marine Corps who are assigned to duty, and to Department of Defense civilian officers and employees who are employed, in a poor air quality area.

''(b) POOR AIR QUALITY AREAS.—In this section, the term 'poor air quality area' means an area—

''(1) that is subject to the national ambient air quality standards promulgated by the Administrator of the Environmental Protection Agency under section 109 of the Clean Air Act (42 U.S.C. 7409); and

''(2) that, as determined by the Administrator of the Environmental Protection Agency, is a nonattainment area with respect to any of those standards.''.

(2) The table of sections at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

''2259. Transit pass program: personnel in poor air quality areas.''.

(b) TIME FOR IMPLEMENTATION.—The Secretary of Defense shall prescribe the effective date for the transit pass program required under section 2259 of title 10, United States Code, as added by subsection (a). The effective date so prescribed may not be later than the first day of the first month that begins on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 1083. TRANSFER OF VIETNAM ERA TA–4 AIRCRAFT TO NONPROFIT FOUNDATION.

(a) AUTHORITY TO CONVEY.—The Secretary of the Navy may convey, without consideration, to the nonprofit Collings Foundation of Stow, Massachusetts (in this section referred to as the ''foundation''), all right, title, and interest of the United States in and to one surplus TA–4 aircraft that is flyable or that can be readily restored to flyable condition. The conveyance shall be made by means of a conditional deed of gift.

(b) CONDITION OF AIRCRAFT.—(1) The Secretary may not convey ownership of an aircraft under subsection (a) until the Secretary determines that the foundation has altered the aircraft in such manner as the Secretary determines necessary to ensure that the aircraft does not have any capability for use as a platform for launching or releasing munitions or any other combat capability that it was designed to have. The foundation shall complete any such alteration within one year after the date of the enactment of this Act.

(2) The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) REVERTER UPON BREACH OF CONDITIONS.—The Secretary shall include in the instrument of conveyance of the aircraft—

(1) a condition that the foundation not convey any ownership interest in, or transfer possession of, the aircraft to any other party without the prior approval of the Secretary;

(2) a condition that the foundation operate and maintain the aircraft in compliance with all applicable limitations and maintenance requirements imposed by the Administrator of the Federal Aviation Administration; and

(3) a condition that if the Secretary determines at any time that the foundation has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without the prior approval of the Secretary, or has failed to comply with the condition set forth in paragraph (2), all right, title, and interest in and to the aircraft, including any repair or alteration of the aircraft, shall revert to the United States, and the United States shall have the right of immediate possession of the aircraft.

(d) CONVEYANCE AT NO COST TO THE UNITED STATES.—The conveyance of the aircraft under subsection (a) shall be made at no cost to the United States. Any costs associated with the conveyance, costs of determining compliance with subsection (b), and costs of operation and maintenance of the aircraft conveyed shall be borne by the foundation.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

(f) CLARIFICATION OF LIABILITY.—Notwithstanding any other provision of law, upon the conveyance of ownership of a TA–4 aircraft to the foundation under subsection (a), the United States shall not be liable for any death, injury, loss, or damage that results from any use of that aircraft by any person other than the United States.

SEC. 1084. TRANSFER OF 19TH CENTURY CANNON TO MUSEUM.

(a) DONATION REQUIRED.—The Secretary of the Army shall convey, without consideration, to the Friends of the Cannonball House, Incorporated (in this section referred to as the ''recipient''), which is a nonprofit corporation that operates the Cannonball House Museum in Macon, Georgia, all right, title, and interest of the United States in and to a 12-pounder Napoleon cannon bearing the following markings:

(1) On the top ''CS''.

(2) On the face of the muzzle: ''Macon Arsenal, 1864/No.41/1164 ET''.

(3) On the right trunnion: ''Macon Arsenal GEO/1864/No.41/WT.1164/E.T.''.

(b) ADDITIONAL TERMS AND CONDITIONS ON CONVEYANCE.—The Secretary of the Army shall

include in the instrument of conveyance of the cannon under subsection (a)—

(1) a condition that the recipient not convey any ownership interest in, or transfer possession of, the cannon to any other party without the prior approval of the Secretary; and

(2) a condition that if the Secretary determines at any time that the recipient has conveyed an ownership interest in, or transferred possession of, the cannon to any other party without the prior approval of the Secretary, all right, title, and interest in and to the cannon shall revert to the United States, and the United States shall have the right of immediate possession of the cannon.

(c) RELATIONSHIP TO OTHER LAW.—The conveyance required under this section may be carried out without regard to the Act entitled ''An Act for the preservation of American antiquities'', approved June 8, 1906 (16 U.S.C. 431 et seq.), popularly referred to as the ''Antiquities Act of 1906''.

(d) ACQUISITION OF REPLACEMENT MACON CANNON.—If the Secretary of the Army determines that the Army's inventory of Civil War era cannons should include an additional cannon documented as having been manufactured in Macon, Georgia, to replace the cannon conveyed under subsection (a), the Secretary may acquire such a cannon by donation or purchase with funds made available for this purpose.

SEC. 1085. FEES FOR PROVIDING HISTORICAL INFORMATION TO THE PUBLIC.

(a) ARMY.—(1) Chapter 437 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4595. Army Military History Institute: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Army may charge a person a fee for providing the person with information from the United States Army Military History Institute that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from the United States Army Military History Institute during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Army Military History Institute' means the archive for historical records and materials of the Army that the Secretary of the Army designates as the primary archive for such records and materials.

''(2) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4595. Army Military History Institute: fee for providing historical information to the public.''.

(b) NAVY.—(1) Chapter 649 of such title is amended by adding at the end the following new section:

''§ 7582. Naval and Marine Corps Historical Centers: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Navy may charge a person a fee for providing the person with information from the United States Naval Historical Center or the Marine Corps Historical Center that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information from the United States Naval Historical Center or the Marine Corps Historical Center in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from that historical center during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Naval Historical Center' means the archive for historical records and materials of the Navy that the Secretary of the Navy designates as the primary archive for such records and materials.

''(2) The term 'Marine Corps Historical Center' means the archive for historical records and materials of the Marine Corps that the Secretary of the Navy designates as the primary archive for such records and materials.

''(3) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

*(2) The heading of such chapter is amended by striking ''**RELATED**''.*

(3)(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7582. Naval and Marine Corps Historical Centers: fee for providing historical information to the public.''.

(B) The item relating to such chapter in the tables of chapters at the beginning of subtitle C of such title and the beginning of part IV of such subtitle is amended by striking out ''Related''.

(c) AIR FORCE.—(1) Chapter 937 of such title is amended by adding at the end the following new section:

''§ 9594. Air Force Military History Institute: fee for providing historical information to the public

''(a) AUTHORITY.—Except as provided in subsection (b), the Secretary of the Air Force may charge a person a fee for providing the person with information from the United States Air Force Military History Institute that is requested by that person.

''(b) EXCEPTIONS.—A fee may not be charged under this section—

''(1) to a person for information that the person requests to carry out a duty as a member of the armed forces or an officer or employee of the United States; or

''(2) for a release of information under section 552 of title 5.

''(c) LIMITATION ON AMOUNT.—A fee charged for providing information under this section may not exceed the cost of providing the information.

''(d) RETENTION OF FEES.—Amounts received under subsection (a) for providing information in any fiscal year shall be credited to the appropriation or appropriations charged the costs of providing information to the public from the United States Air Force Military History Institute during that fiscal year.

''(e) DEFINITIONS.—In this section:

''(1) The term 'United States Air Force Military History Institute' means the archive for historical records and materials of the Air Force that the Secretary of the Air Force designates as the primary archive for such records and materials.

''(2) The terms 'officer of the United States' and 'employee of the United States' have the meanings given the terms 'officer' and 'employee', respectively, in sections 2104 and 2105, respectively, of title 5.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''9594. Air Force Military History Institute: fee for providing historical information to the public.''.

SEC. 1086. GRANTS TO AMERICAN RED CROSS FOR ARMED FORCES EMERGENCY SERVICES.

(a) GRANTS AUTHORIZED.—Subject to subsection (b), the Secretary of Defense may make a grant to the American Red Cross in an amount not to exceed $9,400,000 in each of fiscal years 2001, 2002, and 2003 for the support of the Armed Forces Emergency Services program of the American Red Cross.

(b) MATCHING REQUIREMENT.—The grant under subsection (a) for a fiscal year may not be made until after the American Red Cross Incorporated, certifies to the Secretary of Defense that the American Red Cross will expend for the Armed Forces Emergency Services program for that fiscal year funds, derived from non-Federal sources, in a total amount that equals or exceeds the amount of the grant.

SEC. 1087. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 180(d) is amended by striking ''section 5376'' and inserting ''section 5315''.

(2) Section 628(c)(2) is amended by striking ''section'' in the second sentence after ''rather than the provisions of'' and inserting ''sections''.

(3) Section 702(b)(2) is amended by striking ''section 230(c)'' and inserting ''section 203(c)''.

(4) Section 706(c) is amended—

(A) by striking ''(1)'' after ''(c)''; and

(B) by striking paragraph (2).

(5) Section 1074g is amended—

(A) in subsection (a)(6), by striking ''as part of the regulations established'' and inserting ''in the regulations prescribed'';

(B) in subsection (a)(7), by striking ''not included on the uniform formulary, but,'' and inserting ''that are not included on the uniform formulary but that are'';

(C) in subsection (b)(1), by striking ''required by'' in the last sentence and inserting ''prescribed under'';

(D) in subsection (d)(2), by striking ''Not later than'' and all that follows through ''utilize'' and inserting ''Effective not later than April 5, 2000, the Secretary shall use'';

(E) in subsection (e)—

(i) by striking ''Not later than April 1, 2000, the'' and inserting ''The''; and

(ii) by inserting ''in'' before ''the TRICARE'' and before ''the national'';

(F) in subsection (f)—

(i) by striking ''As used in this section—'' and inserting ''In this section:'';

(ii) by striking ''the'' at the beginning of paragraphs (1) and (2) and inserting ''The''; and

(iii) by striking ''; and'' at the end of paragraph (1) and inserting a period; and

(G) in subsection (g), by striking ''promulgate'' and inserting ''prescribe''.

(6) Section 1076c(b)(5)(C) is amended by striking ''pursuant to subsection (i)(2) of such section''.

(7) Section 1095d(b) is amended by striking ''subparagraphs'' and inserting ''subparagraph''.

(8) Section 1109(b) is amended by striking ''(1)'' before ''The Secretaries''.

(9) Section 1142(b)(4) is amended by striking ''sections 1151, 1152, and 1153 of this title'' and inserting ''sections 1152 and 1153 of this title and the Troops-to-Teachers Program Act of 1999 (20 U.S.C. 9301 et seq.)''.

(10) Section 1448(b)(3)(E)(ii) is amended by striking the second comma after ''October 16, 1998''.

(11) Section 1598 is amended—

(A) in subsection (d)(2), by inserting ''as in effect on October 4, 1999,'' after ''of this title,'' both places it appears; and

(B) in subsection (f), by inserting '', as in effect on October 4, 1999,'' after ''of this title''.

(12) Section 2113(f) is amended—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by designating the penultimate sentence and the last sentence of paragraph (1) as paragraphs (2) and (3), respectively.

(13) Section 2401(b)(1)(B) is amended by striking ''Committees on Appropriations'' and inserting ''Committee on Appropriations''.

(14) Section 2410j is amended—

(A) in subsection (f)(2), by inserting ''as in effect on October 4, 1999,'' after ''of this title,'' both places it appears; and

(B) in subsection (h), by inserting '', as in effect on October 4, 1999,'' after ''of this title''.

(15) Section 2688 is amended by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(16) Section 2814(k) is amended by inserting ''and'' after ''Balanced Budget''.

(17) Sections 4357(e)(5), 6975(e)(5), and 9356(e)(5) are amended by inserting a close parenthesis after ''80b–2)''.

(18) Section 5143(c)(2) is amended by striking ''has a grade'' and inserting ''has the grade of''.

(19) Section 5144(c)(2) is amended by striking ''has a grade'' and inserting ''has the grade of''.

(20) Section 10218 is amended—

(A) in subsections (a)(1), (b)(1), (b)(2)(A), and (b)(2)(B)(ii), by striking ''the date of the enactment of this section'' each place it appears and inserting ''October 5, 1999,'';

(B) in subsections (a)(3)(B)(i) and (b)(2)(B)(i), by striking ''the end of the one-year period beginning on the date of the enactment of this subsection'' and inserting ''October 5, 2000'';

(C) in subsection (b)(1), by striking ''six months after the date of the enactment of this section'' and inserting ''April 5, 2000''; and

(D) in subsection (b)(3), by striking ''within six months of the date of the enactment of this section'' and inserting ''during the period beginning on October 5, 1999, and ending on April 5, 2000,''.

(21) Section 12552 is amended by inserting a period at the end.

(22) Section 18233a(b) is amended—

(A) in paragraph (1), by striking ''section 2805(c)(1)'' and inserting ''section 2805(c)(1)(A)''; and

(B) in paragraph (2), by striking ''section 2805(c)(2)'' and inserting ''section 2805(c)(1)(B)''.

(b) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended as follows:

(1) Section 301b(j)(2) is amended by striking ''section 301a(a)(6)(A)'' and inserting ''section 301a(a)(6)(B)''.

(2) Section 403(f)(3) is amended by striking ''regulation'' and inserting ''regulations''.

(3) Section 404(b)(2) is amended by striking ''section 402(e)'' and inserting ''section 403(f)(3)''.

(4) The section 435 added by section 586(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 638) is redesignated as section 436, and the item relating to that section in the table of sections at the beginning of chapter 7 is revised to conform to such redesignation.

(5) Section 1012 is amended by striking ''section 402(b)(3)'' and inserting ''section 402(e)''.

(c) PUBLIC LAW 106–65.—(1) Effective as of October 5, 1999, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 512 et seq) is amended as follows:

(A) Section 578 is amended—

(i) in subsection (j) (113 Stat. 630), by striking ''Chapter 4'' and inserting ''Chapter 7''; and

(ii) in subsection (k)(4) (113 Stat. 631), by striking ''chapter 4'' and inserting ''chapter 7''.

(B) Section 586(c)(2) (113 Stat. 639) is amended by striking ''relating to section 434'' and inserting ''added by section 578(k)(4)''.

(C) Section 601(c) (113 Stat. 645; 37 U.S.C. 1009 note) is amended—

(i) in the first table, relating to commissioned officers, by striking ''$12,441.00'' in footnote 2 and inserting ''$12,488.70''; and

(ii) in the fourth table, relating to enlisted members, by striking ''$4,701.00'' in footnote 2 and inserting ''$4,719.00''.

(D) Section 657(a)(1)(A) (113 Stat. 668; 10 U.S.C. 1450 note) is amended by striking ''August 21, 1983'' and inserting ''August 19, 1983''.

(2) In the case of any former spouse to whom paragraph (3) of section 1450(f) of title 10, United States Code, applies by reason of the amendment made by paragraph (1)(D), the provisions of subsection (b) of section 657 of the National Defense Authorization Act for Fiscal Year 2000 shall be applied by using the date of the enactment of this Act, rather than the date of the enactment of that Act.

(d) PUBLIC LAW 105–261.—Effective as of October 17, 1998, and as if included therein as enacted, the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 1920 et seq.) is amended as follows:

(1) Section 142 (112 Stat. 1943; 50 U.S.C. 1521 note) is amended—

(A) in subsection (e), by striking ''1521(f))'' and inserting ''1521 note)''; and

(B) by redesignating the second subsection (f) as subsection (g).

(2) Section 503(b)(1) (112 Stat. 2003) is amended by inserting ''its'' after ''record of'' in the first quoted matter therein.

(3) Section 645(b) (112 Stat. 2050) is amended by striking ''a member'' and inserting ''member'' in the quoted matter therein.

(4) Section 701 (112 Stat. 2056) is amended—

(A) in subsection (a), by inserting ''(1)'' before ''Section 1076a(b)(2)''; and

(B) in subsection (b), by inserting ''of such title'' after ''1076a''.

(5) Section 802(b) (112 Stat. 2081) is amended by striking ''Administrative'' in the first quoted matter therein and inserting ''Administration''.

(6) Section 1101(e)(2)(C) (112 Stat. 2140; 5 U.S.C. 3104 note) is amended by striking ''subsection (c)(1)'' and inserting ''subsection (c)(2)''.

(7) Section 1405(k)(2) (112 Stat. 2170; 50 U.S.C. 2301 note) is amended by striking ''subchapter'' and inserting ''chapter''.

(e) PUBLIC LAW 105–85.—The National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) is amended as follows:

(1) Section 602(d)(1)(A) (111 Stat. 1773; 37 U.S.C. 402 note) is amended by striking ''of'' the first place it appears in the matter preceding clause (i).

(2) Section 1221(a)(3) (22 U.S.C. 1928 note), as amended by section 1233(a)(2)(A) of Public Law 105–261 (112 Stat. 2156), is amended by striking the second close parenthesis after ''relief efforts''.

(f) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended as follows:

(1) Section 3329 is amended—

(A) in subsection (a), by striking ''such term'' and inserting ''the term 'military technician (dual status)' ''; and

(B) in subsection (b), by striking ''section 1332 of title 10'' and inserting ''section 12732 of title 10''.

(2) Section 5531 is amended by striking ''sections 5532 and'' in the matter preceding paragraph (1) and inserting ''section''.

(3) Section 8116(a)(4) is amended by striking '', subject to'' and all that follows through ''United States Code''.

(4) Section 8339(g) is amended by striking ''the application of the limitation in section 5532 of this title, or'' in the third sentence.

(5) Section 8344(h)(1) is amended by inserting ''(as in effect before the repeal of that section by section 651(a) of Public Law 106–65)'' after ''section 5532(f)(2) of this title''.

(g) OTHER LAWS.—

(1) Section 834(e) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note) is amended by striking the second period after ''2005''.

(2) Section 2905(b)(4) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by transferring subparagraph (G) so as to appear immediately before subparagraph (H), as added by section 2821(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 853).

(3) Section 686(b) of title 14, United States Code, is amended—

(A) in paragraph (1), by striking ''section 403(b)'' and inserting ''section 403(e)''; and

(B) in paragraph (2), by striking ''a basic allowance for quarters under section 403 of title 37, and, if in a high housing cost area, a variable housing allowance under section 403a of that title'' and inserting ''a basic allowance for housing under section 403 of title 37''.

(4) Chapter 701 of title 36, United States Code, relating to the Federal charter of the Fleet Reserve Association, is amended in sections 70102(a) and 70108(a) by striking ''Delaware'' and inserting ''Pennsylvania''.

(5) Section 7426 of title 38, United States Code, is amended by striking subsection (c).

(6) The item relating to chapter 112 in the table of chapters at the beginning of subtitle II of title 46, United States Code, is amended by revising the second and third words so that the initial letter of each of those words is lower case.

(7) Section 405(f)(6)(B) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999 (as contained in section 101(f) of division A of Public Law 105–277; 112 Stat. 2681–430), is amended by striking ''Act of title'' in the first quoted matter therein and inserting ''Act or title''.

(8) Section 1403(c)(6) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 922(c)(6)) is amended by striking ''the'' before ''Assistant Secretary of Defense''.

(9) Effective as of October 5, 1999, section 224 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2274(b)) is amended by striking ''$500,000'' and inserting ''$50,000''.

(h) COORDINATION WITH OTHER AMENDMENTS.—For purposes of applying amendments made by provisions of this Act other than provisions of this section, this section shall be treated as having been enacted immediately before the other provisions of this Act.

SEC. 1088. MAXIMUM SIZE OF PARCEL POST PACKAGES TRANSPORTED OVERSEAS FOR ARMED FORCES POST OFFICES.

Section 3401(b) of title 39, United States Code, is amended by striking ''100 inches in length and girth combined'' in paragraphs (2) and (3) and inserting ''the maximum size allowed by the Postal Service for fourth class parcel post (known as 'Standard Mail (B)')''.

SEC. 1089. SENSE OF CONGRESS REGARDING TAX TREATMENT OF MEMBERS RECEIVING SPECIAL PAY FOR DUTY SUBJECT TO HOSTILE FIRE OR IMMINENT DANGER.

It is the sense of Congress that members of the Armed Forces who receive special pay under section 310 of title 37, United States Code, for duty subject to hostile fire or imminent danger should receive the same treatment under Federal income tax laws as members serving in combat zones.

SEC. 1090. ORGANIZATION AND MANAGEMENT OF CIVIL AIR PATROL.

(a) IN GENERAL.—Chapter 909 of title 10, United States Code, is amended to read as follows:

"CHAPTER 909—CIVIL AIR PATROL

''Sec.
''9441. Status as federally chartered corporation; purposes.
''9442. Status as volunteer civilian auxiliary of the Air Force.
''9443. Activities performed as federally chartered nonprofit corporation.
''9444. Activities performed as auxiliary of the Air Force.
''9445. Funds appropriated for the Civil Air Patrol.
''9446. Miscellaneous personnel authorities.
''9447. Board of Governors.
''9448. Regulations.

"§ 9441. Status as federally chartered corporation; purposes

''(a) STATUS.—(1) The Civil Air Patrol is a nonprofit corporation that is federally chartered under section 40301 of title 36.

''(2) Except as provided in section 9442(b)(2) of this title, the Civil Air Patrol is not an instrumentality of the Federal Government for any purpose.

''(b) PURPOSES.—The purposes of the Civil Air Patrol are set forth in section 40302 of title 36.

"§ 9442. Status as volunteer civilian auxiliary of the Air Force

''(a) VOLUNTEER CIVILIAN AUXILIARY.—The Civil Air Patrol is a volunteer civilian auxiliary of the Air Force when the services of the Civil Air Patrol are used by any department or agency in any branch of the Federal Government.

''(b) USE BY AIR FORCE.—(1) The Secretary of the Air Force may use the services of the Civil Air Patrol to fulfill the noncombat programs and missions of the Department of the Air Force.

''(2) The Civil Air Patrol shall be deemed to be an instrumentality of the United States with respect to any act or omission of the Civil Air Patrol, including any member of the Civil Air Patrol, in carrying out a mission assigned by the Secretary of the Air Force.

"§ 9443. Activities performed as federally chartered nonprofit corporation

''(a) USE OF FEDERALLY PROVIDED RESOURCES.—In its status as a federally chartered nonprofit corporation, the Civil Air Patrol may use equipment, supplies, and other resources, including aircraft, motor vehicles, computers, and communications equipment, provided to the Civil Air Patrol by a department or agency of the Federal Government or acquired by or for the Civil Air Patrol with appropriated funds (or with funds of the Civil Air Patrol, but reimbursed from appropriated funds)—

''(1) to provide assistance requested by State or local governmental authorities to perform disaster relief missions and activities, other emergency missions and activities, and nonemergency missions and activities; and

''(2) to fulfill its other purposes set forth in section 40302 of title 36.

''(b) USE SUBJECT TO APPLICABLE LAWS.—The use of equipment, supplies, or other resources under subsection (a) is subject to the laws and regulations that govern the use by nonprofit corporations of federally provided assets or of assets purchased with appropriated funds, as the case may be.

''(c) AUTHORITY NOT CONTINGENT ON REIMBURSEMENT.—The authority for the Civil Air Patrol to provide assistance under subsection (a)(1) is not contingent on the Civil Air Patrol being reimbursed for the cost of providing the assistance. If the Civil Air Patrol elects to require reimbursement for the provision of assistance under such subsection, the Civil Air Patrol may establish the reimbursement rate at a rate less than the rates charged by private sector sources for equivalent services.

''(d) LIABILITY INSURANCE.—The Secretary of the Air Force may provide the Civil Air Patrol with funds for paying the cost of liability insurance to cover missions and activities carried out under this section.

"§ 9444. Activities performed as auxiliary of the Air Force

''(a) AIR FORCE SUPPORT FOR ACTIVITIES.—The Secretary of the Air Force may furnish to the Civil Air Patrol in accordance with this section any equipment, supplies, and other resources that the Secretary determines necessary to enable the Civil Air Patrol to fulfill the missions assigned by the Secretary to the Civil Air Patrol as an auxiliary of the Air Force.

''(b) FORMS OF AIR FORCE SUPPORT.—The Secretary of the Air Force may, under subsection (a)—

''(1) give, lend, or sell to the Civil Air Patrol without regard to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)—

''(A) major items of equipment (including aircraft, motor vehicles, computers, and communications equipment) that are excess to the military departments; and

''(B) necessary related supplies and training aids that are excess to the military departments;

''(2) permit the use, with or without charge, of services and facilities of the Air Force;

''(3) furnish supplies (including fuel, lubricants, and other items required for vehicle and aircraft operations) or provide funds for the acquisition of supplies;

''(4) establish, maintain, and supply liaison officers of the Air Force at the national, regional, State, and territorial headquarters of the Civil Air Patrol;

''(5) detail or assign any member of the Air Force or any officer, employee, or contractor of the Department of the Air Force to any liaison office at the national, regional, State, or territorial headquarters of the Civil Air Patrol;

''(6) detail any member of the Air Force or any officer, employee, or contractor of the Department of the Air Force to any unit or installation of the Civil Air Patrol to assist in the training programs of the Civil Air Patrol;

''(7) authorize the payment of travel expenses and allowances, at rates not to exceed those paid to employees of the United States under subchapter I of chapter 57 of title 5, to members of the Civil Air Patrol while the members are carrying out programs or missions specifically assigned by the Air Force;

''(8) provide funds for the national headquarters of the Civil Air Patrol, including—

''(A) funds for the payment of staff compensation and benefits, administrative expenses, travel, per diem and allowances, rent, utilities, other operational expenses of the national headquarters; and

''(B) to the extent considered necessary by the Secretary of the Air Force to fulfill Air Force requirements, funds for the payment of compensation and benefits for key staff at regional, State, or territorial headquarters;

''(9) authorize the payment of expenses of placing into serviceable condition, improving, and maintaining equipment (including aircraft, motor vehicles, computers, and communications equipment) owned or leased by the Civil Air Patrol;

''(10) provide funds for the lease or purchase of items of equipment that the Secretary determines necessary for the Civil Air Patrol;

''(11) support the Civil Air Patrol cadet program by furnishing—

''(A) articles of the Air Force uniform to cadets without cost; and

''(B) any other support that the Secretary of the Air Force determines is consistent with Air Force missions and objectives; and

''(12) provide support, including appropriated funds, for the Civil Air Patrol aerospace education program to the extent that the Secretary of the Air Force determines appropriate for furthering the fulfillment of Air Force missions and objectives.

''(c) ASSISTANCE BY OTHER AGENCIES.—(1) The Secretary of the Air Force may arrange for the use by the Civil Air Patrol of such facilities and services under the jurisdiction of the Secretary of the Army, the Secretary of the Navy, or the head of any other department or agency of the United States as the Secretary of the Air Force considers to be needed by the Civil Air Patrol to carry out its mission.

''(2) An arrangement for use of facilities or services of a military department or other department or agency under this subsection shall be subject to the agreement of the Secretary of the military department or head of the other department or agency, as the case may be.

''(3) Each arrangement under this subsection shall be made in accordance with regulations prescribed under section 9448 of this title.

"§ 9445. Funds appropriated for the Civil Air Patrol

''Funds appropriated for the Civil Air Patrol shall be available only for the exclusive use of the Civil Air Patrol.

"§ 9446. Miscellaneous personnel authorities

''(a) USE OF RETIRED AIR FORCE PERSONNEL.—(1) Upon the request of a person retired from service in the Air Force, the Secretary of the Air Force may enter into a personal services contract with that person providing for the person to serve as an administrator or liaison officer for the Civil Air Patrol. The qualifications of a person to provide the services shall be determined and approved in accordance with regulations prescribed under section 9448 of this title.

''(2) To the extent provided in a contract under paragraph (1), a person providing services under the contract may accept services on behalf of the Air Force.

''(3) A person, while providing services under a contract authorized under paragraph (1), may not be considered to be on active duty or inactive-duty training for any purpose.

''(b) USE OF CIVIL AIR PATROL CHAPLAINS.—The Secretary of the Air Force may use the services of Civil Air Patrol chaplains in support of the Air Force active duty and reserve component forces to the extent and under conditions that the Secretary determines appropriate.

"§ 9447. Board of Governors

''(a) GOVERNING BODY.—The Board of Governors of the Civil Air Patrol is the governing body of the Civil Air Patrol.

''(b) COMPOSITION.—The Board of Governors is composed of 11 members as follows:

''(1) Four members appointed by the Secretary of the Air Force, who may be active or retired officers of the Air Force (including reserve components of the Air Force), employees of the United States, or private citizens.

''(2) Four members of the Civil Air Patrol, selected in accordance with the constitution and bylaws of the Civil Air Patrol.

''(3) Three members appointed or selected as provided in subsection (c) from among personnel of any Federal Government agencies, public corporations, nonprofit associations, and other organizations that have an interest and expertise in civil aviation and the Civil Air Patrol mission.

''(c) APPOINTMENTS FROM INTERESTED ORGANIZATIONS.—(1) Subject to paragraph (2), the members of the Board of Governors referred to in subsection (b)(3) shall be appointed jointly by the Secretary of the Air Force and the National Commander of the Civil Air Patrol.

''(2) Any vacancy in the position of a member referred to in paragraph (1) that is not filled under that paragraph within 90 days shall be filled by majority vote of the other members of the Board.

''(d) CHAIRMAN.—The Chairman of the Board of Governors shall be chosen by the members of the Board of Governors from among the members of the Board referred to in paragraphs (1) and (2) of subsection (b) and shall serve for a term of two years. The position of Chairman shall be held on a rotating basis between members of the Board appointed by the Secretary of the Air Force under paragraph (1) of subsection (b) and members of the Board selected under paragraph (2) of that subsection.

''(e) POWERS.—(1) The Board of Governors shall, subject to paragraphs (2) and (3), exercise the powers granted to the Civil Air Patrol under section 40304 of title 36.

''(2) Any exercise by the Board of the power to amend the constitution or bylaws of the Civil Air Patrol or to adopt a new constitution or bylaws shall be subject to approval by a majority of the members of the Board.

''(3) Neither the Board of Governors nor any other component of the Civil Air Patrol may modify or terminate any requirement or authority set forth in this section.

''(f) PERSONAL LIABILITY FOR BREACH OF A FIDUCIARY DUTY.—(1) Subject to paragraph (2), the Board of Governors may take such action as is necessary to limit the personal liability of a member of the Board of Governors to the Civil Air Patrol, or to any of its members, for monetary damages for a breach of fiduciary duty while serving as a member of the Board.

''(2) The Board may not limit the liability of a member of the Board of Governors to the Civil Air Patrol, or to any of its members, for monetary damages for any of the following:

''(A) A breach of the member's duty of loyalty to the Civil Air Patrol or its members.

''(B) Any act or omission that is not in good faith or that involves intentional misconduct or a knowing violation of law.

''(C) Participation in any transaction from which the member directly or indirectly derives an improper personal benefit.

''(3) Nothing in this subsection shall be construed as rendering section 207 or 208 of title 18 inapplicable in any respect to a member of the Board of Governors who is a member of the Air Force on active duty, an officer on a retired list of the Air Force, or an employee of the United States.

''(g) PERSONAL LIABILITY FOR BREACH OF A FIDUCIARY DUTY.—(1) Except as provided in paragraph (2), no member of the Board of Governors or officer of the Civil Air Patrol shall be personally liable for damages for any injury or death or loss or damage of property resulting from a tortious act or omission of an employee or member of the Civil Air Patrol.

''(2) Paragraph (1) does not apply to a member of the Board of Governors or officer of the Civil Air Patrol for a tortious act or omission in which the member or officer, as the case may be, was personally involved, whether in breach of a civil duty or in commission of a criminal offense.

''(3) Nothing in this subsection shall be construed to restrict the applicability of common law protections and rights that a member of the Board of Governors or officer of the Civil Air Patrol may have.

''(4) The protections provided under this subsection are in addition to the protections provided under subsection (f).

''§ 9448. Regulations

''(a) AUTHORITY.—The Secretary of the Air Force shall prescribe regulations for the administration of this chapter.

''(b) REQUIRED REGULATIONS.—The regulations shall include the following:

''(1) Regulations governing the conduct of the activities of the Civil Air Patrol when it is performing its duties as a volunteer civilian auxiliary of the Air Force under section 9442 of this title.

''(2) Regulations for providing support by the Air Force and for arranging assistance by other agencies under section 9444 of this title.

''(3) Regulations governing the qualifications of retired Air Force personnel to serve as an administrator or liaison officer for the Civil Air Patrol under a personal services contract entered into under section 9446(a) of this title.

''(c) APPROVAL BY SECRETARY OF DEFENSE.—The regulations required by subsection (b)(2) shall be subject to the approval of the Secretary of Defense.''.

(b) CONFORMING AMENDMENTS.—(1) Section 40302 of title 36, United States Code, is amended—

(A) by striking ''to—'' in the matter preceding paragraph (1) and inserting ''as follows:'';

(B) by inserting ''To'' after the paragraph designation in each of paragraphs (1), (2), (3), and (4);

(C) by striking the semicolon at the end of paragraphs (1)(B) and (2) and inserting a period;

(D) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(E) by adding at the end the following:

''(5) To assist the Department of the Air Force in fulfilling its noncombat programs and missions.''.

(2)(A) Section 40303 of such title is amended—

(i) by inserting ''(a) MEMBERSHIP.—'' before ''Eligibility''; and

(ii) by adding at the end the following:

''(b) GOVERNING BODY.—The Civil Air Patrol has a Board of Governors. The composition and responsibilities of the Board of Governors are set forth in section 9447 of title 10.''.

(B) The heading for such section is amended to read as follows:

''§ 40303. Membership and governing body''.

(C) The item relating to such section in the table of sections at the beginning of chapter 403 of title 36, United States Code, is amended to read as follows:

''40303. Membership and governing body.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 120 days after the date of the enactment of this Act.

SEC. 1091. ADDITIONAL DUTIES FOR COMMISSION TO ASSESS UNITED STATES NATIONAL SECURITY SPACE MANAGEMENT AND ORGANIZATION.

Section 1622(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 814; 10 U.S.C. 111 note) is amended by adding at the end the following new paragraph:

''(6) The advisability of—

''(A) various actions to eliminate the de facto requirement that specified officers in the United States Space Command be flight rated that results from the dual assignment of officers to that command and to one or more other commands in positions in which such officers are expressly required to be flight rated;

''(B) the establishment of a requirement that, as a condition of the assignment of a general or flag officer to the United States Space Command, the officer have experience in space, missile, or information operations that was gained through either acquisition or operational experience; and

''(C) rotating the command of the United States Space Command among the Armed Forces.''.

SEC. 1092. COMMISSION ON THE FUTURE OF THE UNITED STATES AEROSPACE INDUSTRY.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''Commission on the Future of the United States Aerospace Industry'' (in this section referred to as the ''Commission'').

(b) MEMBERSHIP.—(1) The Commission shall be composed of 12 members appointed, not later than March 1, 2001, as follows:

(A) Up to six members shall be appointed by the President.

(B) Two members shall be appointed by the Speaker of the House of Representatives.

(C) Two members shall be appointed by the majority leader of the Senate.

(D) One member shall be appointed by the minority leader of the Senate.

(E) One member shall be appointed by the minority leader of the House of Representatives.

(2) The members of the Commission shall be appointed from among persons with extensive experience and national reputations in aerospace manufacturing, economics, finance, national security, international trade, or foreign policy and persons who are representative of labor organizations associated with the aerospace industry.

(3) Members shall be appointed for the life of the Commission. A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) The President shall designate one member of the Commission to serve as the chairman of the Commission.

(5) The Commission shall meet at the call of the chairman. A majority of the members shall constitute a quorum, but a lesser number may hold hearings.

(c) DUTIES.—(1) The Commission shall—

(A) study the issues associated with the future of the United States aerospace industry in the global economy, particularly in relationship to United States national security; and

(B) assess the future importance of the domestic aerospace industry for the economic and national security of the United States.

(2) In order to fulfill its responsibilities, the Commission shall study the following:

(A) The budget process of the United States Government, particularly with a view to assessing the adequacy of projected budgets of the federal departments and agencies for aerospace research and development and procurement.

(B) The acquisition process of the Government, particularly with a view to assessing—

(i) the adequacy of the current acquisition process of federal departments and agencies; and

(ii) the procedures for developing and fielding aerospace systems incorporating new technologies in a timely fashion.

(C) The policies, procedures, and methods for the financing and payment of government contracts.

(D) Statutes and regulations governing international trade and the export of technology, particularly with a view to assessing—

(i) the extent to which the current system for controlling the export of aerospace goods, services, and technologies reflects an adequate balance between the need to protect national security and the need to ensure unhindered access to the global marketplace; and

(ii) the adequacy of United States and multilateral trade laws and policies for maintaining the international competitiveness of the United States aerospace industry.

(E) Policies governing taxation, particularly with a view to assessing the impact of current tax laws and practices on the international competitiveness of the aerospace industry.

(F) Programs for the maintenance of the national space launch infrastructure, particularly with a view to assessing the adequacy of current and projected programs for maintaining the national space launch infrastructure.

(G) Programs for the support of science and engineering education, including current programs for supporting aerospace science and engineering efforts at institutions of higher learning, with a view to determining the adequacy of those programs.

(d) REPORT.—(1) Not later than March 1, 2002, the Commission shall submit a report on its activities to the President and Congress.

(2) The report shall include the following:

(A) The Commission's findings and conclusions.

(B) The Commission's recommendations for actions by federal departments and agencies to support the maintenance of a robust aerospace industry in the United States in the 21st century and any recommendations for statutory and regulatory changes to support the implementation of the Commission's findings.

(C) A discussion of the appropriate means for implementing the Commission's recommendations.

(e) ADMINISTRATIVE REQUIREMENTS AND AUTHORITIES.—(1) The Director of the Office of Management and Budget shall ensure that the Commission is provided such administrative services, facilities, staff, and other support services as may be necessary. Any expenses of the Commission shall be paid from funds available to the Director.

(2) The Commission may hold hearings, sit and act at times and places, take testimony, and receive evidence that the Commission considers advisable to carry out the purposes of this section.

(3) The Commission may request directly from any department or agency of the United States any information that the Commission considers necessary to carry out the provisions of this section. To the extent consistent with applicable requirements of law and regulations, the head of such department or agency shall furnish such information to the Commission.

(4) 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.

(f) COMMISSION PERSONNEL MATTERS.—(1) Members of the Commission shall serve without additional compensation for their service on the Commission, except that members appointed from among private citizens may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in government service under subchapter I of chapter 57 of title 5, United States Code, while away from their homes and places of business in the performance of services for the Commission.

(2) The chairman of the Commission may appoint staff of the Commission, request the detail of Federal employees, and accept temporary and intermittent services in accordance with section 3161 of title 5, United States Code (as added by section 1101 of this Act).

(g) TERMINATION.—The Commission shall terminate 30 days after the date of the submission of its report under subsection (d).

SEC. 1093. DRUG ADDICTION TREATMENT.

(a) IN GENERAL.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in paragraph (2), by striking ''(A) security'' and inserting ''(i) security'', and by striking ''(B) the maintenance'' and inserting ''(ii) the maintenance'';

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by inserting ''(1)'' after ''(g)'';

(4) by striking ''Practitioners who dispense'' and inserting ''Except as provided in paragraph (2), practitioners who dispense''; and

(5) by adding at the end the following paragraph:

''(2)(A) Subject to subparagraphs (D) and (J), the requirements of paragraph (1) are waived in the case of the dispensing (including the prescribing), by a practitioner, of narcotic drugs in schedule III, IV, or V or combinations of such drugs if the practitioner meets the conditions specified in subparagraph (B) and the narcotic drugs or combinations of such drugs meet the conditions specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to a practitioner are that, before the initial dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, the practitioner submit to the Secretary a notification of the intent of the practitioner to begin dispensing the drugs or combinations for such purpose, and that the notification contain the following certifications by the practitioner:

''(i) The practitioner is a qualifying physician (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to refer the patients for appropriate counseling and other appropriate ancillary services.

''(iii) In any case in which the practitioner is not in a group practice, the total number of such patients of the practitioner at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number.

''(iv) In any case in which the practitioner is in a group practice, the total number of such patients of the group practice at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number, and the Secretary for such purposes may by regulation establish different categories on the basis of the number of practitioners in a group practice and establish for the various categories different numerical limitations on the number of such patients that the group practice may have.

''(C) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to narcotic drugs in schedule III, IV, or V or combinations of such drugs are as follows:

''(i) The drugs or combinations of drugs have, under the Federal Food, Drug, and Cosmetic Act or section 351 of the Public Health Service Act, been approved for use in maintenance or detoxification treatment.

''(ii) The drugs or combinations of drugs have not been the subject of an adverse determination. For purposes of this clause, an adverse determination is a determination published in the Federal Register and made by the Secretary, after consultation with the Attorney General, that the use of the drugs or combinations of drugs for maintenance or detoxification treatment requires additional standards respecting the qualifications of practitioners to provide such treatment, or requires standards respecting the quantities of the drugs that may be provided for unsupervised use.

''(D)(i) A waiver under subparagraph (A) with respect to a practitioner is not in effect unless (in addition to conditions under subparagraphs (B) and (C)) the following conditions are met:

''(I) The notification under subparagraph (B) is in writing and states the name of the practitioner.

''(II) The notification identifies the registration issued for the practitioner pursuant to subsection (f).

''(III) If the practitioner is a member of a group practice, the notification states the names of the other practitioners in the practice and identifies the registrations issued for the other practitioners pursuant to subsection (f).

''(ii) Upon receiving a notification under subparagraph (B), the Attorney General shall assign the practitioner involved an identification number under this paragraph for inclusion with the registration issued for the practitioner pursuant to subsection (f). The identification number so assigned shall be appropriate to preserve the confidentiality of patients for whom the practitioner has dispensed narcotic drugs under a waiver under subparagraph (A).

''(iii) Not later than 45 days after the date on which the Secretary receives a notification under subparagraph (B), the Secretary shall make a determination of whether the practitioner involved meets all requirements for a waiver under subparagraph (B). If the Secretary fails to make such determination by the end of the such 45-day period, the Attorney General shall assign the physician an identification number described in clause (ii) at the end of such period.

''(E)(i) If a practitioner is not registered under paragraph (1) and, in violation of the conditions specified in subparagraphs (B) through (D), dispenses narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, the Attorney General may, for purposes of section 304(a)(4), consider the practitioner to have committed an act that renders the registration of the practitioner pursuant to subsection (f) to be inconsistent with the public interest.

''(ii)(I) Upon the expiration of 45 days from the date on which the Secretary receives a notification under subparagraph (B), a practitioner who in good faith submits a notification under subparagraph (B) and reasonably believes that the conditions specified in subparagraphs (B) through (D) have been met shall, in dispensing narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, be considered to have a waiver under subparagraph (A) until notified otherwise by the Secretary, except that such a practitioner may commence to prescribe or dispense such narcotic drugs for such purposes prior to the expiration of such 45-day period if it facilitates the treatment of an individual patient and both the Secretary and the Attorney General are notified by the practitioner of the intent to commence prescribing or dispensing such narcotic drugs.

''(II) For purposes of subclause (I), the publication in the Federal Register of an adverse determination by the Secretary pursuant to subparagraph (C)(ii) shall (with respect to the narcotic drug or combination involved) be considered to be a notification provided by the Secretary to practitioners, effective upon the expiration of the 30-day period beginning on the date on which the adverse determination is so published.

''(F)(i) With respect to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, a practitioner may, in his or her discretion, dispense such drugs or combinations for such treatment under a registration under paragraph (1) or a waiver under subparagraph (A) (subject to meeting the applicable conditions).

''(ii) This paragraph may not be construed as having any legal effect on the conditions for obtaining a registration under paragraph (1), including with respect to the number of patients who may be served under such a registration.

''(G) For purposes of this paragraph:

''(i) The term 'group practice' has the meaning given such term in section 1877(h)(4) of the Social Security Act.

''(ii) The term 'qualifying physician' means a physician who is licensed under State law and who meets one or more of the following conditions:

''(I) The physician holds a subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties.

''(II) The physician holds an addiction certification from the American Society of Addiction Medicine.

''(III) The physician holds a subspecialty board certification in addiction medicine from the American Osteopathic Association.

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than eight hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(V) The physician has participated as an investigator in one or more clinical trials leading to the approval of a narcotic drug in schedule III, IV, or V for maintenance or detoxification treatment, as demonstrated by a statement submitted to the Secretary by the sponsor of such approved drug.

''(VI) The physician has such other training or experience as the State medical licensing board (of the State in which the physician will provide maintenance or detoxification treatment) considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients.

''(VII) The physician has such other training or experience as the Secretary considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients. Any criteria of the Secretary under this subclause shall be established by regulation. Any such criteria are effective only for 3 years after the date on which the criteria are promulgated, but may be extended for such additional discrete 3-year periods as the Secretary considers appropriate for purposes of this subclause. Such an extension of criteria may only be effectuated through a statement published in the Federal Register by the Secretary during the 30-day period preceding the end of the 3-year period involved.

''(H)(i) In consultation with the Administrator of the Drug Enforcement Administration, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the National Institute on Drug Abuse, and the Commissioner of Food and Drugs, the Secretary shall issue regulations (through notice and comment rulemaking) or issue practice guidelines to address the following:

''(I) Approval of additional credentialing bodies and the responsibilities of additional credentialing bodies.

''(II) Additional exemptions from the requirements of this paragraph and any regulations under this paragraph.

Nothing in such regulations or practice guidelines may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.

''(ii) Not later than 120 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Secretary shall issue a treatment improvement protocol containing best practice guidelines for the treatment and maintenance of opiate-dependent patients. The Secretary shall develop the protocol in consultation with the Director of the National Institute on Drug Abuse, the Administrator of the Drug Enforcement Administration, the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration, and other substance abuse disorder professionals. The protocol shall be guided by science.

''(I) During the 3-year period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, a State may not preclude a practitioner from dispensing or prescribing drugs in schedule III, IV, or V, or combinations of such drugs, to patients for maintenance or detoxification treatment in accordance with this paragraph unless, before the expiration of that 3-year period, the State enacts a law prohibiting a practitioner from dispensing such drugs or combinations of drug.

''(J)(i) This paragraph takes effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and remains in effect thereafter except as provided in clause (iii) (relating to a decision by the Secretary or the Attorney General that this paragraph should not remain in effect).

''(ii) For purposes relating to clause (iii), the Secretary and the Attorney General may, during the 3-year period beginning on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, make determinations in accordance with the following:

''(I) The Secretary may make a determination of whether treatments provided under waivers under subparagraph (A) have been effective forms of maintenance treatment and detoxification treatment in clinical settings; may make a determination of whether such waivers have significantly increased (relative to the beginning of such period) the availability of maintenance treatment and detoxification treatment; and may make a determination of whether such waivers have adverse consequences for the public health.

''(II) The Attorney General may make a determination of the extent to which there have been violations of the numerical limitations established under subparagraph (B) for the number of individuals to whom a practitioner may provide treatment; may make a determination of whether waivers under subparagraph (A) have increased (relative to the beginning of such period) the extent to which narcotic drugs in schedule III, IV, or V or combinations of such drugs are being dispensed or possessed in violation of this Act; and may make a determination of whether such waivers have adverse consequences for the public health.

''(iii) If, before the expiration of the period specified in clause (ii), the Secretary or the Attorney General publishes in the Federal Register a decision, made on the basis of determinations under such clause, that this paragraph should not remain in effect, this paragraph ceases to be in effect 60 days after the date on which the decision is so published. The Secretary shall in making any such decision consult with the Attorney General, and shall in publishing the decision in the Federal Register include any comments received from the Attorney General for inclusion in the publication. The Attorney General shall in making any such decision consult with the Secretary, and shall in publishing the decision in the Federal Register include any comments received from the Secretary for inclusion in the publication.''.

(b) CONFORMING AMENDMENTS.—Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) in subsection (a), in the matter after and below paragraph (5), by striking ''section 303(g)'' each place such term appears and inserting ''section 303(g)(1)''; and

(2) in subsection (d), by striking ''section 303(g)'' and inserting ''section 303(g)(1)''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting the Secretary of Health and Human Services with the additional duties established for the Secretary pursuant to the amendments made by this section, there are authorized to be appropriated, in addition to other authorizations of appropriations that are available for such purpose, such sums as may be necessary for each of fiscal years 2001 through 2003.

(d) COORDINATION OF PROVISIONS.—(1) If the Drug Addiction Treatment Act of 2000 is enacted before this Act, the provisions of this section shall not take effect.

(2) If the Drug Addiction Treatment Act of 2000 is enacted after this Act, the amendments made by this section shall be deemed for all purposes to have been made by section 3502 of that Act and this section shall cease to be in effect as of that enactment.

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

Subtitle A—Civilian Personnel Management Generally

Sec. 1101. Employment and compensation of employees for temporary organizations established by law or Executive order.
Sec. 1102. Assistive technology accommodations program.
Sec. 1103. Extension of authority for voluntary separations in reductions in force.
Sec. 1104. Electronic maintenance of performance appraisal systems.
Sec. 1105. Study on civilian personnel services.

Subtitle B—Demonstration and Pilot Programs

Sec. 1111. Pilot program for reengineering the equal employment opportunity complaint process.
Sec. 1112. Work safety demonstration program.
Sec. 1113. Extension, expansion, and revision of authority for experimental personnel program for scientific and technical personnel.
Sec. 1114. Clarification of personnel management authority under personnel demonstration project.

Subtitle C—Educational Assistance

Sec. 1121. Restructuring the restriction on degree training.
Sec. 1122. Student loan repayment programs.
Sec. 1123. Extension of authority for tuition reimbursement and training for civilian employees in the defense acquisition workforce.

Subtitle D—Other Benefits

Sec. 1131. Additional special pay for foreign language proficiency beneficial for United States national security interests.
Sec. 1132. Approval authority for cash awards in excess of $10,000.

Sec. 1133. Leave for crews of certain vessels.
Sec. 1134. Life insurance for emergency essential Department of Defense employees.

Subtitle E—Intelligence Civilian Personnel

Sec. 1141. Expansion of defense civilian intelligence personnel system positions.
Sec. 1142. Increase in number of positions authorized for the Defense Intelligence Senior Executive Service.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

Sec. 1151. Extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement.
Sec. 1152. Department of Defense employee voluntary early retirement authority.
Sec. 1153. Limitations.

Subtitle A—Civilian Personnel Management Generally

SEC. 1101. EMPLOYMENT AND COMPENSATION OF EMPLOYEES FOR TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER.

(a) IN GENERAL.—Chapter 31 of title 5, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER

''§ 3161. Employment and compensation of employees

''(a) DEFINITION OF TEMPORARY ORGANIZATION.—For the purposes of this subchapter, the term 'temporary organization' means a commission, committee, board, or other organization that—

''(1) is established by law or Executive order for a specific period not in excess of three years for the purpose of performing a specific study or other project; and

''(2) is terminated upon the completion of the study or project or upon the occurrence of a condition related to the completion of the study or project.

''(b) EMPLOYMENT AUTHORITY.—(1) Notwithstanding the provisions of chapter 51 of this title, the head of a temporary organization may appoint persons to positions of employment in a temporary organization in such numbers and with such skills as are necessary for the performance of the functions required of a temporary organization.

''(2) The period of an appointment under paragraph (1) may not exceed three years, except that under regulations prescribed by the Office of Personnel Management the period of appointment may be extended for up to an additional two years.

''(3) The positions of employment in a temporary organization are in the excepted service of the civil service.

''(c) DETAIL AUTHORITY.—Upon the request of the head of a temporary organization, the head of any department or agency of the Government may detail, on a nonreimbursable basis, any personnel of the department or agency to that organization to assist in carrying out its duties.

''(d) COMPENSATION.—(1) The rate of basic pay for an employee appointed under subsection (b) shall be established under regulations prescribed by the Office of Personnel Management without regard to the provisions of chapter 51 and subchapter III of chapter 53 of this title.

''(2) The rate of basic pay for the chairman, a member, an executive director, a staff director, or another executive level position of a temporary organization may not exceed the maximum rate of basic pay established for the Senior Executive Service under section 5382 of this title.

''(3) Except as provided in paragraph (4), the rate of basic pay for other positions in a temporary organization may not exceed the maximum rate of basic pay for grade GS–15 of the General Schedule under section 5332 of this title.

''(4) The rate of basic pay for a senior staff position of a temporary organization may, in a case determined by the head of the temporary organization as exceptional, exceed the maximum rate of basic pay authorized under paragraph (3), but may not exceed the maximum rate of basic pay authorized for an executive level position under paragraph (2).

''(5) In this subsection, the term 'basic pay' includes locality pay provided for under section 5304 of this title.

''(e) TRAVEL EXPENSES.—An employee of a temporary organization, whether employed on a full-time or part-time basis, may be allowed travel and transportation expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of this title, while traveling away from the employee's regular place of business in the performance of services for the temporary organization.

''(f) BENEFITS.—An employee appointed under subsection (b) shall be afforded the same benefits and entitlements as are provided temporary employees under this title.

''(g) RETURN RIGHTS.—An employee serving under a career or career conditional appointment or the equivalent in an agency who transfers to or converts to an appointment in a temporary organization with the consent of the head of the agency is entitled to be returned to the employee's former position or a position of like seniority, status, and pay without grade or pay retention in the agency if the employee—

''(1) is being separated from the temporary organization for reasons other than misconduct, neglect of duty, or malfeasance; and

''(2) applies for return not later than 30 days before the earlier of—

''(A) the date of the termination of the employment in the temporary organization; or

''(B) the date of the termination of the temporary organization.

''(h) TEMPORARY AND INTERMITTENT SERVICES.—The head of a temporary organization may procure for the organization temporary and intermittent services under section 3109(b) of this title.

''(i) ACCEPTANCE OF VOLUNTEER SERVICES.—(1) The head of a temporary organization may accept volunteer services appropriate to the duties of the organization without regard to section 1342 of title 31.

''(2) Donors of voluntary services accepted for a temporary organization under this subsection may include the following:

''(A) Advisors.

''(B) Experts.

''(C) Members of the commission, committee, board, or other temporary organization, as the case may be.

''(D) A person performing services in any other capacity determined appropriate by the head of the temporary organization.

''(3) The head of the temporary organization—

''(A) shall ensure that each person performing voluntary services accepted under this subsection is notified of the scope of the voluntary services accepted;

''(B) shall supervise the volunteer to the same extent as employees receiving compensation for similar services; and

''(C) shall ensure that the volunteer has appropriate credentials or is otherwise qualified to perform in each capacity for which the volunteer's services are accepted.

''(4) A person providing volunteer services accepted under this subsection shall be considered an employee of the Federal Government in the performance of those services for the purposes of the following provisions of law:

''(A) Chapter 81 of this title, relating to compensation for work-related injuries.

''(B) Chapter 171 of title 28, relating to tort claims.

''(C) Chapter 11 of title 18, relating to conflicts of interest.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''SUBCHAPTER IV—TEMPORARY ORGANIZATIONS ESTABLISHED BY LAW OR EXECUTIVE ORDER

''Sec.
''3161. Employment and compensation of employees.''.

SEC. 1102. ASSISTIVE TECHNOLOGY ACCOMMODATIONS PROGRAM.

(a) AUTHORITY TO PROVIDE TECHNOLOGY, DEVICES, AND SERVICES.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1581 the following new section:

''§ 1582. Assistive technology, assistive technology devices, and assistive technology services

''(a) AUTHORITY.—The Secretary of Defense may provide assistive technology, assistive technology devices, and assistive technology services to the following:

''(1) Department of Defense employees with disabilities.

''(2) Organizations within the Department that have requirements to make programs or facilities accessible to, and usable by, persons with disabilities.

''(3) Any other department or agency of the Federal Government, upon the request of the head of that department or agency, for its employees with disabilities or for satisfying a requirement to make its programs or facilities accessible to, and usable by, persons with disabilities.

''(b) DEFINITIONS.—In this section, the terms 'assistive technology', 'assistive technology device', 'assistive technology service', and 'disability' have the meanings given those terms in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1581 the following new item:

''1582. Assistive technology, assistive technology devices, and assistive technology services.''.

SEC. 1103. EXTENSION OF AUTHORITY FOR VOLUNTARY SEPARATIONS IN REDUCTIONS IN FORCE.

Section 3502(f)(5) of title 5, United States Code, is amended by striking ''September 30, 2001'' and inserting ''September 30, 2005''.

SEC. 1104. ELECTRONIC MAINTENANCE OF PERFORMANCE APPRAISAL SYSTEMS.

Section 4302 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) In accordance with regulations which the Office shall prescribe, the head of an agency may administer and maintain a performance appraisal system electronically.''.

SEC. 1105. STUDY ON CIVILIAN PERSONNEL SERVICES.

(a) STUDY REQUIRED.—The Secretary of Defense shall assess the manner in which personnel services are provided for civilian personnel in the Department of Defense and determine whether—

(1) administration of such services should continue to be centralized in individual military services and Defense Agencies or whether such services should be centralized within designated

geographical areas to provide services to all Department of Defense elements;

(2) offices that perform such services should be established to perform specific functions rather than cover an established geographical area;

(3) processes and functions of civilian personnel offices should be reengineered to provide greater efficiency and better service to management and employees of the Department of Defense; and

(4) efficiencies could be gained by public-private competition of the delivery of any of the personnel services for civilian personnel of the Department of Defense.

(b) REPORT.—Not later than January 1, 2002, the Secretary of Defense shall submit a report on the study, including recommendations, to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include the Secretary's assessment of the items described in subsection (a), and, if appropriate, a proposal for a demonstration program to test the concepts developed under the study. The Secretary may also include any recommendations for legislation or other actions that the Secretary considers appropriate to increase the effectiveness and efficiency of the delivery of personnel services with respect to civilian personnel of the Department of Defense.

Subtitle B—Demonstration and Pilot Programs

SEC. 1111. PILOT PROGRAM FOR REENGINEERING THE EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCESS.

(a) PILOT PROGRAM.—(1) The Secretary of Defense shall carry out a pilot program to improve processes for the resolution of equal employment opportunity complaints by civilian employees of the Department of Defense. Complaints processed under the pilot program shall be subject to the procedural requirements established for the pilot program and shall not be subject to the procedural requirements of part 1614 of title 29 of the Code of Federal Regulations or other regulations, directives, or regulatory restrictions prescribed by the Equal Employment Opportunity Commission.

(2) The pilot program shall include procedures to reduce processing time and eliminate redundancy with respect to processes for the resolution of equal employment opportunity complaints, reinforce local management and chain-of-command accountability, and provide the parties involved with early opportunity for resolution.

(3) The Secretary may carry out the pilot program for a period of three years, beginning on January 1, 2001.

(4)(A) Participation in the pilot program shall be voluntary on the part of the complainant. Complainants who participate in the pilot program shall retain the right to appeal a final agency decision to the Equal Employment Opportunity Commission and to file suit in district court. The Equal Employment Opportunity Commission shall not reverse a final agency decision on the grounds that the agency did not comply with the regulatory requirements promulgated by the Commission.

(B) Subparagraph (A) shall apply to all cases—

(i) pending as of January 1, 2001, before the Equal Employment Opportunity Commission involving a civilian employee who filed a complaint under the pilot program of the Department of the Navy to improve processes for the resolution of equal employment opportunity complaints; and

(ii) hereinafter filed with the Commission under the pilot program established by this section.

(5) The pilot program shall be carried out in at least one military department and two Defense Agencies.

(b) REPORT.—Not later than 90 days following the end of the first and last full or partial fiscal years during which the pilot program is implemented, the Comptroller General shall submit to Congress a report on the pilot program. Such report shall contain the following:

(1) A description of the processes tested by the pilot program.

(2) The results of such testing.

(3) Recommendations for changes to the processes for the resolution of equal employment opportunity complaints as a result of such pilot program.

(4) A comparison of the processes used, and results obtained, under the pilot program to traditional and alternative dispute resolution processes used in the government or private industry.

SEC. 1112. WORK SAFETY DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense shall carry out a defense employees work safety demonstration program.

(b) PRIVATE SECTOR WORK SAFETY MODELS.—Under the demonstration program, the Secretary shall—

(1) adopt for use in the workplace of civilian employees of the Department of Defense such work safety models used by employers in the private sector that the Secretary considers as being representative of the best work safety practices in use by private sector employers; and

(2) determine whether the use of those practices in the Department of Defense improves the work safety record of Department of Defense employees.

(c) SITES.—(1) The Secretary shall carry out the demonstration program—

(A) at not fewer than two installations of each of the Armed Forces (other than the Coast Guard), for employees of the military department concerned; and

(B) in at least two Defense Agencies (as defined in section 101(a)(11) of title 10, United States Code).

(2) The Secretary shall select the installations and Defense Agencies from among the installations and Defense Agencies listed in the Federal Worker 2000 Presidential Initiative.

(d) PERIOD FOR PROGRAM.—The demonstration program shall begin not later than 180 days after the date of the enactment of this Act and shall terminate on September 30, 2002.

(e) REPORTS.—(1) The Secretary of Defense shall submit an interim report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than December 1, 2001. The interim report shall contain, at a minimum, for each site of the demonstration program the following:

(A) A baseline assessment of the lost workday injury rate.

(B) A comparison of the lost workday injury rate for fiscal year 2000 with the lost workday injury rate for fiscal year 1999.

(C) The direct and indirect costs associated with all lost workday injuries.

(2) The Secretary of Defense shall submit a final report on the demonstration program to the Committees on Armed Services of the Senate and the House of Representatives not later than December 1, 2002. The final report shall contain, at a minimum, for each site of the demonstration program the following:

(A) The Secretary's determination on the issue described in subsection (b)(2).

(B) A comparison of the lost workday injury rate under the program with the baseline assessment of the lost workday injury rate.

(C) The lost workday injury rate for fiscal year 2002.

(D) A comparison of the direct and indirect costs associated with all lost workday injuries for fiscal year 2002 with the direct and indirect costs associated with all lost workday injuries for fiscal year 2001.

(f) FUNDING.—Of the amount authorized to be appropriated under section 301(5), $5,000,000 shall be available for the demonstration program under this section.

SEC. 1113. EXTENSION, EXPANSION, AND REVISION OF AUTHORITY FOR EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.

(a) EXTENSION OF PROGRAM.—Section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2139; 5 U.S.C. 3104 note) is amended—

(1) in subsection (a), by striking ''the 5-year period beginning on the date of the enactment of this Act'' and inserting ''the program period specified in subsection (e)(1)'';

(2) in subsection (e), by striking paragraph (1) and inserting the following:

''(1) The period for carrying out the program authorized under this section begins on October 17, 1998, and ends on October 16, 2005.''; and

(3) in subsection (f), by striking ''on the day before the termination of the program'' and inserting ''on the last day of the program period specified in subsection (e)(1)''.

(b) EXPANSION OF SCOPE.—Subsection (a) of such section, as amended by subsection (a)(1) of this section, is further amended by inserting before the period at the end the following: ''and research and development projects administered by laboratories designated for the program by the Secretary from among the laboratories of each of the military departments''.

(c) LIMITATION ON NUMBER OF APPOINTMENTS.—Subsection (b)(1) of such section is amended to read as follows:

''(1) without regard to any provision of title 5, United States Code, governing the appointment of employees in the civil service, appoint scientists and engineers from outside the civil service and uniformed services (as such terms are defined in section 2101 of such title) to—

''(A) not more than 40 scientific and engineering positions in the Defense Advanced Research Projects Agency;

''(B) not more than 40 scientific and engineering positions in the designated laboratories of each of the military services; and

''(C) not more than a total of 10 scientific and engineering positions in the National Imagery and Mapping Agency and the National Security Agency;''.

(d) RATES OF PAY FOR APPOINTEES.—Subsection (b)(2) of such section is amended by inserting after ''United States Code,'' the following: ''as increased by locality-based comparability payments under section 5304 of such title,''.

(e) COMMENSURATE EXTENSION OF REQUIREMENT FOR ANNUAL REPORT.—Subsection (g) of such section is amended by striking ''2004'' and inserting ''2006''.

(f) AMENDMENT OF SECTION HEADING.—The heading for such section is amended to read as follows:

''SEC. 1101. EXPERIMENTAL PERSONNEL PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL.''.

SEC. 1114. CLARIFICATION OF PERSONNEL MANAGEMENT AUTHORITY UNDER PERSONNEL DEMONSTRATION PROJECT.

(a) ELIMINATION OF REQUIREMENT FOR OPM REVIEW AND APPROVAL.—Section 342 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2721) is amended—

(1) in subsection (b)(1), by striking '', with the approval of the Director of the Office of Personnel Management,''; and

(2) in subsection (b)(3)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking ''section 4703.'' and inserting ''section 4703; and'' at the end of subparagraph (B); and

(C) by inserting at the end the following new subparagraph (C):

''(C) the Secretary shall exercise the authorities granted to the Office of Personnel Management under such section 4703.''.

(b) INCREASE IN LEVEL OF AUTHORIZED PAY.—Section 342(b) of such Act is further amended by adding at the end the following new paragraph:

''(5) The limitations in section 5373 of title 5, United States Code, do not apply to the authority of the Secretary under this section to prescribe salary schedules and other related benefits.''.

Subtitle C—Educational Assistance

SEC. 1121. RESTRUCTURING THE RESTRICTION ON DEGREE TRAINING.

Section 4107 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) in subsection (b)(1), by striking ''subsection (a)'' and inserting ''subsection (a) or (c)''; and

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

''(c) With respect to an employee of the Department of Defense—

''(1) this chapter does not authorize, except as provided in subsection (b) of this section, the selection and assignment of the employee for training, or the payment or reimbursement of the costs of training, for—

''(A) the purpose of providing an opportunity to the employee to obtain an academic degree in order to qualify for appointment to a particular position for which the academic degree is a basic requirement; or

''(B) the sole purpose of providing an opportunity to the employee to obtain one or more academic degrees, unless such opportunity is part of a planned, systematic, and coordinated program of professional development endorsed by the Department of Defense; and

''(2) any course of post-secondary education delivered through classroom, electronic, or other means shall be administered or conducted by an institution recognized under standards implemented by a national or regional accrediting body, except in a case in which such standards do not exist or the use of such standards would not be appropriate.''.

SEC. 1122. STUDENT LOAN REPAYMENT PROGRAMS.

(a) COVERED STUDENT LOANS.—Section 5379(a)(1)(B) of title 5, United States Code, is amended—

(1) in clause (i), by inserting ''(20 U.S.C. 1071 et seq.)'' before the semicolon;

(2) in clause (ii), by striking ''part E of title IV of the Higher Education Act of 1965'' and inserting ''part D or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq., 1087aa et seq.)''; and

(3) in clause (iii), by striking ''part C of title VII of Public Health Service Act or under part B of title VIII of such Act'' and inserting ''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) PERSONNEL COVERED.—(1) Section 5379(a)(2) of title 5, United States Code, is amended to read as follows:

''(2) An employee shall be ineligible for benefits under this section if the employee occupies a position that is excepted from the competitive service because of its confidential, policy-determining, policy-making, or policy-advocating character.''.

(2) Section 5379(b)(1) of title 5, United States Code, is amended by striking ''professional, technical, or administrative''.

(c) REGULATIONS.—(1) Not later than 60 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue proposed regulations under section 5379(g) of title 5, United States Code. The Director shall provide for a period of not less than 60 days for public comment on the regulations.

(2) Not later than 240 days after the date of enactment of this Act, the Director shall issue final regulations.

(d) ANNUAL REPORTS.—Section 5379 of title 5, United States Code, is amended by adding at the end the following:

''(h)(1) Each head of an agency shall maintain, and annually submit to the Director of the Office of Personnel Management, information with respect to the agency on—

''(A) the number of Federal employees selected to receive benefits under this section;

''(B) the job classifications for the recipients; and

''(C) the cost to the Federal Government of providing the benefits.

''(2) The Director of the Office of Personnel Management shall prepare, and annually submit to Congress, a report containing the information submitted under paragraph (1), and information identifying the agencies that have provided benefits under this section.''.

SEC. 1123. EXTENSION OF AUTHORITY FOR TUITION REIMBURSEMENT AND TRAINING FOR CIVILIAN EMPLOYEES IN THE DEFENSE ACQUISITION WORKFORCE.

Section 1745(a)(2) of title 10, United States Code, is amended by striking ''September 30, 2001'' and inserting ''September 30, 2010''.

Subtitle D—Other Benefits

SEC. 1131. ADDITIONAL SPECIAL PAY FOR FOREIGN LANGUAGE PROFICIENCY BENEFICIAL FOR UNITED STATES NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by inserting after section 1596 the following new section:

''§ 1596a. Foreign language proficiency: special pay for proficiency beneficial for other national security interests

''(a) AUTHORITY.—The Secretary of Defense may pay special pay under this section to an employee of the Department of Defense who—

''(1) has been certified by the Secretary to be proficient in a foreign language identified by the Secretary as being a language in which proficiency by civilian personnel of the Department is necessary because of national security interests;

''(2) is assigned duties requiring proficiency in that foreign language during a contingency operation supported by the armed forces; and

''(3) is not receiving special pay under section 1596 of this title.

''(b) RATE.—The rate of special pay for an employee under this section shall be prescribed by the Secretary, but may not exceed five percent of the employee's rate of basic pay.

''(c) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—Special pay under this section is in addition to any other pay or allowances to which the employee is entitled.

''(d) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section.''.

(b) AMENDMENT TO DISTINGUISH OTHER FOREIGN LANGUAGE PROFICIENCY SPECIAL PAY.—The heading for section 1596 of title 10, United States Code, is amended to read as follows:

''§ 1596. Foreign language proficiency: special pay for proficiency beneficial for intelligence interests''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by striking the item relating to section 1596 and inserting the following new items:

''1596. Foreign language proficiency: special pay for proficiency beneficial for intelligence interests.

''1596a. Foreign language proficiency: special pay for proficiency beneficial for other national security interests.''.

SEC. 1132. APPROVAL AUTHORITY FOR CASH AWARDS IN EXCESS OF $10,000.

Section 4502 of title 5, United States Code, is amended by adding at the end the following:

''(f) The Secretary of Defense may grant a cash award under subsection (b) of this section without regard to the requirements for certification and approval provided in that subsection.''.

SEC. 1133. LEAVE FOR CREWS OF CERTAIN VESSELS.

Section 6305(c)(2) of title 5, United States Code, is amended to read as follows:

''(2) may not be made the basis for a lump-sum payment, except that civil service mariners of the Military Sealift Command on temporary promotion aboard ship may be paid the difference between their temporary and permanent rates of pay for leave accrued under this section and section 6303 and not otherwise used during the temporary promotion upon the expiration or termination of the temporary promotion; and''.

SEC. 1134. LIFE INSURANCE FOR EMERGENCY ESSENTIAL DEPARTMENT OF DEFENSE EMPLOYEES.

(a) IN GENERAL.—Section 8702 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(c) Notwithstanding a notice previously given under subsection (b), an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10 shall be insured if the employee, within 60 days after the date of the designation, elects to be insured under a policy of insurance under this chapter. An election under the preceding sentence shall be effective when provided to the Office in writing, in the form prescribed by the Office, within such 60-day period.''.

(b) APPLICABILITY.—For purposes of section 8702(c) of title 5, United States Code (as added by subsection (a)), an employee of the Department of Defense who is designated as an emergency essential employee under section 1580 of title 10, United States Code, before the date of the enactment of this Act shall be deemed to be so designated on the date of the enactment of this Act.

Subtitle E—Intelligence Civilian Personnel

SEC. 1141. EXPANSION OF DEFENSE CIVILIAN INTELLIGENCE PERSONNEL SYSTEM POSITIONS.

(a) AUTHORITY FOR SENIOR DOD INTELLIGENCE POSITIONS THROUGHOUT DEPARTMENT OF DEFENSE.—Section 1601(a)(1) of title 10, United States Code, is amended—

(1) by striking ''in the intelligence components of the Department of Defense and the military departments'' and inserting ''in the Department of Defense''; and

(2) by striking ''of those components and departments'' and inserting ''of the Department''.

(b) CONFORMING AMENDMENT FOR PERSONS ELIGIBLE FOR POSTEMPLOYMENT ASSISTANCE.—Section 1611 of such title is amended—

(1) in subsection (a)(1), by striking ''an intelligence component of the Department of Defense'' and inserting ''a defense intelligence position'';

(2) in subsection (b)—

(A) by striking ''sensitive position in an intelligence component of the Department of Defense'' in the matter preceding paragraph (1) and inserting ''sensitive defense intelligence position''; and

(B) by striking ''with the intelligence component'' in paragraphs (1) and (2) and inserting ''in a defense intelligence position'';

(3) in subsection (d), by striking ''an intelligence component of the Department of Defense'' and inserting ''in a defense intelligence position''; and

(4) by striking subsection (f).

(c) CONFORMING AMENDMENT FOR DEFINITION OF DEFENSE INTELLIGENCE POSITION.—Section 1614(1) of such title is amended by striking ''of an intelligence component of the Department of Defense or of a military department'' and inserting ''of the Department of Defense''.

SEC. 1142. INCREASE IN NUMBER OF POSITIONS AUTHORIZED FOR THE DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE.

Section 1606(a) of title 10, United States Code, is amended by striking ''492'' and inserting ''517''.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

SEC. 1151. EXTENSION, REVISION, AND EXPANSION OF AUTHORITIES FOR USE OF VOLUNTARY SEPARATION INCENTIVE PAY AND VOLUNTARY EARLY RETIREMENT.

(a) REVISION AND ADDITION OF PURPOSES FOR DEPARTMENT OF DEFENSE VSIP.—Subsection (b) of section 5597 of title 5, United States Code, is amended by inserting after ''transfer of function,'' the following: ''workforce restructuring (to meet mission needs, achieve one or more strength reductions, correct skill imbalances, or reduce the number of high-grade, managerial, or supervisory positions),''.

(b) ELIGIBILITY.—Subsection (c) of such section is amended—

(1) in paragraph (2), by inserting ''objective and nonpersonal'' after ''similar''; and

(2) by adding at the end the following:

''A determination of which employees are within the scope of an offer of separation pay shall be made only on the basis of consistent and well-documented application of the relevant criteria.''.

(c) INSTALLMENT PAYMENTS.—Subsection (d) of such section is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) shall be paid in a lump-sum or in installments;'';

(2) by striking ''and'' at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(4) by adding at the end the following:

''(5) if paid in installments, shall cease to be paid upon the recipient's acceptance of employment by the Federal Government, or commencement of work under a personal services contract, as described in subsection (g)(1).''.

(d) APPLICABILITY OF REPAYMENT REQUIREMENT TO REEMPLOYMENT UNDER PERSONAL SERVICES CONTRACTS.—Subsection (g)(1) of such section is amended by inserting after ''employment with the Government of the United States'' the following: '', or who commences work for an agency of the United States through a personal services contract with the United States,''.

SEC. 1152. DEPARTMENT OF DEFENSE EMPLOYEE VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of title 5, United States Code, is amended—

(1) in subsection (d)(2), by inserting ''except in the case of an employee who is separated from the service under a program carried out under subsection (o),'' after ''(2)''; and

(2) by adding at the end the following:

''(o)(1) The Secretary of Defense may, during fiscal years 2002 and 2003, carry out a program under which an employee of the Department of Defense may be separated from the service entitled to an immediate annuity under this subchapter if the employee—

''(A) has—

''(i) completed 25 years of service; or

''(ii) become 50 years of age and completed 20 years of service; and

''(B) is eligible for the annuity under paragraph (2) or (3).

''(2)(A) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar objective and nonpersonal criteria that the Office of Personnel Management determines appropriate.

''(4) Under regulations prescribed by the Office of Personnel Management, the determinations of whether an employee meets—

''(A) the requirements of subparagraph (A) of paragraph (3) shall be made by the Office, upon the request of the Secretary of Defense; and

''(B) the requirements of subparagraph (E) of such paragraph shall be made by the Secretary of Defense.

''(5) A determination of which employees are within the scope of an offer of early retirement shall be made only on the basis of consistent and well-documented application of the relevant criteria.

''(6) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8414 of such title is amended—

(1) in subsection (b)(1)(B), by inserting ''except in the case of an employee who is separated from the service under a program carried out under subsection (d),'' after ''(B)''; and

(2) by adding at the end the following:

''(d)(1) The Secretary of Defense may, during fiscal years 2002 and 2003, carry out a program under which an employee of the Department of Defense may be separated from the service entitled to an immediate annuity under this subchapter if the employee—

''(A) has—

''(i) completed 25 years of service; or

''(ii) become 50 years of age and completed 20 years of service; and

''(B) is eligible for the annuity under paragraph (2) or (3).

''(2)(A) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee—

''(i) is separated from the service involuntarily other than for cause; and

''(ii) has not declined a reasonable offer of another position in the Department of Defense for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level), and which is within the employee's commuting area.

''(B) For the purposes of paragraph (2)(A)(i), a separation for failure to accept a directed reassignment to a position outside the commuting area of the employee concerned or to accompany a position outside of such area pursuant to a transfer of function may not be considered to be a removal for cause.

''(3) For the purposes of paragraph (1), an employee referred to in that paragraph is eligible for an immediate annuity under this paragraph if the employee satisfies all of the following conditions:

''(A) The employee is separated from the service voluntarily during a period in which the organization within the Department of Defense in which the employee is serving is undergoing a major organizational adjustment.

''(B) The employee has been employed continuously by the Department of Defense for more than 30 days before the date on which the head of the employee's organization requests the determinations required under subparagraph (A).

''(C) The employee is serving under an appointment that is not limited by time.

''(D) The employee is not in receipt of a decision notice of involuntary separation for misconduct or unacceptable performance.

''(E) The employee is within the scope of an offer of voluntary early retirement, as defined on the basis of one or more of the following objective criteria:

''(i) One or more organizational units.

''(ii) One or more occupational groups, series, or levels.

''(iii) One or more geographical locations.

''(iv) Any other similar objective and nonpersonal criteria that the Office of Personnel Management determines appropriate.

''(4) Under regulations prescribed by the Office of Personnel Management, the determinations of whether an employee meets—

''(A) the requirements of subparagraph (A) of paragraph (3) shall be made by the Office upon the request of the Secretary of Defense; and

''(B) the requirements of subparagraph (E) of such paragraph shall be made by the Secretary of Defense.

''(5) A determination of which employees are within the scope of an offer of early retirement shall be made only on the basis of consistent and well-documented application of the relevant criteria.

''(6) In this subsection, the term 'major organizational adjustment' means any of the following:

''(A) A major reorganization.

''(B) A major reduction in force.

''(C) A major transfer of function.

''(D) A workforce restructuring—

''(i) to meet mission needs;

''(ii) to achieve one or more reductions in strength;

''(iii) to correct skill imbalances; or

''(iv) to reduce the number of high-grade, managerial, supervisory, or similar positions.''.

(c) CONFORMING AMENDMENTS.—(1) Section 8339(h) of such title is amended by striking out ''or (j)'' in the first sentence and inserting ''(j), or (o)''.

(2) Section 8464(a)(1)(A)(i) of such title is amended by striking out ''or (b)(1)(B)'' and '', (b)(1)(B), or (d)''.

SEC. 1153. LIMITATIONS.

(a) FISCAL YEAR 2001 LIMITATIONS ON VSIP.—Section 5597 of title 5, United States Code, as amended by section 1151, is further amended by adding at the end the following new subsection:

''(i)(1) Notwithstanding any other provision of this section, during fiscal year 2001, separation pay may be offered under the program carried out under this section with respect to workforce restructuring only to persons who, upon separation, are entitled to an immediate annuity under section 8336, 8412, or 8414 of this title and are otherwise eligible for the separation pay under this section.

''(2) In the administration of the program under this section during fiscal year 2001, the Secretary shall ensure that not more than 1,000 employees are, as a result of workforce restructuring, separated from service in that fiscal year entitled to separation pay under this section.

''(3) Separation pay may not be offered as a result of workforce restructuring under the program carried out under this section after fiscal year 2003.''.

(b) LIMITATIONS FOR FISCAL YEARS 2002 AND 2003 ON VSIP AND VERA.—(1) Subject to paragraph (2), the Secretary of Defense shall ensure that, in each of fiscal years 2002 and 2003, not more than 4,000 employees of the Department of Defense are, as a result of workforce restructuring, separated from service entitled to one or more of the following benefits:

(A) Voluntary separation incentive pay under section 5597 of title 5, United States Code.

(B) Immediate annuity under section 8336(o) or 8414(d) of such title.

(2) Notwithstanding sections 5597(e), 8336(o), and 8414(d) of title 5, United States Code, the Secretary of Defense may carry out the programs authorized in those sections during fiscal years 2002 and 2003 with respect to workforce restructuring only to the extent provided in a law enacted by the One Hundred Seventh Congress.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

Subtitle A—Matters Related to Arms Control

Sec. 1201. Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities.
Sec. 1202. Support of consultations on Arab and Israeli arms control and regional security issues.
Sec. 1203. Furnishing of nuclear test monitoring equipment to foreign governments.
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Subtitle B—Matters Relating to the Balkans

Sec. 1211. Annual report assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy.
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Sec. 1221. NATO fair burdensharing.
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Sec. 1231. Joint data exchange center with Russian Federation on early warning systems and notification of ballistic missile launches.
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Sec. 1233. Annual report of Communist Chinese military companies operating in the United States.
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Sec. 1236. Sense of Congress regarding the use of children as soldiers.
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Sec. 1238. United States-China Security Review Commission.

Subtitle A—Matters Related to Arms Control

SEC. 1201. SUPPORT OF UNITED NATIONS-SPONSORED EFFORTS TO INSPECT AND MONITOR IRAQI WEAPONS ACTIVITIES.

(a) LIMITATION ON AMOUNT OF ASSISTANCE IN FISCAL YEAR 2001—The total amount of the assistance for fiscal year 2001 that is provided by the Secretary of Defense under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) as activities of the Department of Defense in support of activities under that Act may not exceed $15,000,000.

(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1992 (22 U.S.C. 5859a) is amended by striking ''2000'' and inserting ''2001''.

SEC. 1202. SUPPORT OF CONSULTATIONS ON ARAB AND ISRAELI ARMS CONTROL AND REGIONAL SECURITY ISSUES.

Of the amount authorized to be appropriated by section 301(5), up to $1,000,000 is available for the support of programs to promote formal and informal region-wide consultations among Arab, Israeli, and United States officials and experts on arms control and security issues concerning the Middle East region.

SEC. 1203. FURNISHING OF NUCLEAR TEST MONITORING EQUIPMENT TO FOREIGN GOVERNMENTS.

(a) IN GENERAL.—Chapter 152 of title 10, United States Code, is amended by adding at the end the following new section:

''§2555. Nuclear test monitoring equipment: furnishing to foreign governments

''(a) AUTHORITY TO CONVEY OR PROVIDE NUCLEAR TEST MONITORING EQUIPMENT.—Subject to subsection (b), the Secretary of Defense may—

''(1) convey or otherwise provide to a foreign government (A) equipment for the monitoring of nuclear test explosions, and (B) associated equipment; and

''(2) as part of any such conveyance or provision of equipment, install such equipment on foreign territory or in international waters.

''(b) AGREEMENT REQUIRED.—Nuclear test explosion monitoring equipment may be conveyed or otherwise provided under subsection (a) only pursuant to the terms of an agreement between the United States and the foreign government receiving the equipment in which the recipient foreign government agrees—

''(1) to provide the United States with timely access to the data produced, collected, or generated by the equipment;

''(2) to permit the Secretary of Defense to take such measures as the Secretary considers necessary to inspect, test, maintain, repair, or replace that equipment, including access for purposes of such measures; and

''(3) to return such equipment to the United States (or allow the United States to recover such equipment) if either party determines that the agreement no longer serves its interests.

''(c) REPORT.—Promptly after entering into any agreement under subsection (b), the Secretary of Defense shall submit to Congress a report on the agreement. The report shall identify the country with which the agreement was made, the anticipated costs to the United States to be incurred under the agreement, and the national interest of the United States that is furthered by the agreement.

''(d) LIMITATION ON DELEGATION.—The Secretary of Defense may delegate the authority of the Secretary to carry out this section only to the Secretary of the Air Force. Such a delegation may be redelegated.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2555. Nuclear test monitoring equipment: furnishing to foreign governments.''.

SEC. 1204. ADDITIONAL MATTERS FOR ANNUAL REPORT ON TRANSFERS OF MILITARILY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN.

Section 1402(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 798) is amended by adding at the end the following new paragraph:

''(4) The status of the implementation or other disposition of recommendations included in reports of audits by Inspectors General that have been set forth in a previous annual report under this section pursuant to paragraph (3).''.

Subtitle B—Matters Relating to the Balkans

SEC. 1211. ANNUAL REPORT ASSESSING EFFECT OF CONTINUED OPERATIONS IN THE BALKANS REGION ON READINESS TO EXECUTE THE NATIONAL MILITARY STRATEGY.

Section 1035 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 753) is amended—

(1) in subsection (a), by striking ''Not later than 180 days after the date of the enactment of this Act,'' and inserting ''Not later than April 1 each year (but subject to subsection (e)),'';

(2) in subsection (b), by striking ''The report'' in the matter preceding paragraph (1) and inserting ''Each report'';

(3) in subsection (d), by striking ''the report'' and inserting ''a report''; and

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

''(e) TERMINATION WHEN UNITED STATES MILITARY OPERATIONS END.—(1) No report is required under this section after United States military operations in the Balkans region have ended.

''(2) After the requirement for an annual report under this section is terminated by operation of paragraph (1), but not later than the latest date on which the next annual report under this section would, except for paragraph (1), otherwise be due, the Secretary of Defense shall transmit to Congress a notification of the termination of the reporting requirement.''.

SEC. 1212. SITUATION IN THE BALKANS.

(a) ESTABLISHMENT OF NATO BENCHMARKS FOR WITHDRAWAL OF FORCES FROM KOSOVO.—The President shall develop, not later than May 31, 2001, militarily significant benchmarks for conditions that would achieve a sustainable peace in Kosovo and ultimately allow for the withdrawal of the United States military presence in Kosovo. Congress urges the President to seek concurrence among member nations of the North Atlantic Treaty Organization in the development of those benchmarks.

(b) COMPREHENSIVE POLITICAL-MILITARY STRATEGY.—(1) The President—

(A) shall develop a comprehensive political-military strategy for addressing the political, economic, humanitarian, and military issues in the Balkans; and

(B) shall establish near-term, mid-term, and long-term objectives in the region.

(2) In developing that strategy and those objectives, the President shall take into consideration—

(A) the benchmarks relating to Kosovo developed as described in subsection (a); and

(B) the benchmarks relating to Bosnia that were detailed in the report accompanying the certification by the President to Congress on March 3, 1998 (printed as House Document 105–223), with respect to the continued presence of United States Armed Forces, after June 30, 1998, in Bosnia and Herzegovina, submitted to Congress pursuant to section 7 of title I of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174; 112 Stat. 63).

(3) That strategy and those objectives shall be developed in consultation with appropriate regional and international entities.

(c) SEMIANNUAL REPORT ON BENCHMARKS.—Not later than June 30, 2001, and every six months thereafter, the President shall submit to Congress a report on the progress made in achieving the benchmarks developed pursuant to subsection (a). The President may submit a single report covering these benchmarks and the benchmarks relating to Bosnia referred to in subsection (b)(2)(B).

(d) SEMIANNUAL REPORT ON COMPREHENSIVE STRATEGY.—Not later than June 30, 2001, and every six months thereafter so long as United States forces are in the Balkans, the President shall submit to Congress a report on the progress being made in developing and implementing a comprehensive political-military strategy as described in subsection (b)(1)(A).

SEC. 1213. SEMIANNUAL REPORT ON KOSOVO PEACEKEEPING.

(a) REQUIREMENT FOR PERIODIC REPORT.—The President shall submit to the specified congressional committees a semiannual report on the contributions of European nations and organizations to the peacekeeping operations in Kosovo. The first such report shall be submitted not later than December 1, 2000.

(b) CONTENT OF REPORT.—Each report shall contain detailed information on the following:

(1) The commitments and pledges made by the European Commission, the member nations of the European Union, and the European member nations of the North Atlantic Treaty Organization for—

(A) reconstruction assistance in Kosovo;

(B) humanitarian assistance in Kosovo;

(C) the Kosovo Consolidated Budget;

(D) police (including special police) for the United Nations international police force for Kosovo; and

(E) military personnel for peacekeeping operations in Kosovo.

(2) The amount of the assistance that has been provided in each category, and the number of police and military personnel that have been deployed to Kosovo, by each organization or nation referred to in paragraph (1).

(3) The full range of commitments and responsibilities that have been undertaken for Kosovo by the United Nations, the European Union, and the Organization for Security and Cooperation in Europe (OSCE), the progress made by those organizations in fulfilling those commitments and responsibilities, an assessment of the tasks that remain to be accomplished, and an anticipated schedule for completing those tasks.

(d) SPECIFIED CONGRESSIONAL COMMITTEES.—In the section, the term ''specified congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

SEC. 1221. NATO FAIR BURDENSHARING.

(a) REPORT ON COSTS OF OPERATION ALLIED FORCE.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the costs to the United States of the 78-day air campaign known as Operation Allied Force conducted against the Federal Republic of Yugoslavia during the period from March 24 through June 9, 1999. The report shall include the following:

(1) The costs of ordnance expended, fuel consumed, and personnel.

(2) The estimated cost of the reduced service life of United States aircraft and other systems participating in the operation.

(b) REPORT ON BURDENSHARING OF FUTURE NATO OPERATIONS.—Whenever the North Atlantic Treaty Organization undertakes a military operation, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing—

(1) the contributions to that operation made by each of the member nations of the North Atlantic Treaty Organization during that operation; and

(2) the contributions that each of the member nations of the North Atlantic Treaty Organization are making or have pledged to make during any follow-on operation.

(c) TIME FOR SUBMISSION OF REPORT.—A report under subsection (b) shall be submitted not later than 90 days after the completion of the military operation.

(d) APPLICABILITY.—Subsection (b) shall apply only with respect to military operations begun after the date of the enactment of this Act.

SEC. 1222. REPEAL OF RESTRICTION PREVENTING COOPERATIVE AIRLIFT SUPPORT THROUGH ACQUISITION AND CROSS-SERVICING AGREEMENTS.

Section 2350c of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 1223. GAO STUDY ON THE BENEFITS AND COSTS OF UNITED STATES MILITARY ENGAGEMENT IN EUROPE.

(a) COMPTROLLER GENERAL STUDY.—The Comptroller General shall conduct a study assessing the benefits and costs to the United States and United States national security interests of the engagement of United States forces in Europe and of United States military strategies used to shape the international security environment in Europe.

(b) MATTERS TO BE INCLUDED.—The study shall include an assessment of the following matters:

(1) The benefits and costs to the United States of having forces stationed in Europe and assigned to areas of regional conflict such as Bosnia and Kosovo.

(2) The benefits and costs associated with stationing United States forces in Europe and with assigning those forces to areas of regional conflict, including an analysis of the benefits and costs of deploying United States forces with the forces of European allies.

(3) The amount and type of the following kinds of contributions to European security made by European allies in 1999 and 2000:

(A) Financial contributions.

(B) Contributions of military personnel and units.

(C) Contributions of nonmilitary personnel, such as medical personnel, police officers, judicial officers, and other civic officials.

(D) Contributions, including contributions in kind, for humanitarian and reconstruction assistance and infrastructure building or activities that contribute to regional stability, whether in lieu of or in addition to military-related contributions.

(4) The extent to which a forward United States military presence compensates for existing shortfalls of air and sea lift capability in the event of regional conflict in Europe or the Middle East.

(c) REPORT.—The Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the results of the study not later than December 1, 2001.

Subtitle D—Other Matters

SEC. 1231. JOINT DATA EXCHANGE CENTER WITH RUSSIAN FEDERATION ON EARLY WARNING SYSTEMS AND NOTIFICATION OF BALLISTIC MISSILE LAUNCHES.

(a) AUTHORITY.—The Secretary of Defense is authorized to establish, in conjunction with the Government of the Russian Federation, a United States-Russian Federation joint center for the exchange of data from systems to provide early warning of launches of ballistic missiles and for notification of launches of such missiles.

(b) SPECIFIC ACTIONS.—The actions that the Secretary undertakes for the establishment of the center may include—

(1) subject to subsection (d), participating in the renovation of a mutually agreed upon facility to be made available by the Russian Federation; and

(2) the furnishing of such equipment and supplies as may be necessary to begin the operation of the center.

(c) REPORT REQUIRED.—(1) Not later than 30 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on plans for the joint data exchange center.

(2) The report shall include the following:

(A) A detailed explanation as to why the particular facility intended to house the center was chosen.

(B) An estimate of the total cost of renovating that facility for use by the center.

(C) A description of the manner by which the United States proposes to meet its share of the costs of such renovation.

(d) LIMITATION.—(1) The Secretary of Defense may participate under subsection (b) in the renovation of the facility identified in the report under subsection (c) only if the United States and the Russian Federation enter into a cost-sharing arrangement that provides for an equal sharing between the two nations of the cost of establishing the center, including the costs of renovating and operating the facility.

(2) Not more than $4,000,000 of funds appropriated for fiscal year 2001 may be obligated or

expended after the date of the enactment of this Act by the Secretary of Defense for the renovation of such facility until 30 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of a written agreement between the United States and the Russian Federation that provides details of the cost-sharing arrangement specified in paragraph (1), in accordance with the Memorandum of Agreement between the two nations signed in Moscow in June 2000.

SEC. 1232. REPORT ON SHARING AND EXCHANGE OF BALLISTIC MISSILE LAUNCH EARLY WARNING DATA.

Not later than March 15, 2001, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on current and planned activities of the Department of Defense with respect to the sharing and exchange with other countries of early warning data concerning ballistic missile launches. The report shall include the Secretary's assessment of the benefits and risks of sharing such data with other countries on a bilateral or multilateral basis.

SEC. 1233. ANNUAL REPORT OF COMMUNIST CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

Section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note) is amended—

(1) by striking ''PUBLICATION'' in the subsection heading and inserting ''REPORTING''; and

(2) by striking paragraphs (1) and (2) and inserting the following:

''(1) INITIAL DETERMINATION AND REPORTING.—Not later than March 1, 2001, the Secretary of Defense shall make a determination of those persons operating directly or indirectly in the United States or any of its territories and possessions that are Communist Chinese military companies and shall submit a list of those persons in classified and unclassified form to the following:

''(A) The Committee on Armed Services of the House of Representatives.

''(B) The Committee on Armed Services of the Senate.

''(C) The Secretary of State.

''(D) The Secretary of the Treasury.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Secretary of Energy.

''(H) The Director of Central Intelligence.

''(2) ANNUAL REVISIONS TO THE LIST.—The Secretary of Defense shall make additions or deletions to the list submitted under paragraph (1) on an annual basis based on the latest information available and shall submit the updated list not later than February 1, each year to the committees and officers specified in paragraph (1).''.

SEC. 1234. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.

(a) LAYOVER PERIOD FOR NEW PERFORMANCE LEVELS.—Section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended—

(1) in the second sentence of subsection (d), by striking ''180'' and inserting ''60''; and

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

''(h) CALCULATION OF 60-DAY PERIOD.—The 60-day period referred to in subsection (d) shall be calculated by excluding the days on which either House of Congress is not in session because of an adjournment of the Congress sine die.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any new composite theoretical performance level established for purposes of section 1211(a) of the National Defense Authorization Act for Fiscal Year 1998 that is submitted by the President pursuant to section 1211(d) of that Act on or after the date of the enactment of this Act.

SEC. 1235. INCREASED AUTHORITY TO PROVIDE HEALTH CARE SERVICES AS HUMANITARIAN AND CIVIC ASSISTANCE.

Section 401(e)(1) of title 10, United States Code, is amended by striking ''rural areas of a country'' and inserting ''areas of a country that are rural or are underserved by medical, dental, and veterinary professionals, respectively''.

SEC. 1236. SENSE OF CONGRESS REGARDING THE USE OF CHILDREN AS SOLDIERS.

(a) FINDINGS.—Congress makes the following findings:

(1) In the year 2000, approximately 300,000 individuals under the age of 18 are participating in armed conflict in more than 30 countries worldwide.

(2) Many children participating in armed conflict in various countries around the world are forcibly conscripted through kidnapping or coercion, while others join military units due to economic necessity, to avenge the loss of a family member, or for their own personal safety.

(3) Many military commanders frequently force child soldiers to commit gruesome acts of ritual killings or torture against their enemies, including against other children.

(4) Many military commanders separate children from their families in order to foster dependence on military units and leaders, leaving children vulnerable to manipulation, deep traumatization, and in need of psychological counseling and rehabilitation.

(5) Child soldiers are exposed to hazardous conditions and risk physical injuries, sexually transmitted diseases, malnutrition, deformed backs and shoulders from carrying overweight loads, and respiratory and skin infections.

(6) Many young female soldiers face the additional psychological and physical horrors of rape and sexual abuse, being enslaved for sexual purposes by militia commanders, and forced to endure severe social stigma should they return home.

(7) Children in northern Uganda continue to be kidnapped by the Lords Resistance Army (LRA), which is supported and funded by the Government of Sudan and which has committed and continues to commit gross human rights violations in Uganda.

(8) Children in Sri Lanka have been forcibly recruited by the opposition Tamil Tigers movement and forced to kill or be killed in the armed conflict in that country.

(9) An estimated 7,000 child soldiers have been involved in the conflict in Sierra Leone, some as young as age 10, with many being forced to commit extrajudicial executions, torture, rape, and amputations for the rebel Revolutionary United Front.

(10) On January 21, 2000, in Geneva, a United Nations Working Group, including representatives from more than 80 governments including the United States, reached consensus on an international agreement, referred to in this case as an ''optional protocol'', on the use of child soldiers.

(11) This optional protocol, upon entry into force, will—

(A) raise the international minimum age for conscription and will require governments to take all feasible measures to ensure that members of their armed forces under age 18 do not participate directly in combat;

(B) prohibit the recruitment and use in armed conflict of persons under the age of 18 by nongovernmental armed forces;

(C) encourage governments to raise the minimum legal age for voluntary recruits above the current standard of 15, and

(D) commit governments to support the demobilization and rehabilitation of child soldiers and, when possible, to allocate resources to this purpose.

(12) On October 29, 1998, United Nations Secretary General Kofi Annan set minimum age requirements for United Nations peacekeeping personnel that are made available by member nations of the United Nations.

(13) The United Nations Under-Secretary General for Peace-keeping, Bernard Miyet, announced in the Fourth Committee of the General Assembly that contributing governments of member nations were asked not to send civilian police and military observers under the age of 25 and that troops in national contingents should preferably be at least 21 years of age but in no case should they be younger than 18 years of age.

(14) On August 25, 1999, the United Nations Security Council unanimously passed Resolution 1261 (1999) condemning the use of children in armed conflicts.

(15) In addressing the Security Council on August 26, 1999, the Special Representative of the Secretary General for Children and Armed Conflict, Olara Otunnu, urged the adoption of a global three-pronged approach to combatting the use of children in armed conflict that would—

(A) first, raise the age limit for recruitment and participation in armed conflict from the present age of 15 to the age of 18;

(B) second, increase international pressure on armed groups which currently abuse children; and

(C) third, address the political, social, and economic factors that create an environment in which children are induced by appeal of ideology or by socio-economic collapse to become child soldiers.

(16) The United States delegation to the United Nations working group relating to child soldiers, which included representatives from the Department of Defense, supported the Geneva agreement on the optional protocol.

(17) On May 25, 2000, the United Nations General Assembly unanimously adopted the optional protocol on the use of child soldiers.

(18) The optional protocol was opened for signature on June 5, 2000.

(19) The President signed the optional protocol on behalf of the United States on July 5, 2000.

(b) CONGRESSIONAL STATEMENTS ON CHILD SOLDIERS.—Congress joins the international community in—

(1) condemning the use of children as soldiers by governmental and nongovernmental armed forces worldwide; and

(2) welcoming the optional protocol on the use of child soldiers adopted by the United Nations General Assembly on May 25, 2000, as a critical first step in ending the use of children as soldiers.

(c) SENSE OF CONGRESS ON FURTHER ACTIONS.—It is the sense of Congress that—

(1) it is essential that the President consult closely with the Senate with the objective of building support for ratification by the United States of the optional protocol and that the Senate move forward as expeditiously as possible;

(2) the United States should provide assistance, through a new fund to be established by law, for the rehabilitation and reintegration into their respective civilian societies of child soldiers of other nations; and

(3) the President, acting through the Secretaries of State and Defense and other appropriate officials, should undertake all possible efforts to persuade and encourage other governments to ratify and endorse the optional protocol on the use of child soldiers.

SEC. 1237. SENSE OF CONGRESS REGARDING UNDERSEA RESCUE AND RECOVERY.

(a) FINDINGS.—Congress makes the following findings:

(1) The tragic loss in August 2000 of the Russian submarine Kursk resulted in the death of all 118 members of the submarine's crew.

(2) The Kursk is the third vessel of the submarine fleet of the Russian Federation and its predecessor, the Union of Soviet Socialist Republics, to be lost in an accident at sea with considerable loss of life of the officers and crews of those submarines.

(3) The United States submarines USS Thresher and USS Scorpion, with their officers and crews, were also lost at sea in tragic accidents, in 1963 and 1968, respectively.

(4) The United States, the Russian Federation, and other maritime nations possess extensive capabilities consisting of naval and research vessels and other assets that could be used to respond to accidents or incidents involving submarines or other undersea vessels.

(5) The United States Navy has rescue agreements with the navies of 14 countries from Europe, the Western Pacific, and the Americas, but not including the Russian Federation, and exercises regularly to train crews and practice submarine rescue procedures with the navies of participating nations.

(b) EXPRESSION OF SYMPATHY.—Congress expresses its sympathy and the sympathy of the American people to the people of the Russian Federation and joins the Russian people in mourning the death of the crewmen of the submarine Kursk.

(c) SENSE OF CONGRESS CONCERNING INTERNATIONAL COOPERATION.—It is the sense of Congress that when undersea accidents or incidents involving submarines or other undersea vessels occur, it is in the best interests of all nations to work together to respond promptly to the accident or incident, rescue and recover the crew of the vessel, minimize the loss of life, and prevent damage to the oceans.

(d) ESTABLISHMENT OF PLAN FOR RESPONDING TO UNDERSEA ACCIDENTS OR INCIDENTS.—Congress urges the President of the United States and the President of the Russian Federation, in coordination with the leaders of other maritime nations that possess undersea naval and research vessels and undersea rescue capabilities, to cooperate in establishing a plan for—

(1) responding to accidents or incidents involving submarines or other undersea vessels; and

(2) rescue and recovery of the crew of the vessels involved in such accidents or incidents.

SEC. 1238. UNITED STATES-CHINA SECURITY REVIEW COMMISSION.

(a) PURPOSES.—The purposes of this section are as follows:

(1) To establish the United States-China Security Review Commission to review the national security implications of trade and economic ties between the United States and the People's Republic of China.

(2) To facilitate the assumption by the United States-China Security Review Commission of its duties regarding the review referred to in paragraph (1) by providing for the transfer to that Commission of staff, materials, and infrastructure (including leased premises) of the Trade Deficit Review Commission that are appropriate for the review upon the submittal of the final report of the Trade Deficit Review Commission.

(b) ESTABLISHMENT OF UNITED STATES-CHINA SECURITY REVIEW COMMISSION.—

(1) IN GENERAL.—There is hereby established a commission to be known as the United States-China Security Review Commission (in this section referred to as the ''Commission'').

(2) PURPOSE.—The purpose of the Commission is to monitor, investigate, and report to Congress on the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China.

(3) MEMBERSHIP.—The United States-China Security Review Commission shall be composed of 12 members, who shall be appointed in the same manner provided for the appointment of members of the Trade Deficit Review Commission under section 127(c)(3) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note), except that—

(A) appointment of members by the Speaker of the House of Representatives shall be made after consultation with the chairman of the Committee on Armed Services of the House of Representatives, in addition to consultation with the chairman of the Committee on Ways and Means of the House of Representatives provided for under clause (iii) of subparagraph (A) of that section;

(B) appointment of members by the President pro tempore of the Senate upon the recommendation of the majority leader of the Senate shall be made after consultation with the chairman of the Committee on Armed Services of the Senate, in addition to consultation with the chairman of the Committee on Finance of the Senate provided for under clause (i) of that subparagraph;

(C) appointment of members by the President pro tempore of the Senate upon the recommendation of the minority leader of the Senate shall be made after consultation with the ranking minority member of the Committee on Armed Services of the Senate, in addition to consultation with the ranking minority member of the Committee on Finance of the Senate provided for under clause (ii) of that subparagraph;

(D) appointment of members by the minority leader of the House of Representatives shall be made after consultation with the ranking minority member of the Committee on Armed Services of the House of Representatives, in addition to consultation with the ranking minority member of the Committee on Ways and Means of the House of Representatives provided for under clause (iv) of that subparagraph;

(E) persons appointed to the Commission shall have expertise in national security matters and United States-China relations, in addition to the expertise provided for under subparagraph (B)(i)(I) of that section;

(F) members shall be appointed to the Commission not later than 30 days after the date on which each new Congress convenes;

(G) members of the Commission may be reappointed for additional terms of service as members of the Commission; and

(H) members of the Trade Deficit Review Commission as of the date of the enactment of this Act shall serve as members of the United States-China Security Review Commission until such time as members are first appointed to the United States-China Security Review Commission under this paragraph.

(4) RETENTION OF SUPPORT.—The United States-China Security Review Commission shall retain and make use of such staff, materials, and infrastructure (including leased premises) of the Trade Deficit Review Commission as the United States-China Security Review Commission determines, in the judgment of the members of the United States-China Security Review Commission, are required to facilitate the ready commencement of activities of the United States-China Security Review Commission under subsection (c) or to carry out such activities after the commencement of such activities.

(5) CHAIRMAN AND VICE CHAIRMAN.—The members of the Commission shall select a Chairman and Vice Chairman of the Commission from among the members of the Commission.

(6) MEETINGS.—

(A) MEETINGS.—The Commission shall meet at the call of the Chairman of the Commission.

(B) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business of the Commission.

(7) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(c) DUTIES.—

(1) ANNUAL REPORT.—Not later than March 1 each year (beginning in 2002), the Commission shall submit to Congress a report, in both unclassified and classified form, regarding the national security implications and impact of the bilateral trade and economic relationship between the United States and the People's Republic of China. The report shall include a full analysis, along with conclusions and recommendations for legislative and administrative actions, if any, of the national security implications for the United States of the trade and current balances with the People's Republic of China in goods and services, financial transactions, and technology transfers. The Commission shall also take into account patterns of trade and transfers through third countries to the extent practicable.

(2) CONTENTS OF REPORT.—Each report under paragraph (1) shall include, at a minimum, a full discussion of the following:

(A) The portion of trade in goods and services with the United States that the People's Republic of China dedicates to military systems or systems of a dual nature that could be used for military purposes.

(B) The acquisition by the People's Republic of China of advanced military or dual-use technologies from the United States by trade (including procurement) and other technology transfers, especially those transfers, if any, that contribute to the proliferation of weapons of mass destruction or their delivery systems, or that undermine international agreements or United States laws with respect to nonproliferation.

(C) Any transfers, other than those identified under subparagraph (B), to the military systems of the People's Republic of China made by United States firms and United States-based multinational corporations.

(D) An analysis of the statements and writing of the People's Republic of China officials and officially-sanctioned writings that bear on the intentions, if any, of the Government of the People's Republic of China regarding the pursuit of military competition with, and leverage over, or cooperation with, the United States and the Asian allies of the United States.

(E) The military actions taken by the Government of the People's Republic of China during the preceding year that bear on the national security of the United States and the regional stability of the Asian allies of the United States.

(F) The effects, if any, on the national security interests of the United States of the use by the People's Republic of China of financial transactions and capital flow and currency manipulations.

(G) Any action taken by the Government of the People's Republic of China in the context of the World Trade Organization that is adverse or favorable to the United States national security interests.

(H) Patterns of trade and investment between the People's Republic of China and its major trading partners, other than the United States, that appear to be substantively different from trade and investment patterns with the United States and whether the differences have any national security implications for the United States.

(I) The extent to which the trade surplus of the People's Republic of China with the United

States enhances the military budget of the People's Republic of China.

(J) An overall assessment of the state of the security challenges presented by the People's Republic of China to the United States and whether the security challenges are increasing or decreasing from previous years.

(3) RECOMMENDATIONS OF REPORT.—Each report under paragraph (1) shall also include recommendations for action by Congress or the President, or both, including specific recommendations for the United States to invoke Article XXI (relating to security exceptions) of the General Agreement on Tariffs and Trade 1994 with respect to the People's Republic of China, as a result of any adverse impact on the national security interests of the United States.

(d) HEARINGS.—

(1) IN GENERAL.—The Commission or, at its direction, any panel or member of the Commission, may for the purpose of carrying out the provisions of this section, hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(2) INFORMATION.—The Commission may secure directly from the Department of Defense, the Central Intelligence Agency, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its duties under this section, except the provision of intelligence information to the Commission shall be made with due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters, under procedures approved by the Director of Central Intelligence.

(3) SECURITY.—The Office of Senate Security shall—

(A) provide classified storage and meeting and hearing spaces, when necessary, for the Commission; and

(B) assist members and staff of the Commission in obtaining security clearances.

(4) SECURITY CLEARANCES.—All members of the Commission and appropriate staff shall be sworn and hold appropriate security clearances.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Members of the United States-China Security Review Commission shall be compensated in the same manner provided for the compensation of members of the Trade Deficit Review Commission under section 127(g)(1) and section 127(g)(6) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note).

(2) TRAVEL EXPENSES.—Travel expenses of the United States-China Security Review Commission shall be allowed in the same manner provided for the allowance of the travel expenses of the Trade Deficit Review Commission under section 127(g)(2) of the Trade Deficit Review Commission Act.

(3) STAFF.—An executive director and other additional personnel for the United States-China Security Review Commission shall be appointed, compensated, and terminated in the same manner provided for the appointment, compensation, and termination of the executive director and other personnel of the Trade Deficit Review Commission under section 127(g)(3) and section 127(g)(6) of the Trade Deficit Review Commission Act.

(4) DETAIL OF GOVERNMENT EMPLOYEES.—Federal Government employees may be detailed to the United States-China Security Review Commission in the same manner provided for the detail of Federal Government employees to the Trade Deficit Review Commission under section 127(g)(4) of the Trade Deficit Review Commission Act.

(5) FOREIGN TRAVEL FOR OFFICIAL PURPOSES.—Foreign travel for official purposes by members and staff of the Commission may be authorized by either the Chairman or the Vice Chairman of the Commission.

(6) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the United States-China Security Review Commission may procure temporary and intermittent services for the United States-China Security Review Commission in the same manner provided for the procurement of temporary and intermittent services for the Trade Deficit Review Commission under section 127(g)(5) of the Trade Deficit Review Commission Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Commission for fiscal year 2001, and for each fiscal year thereafter, such sums as may be necessary to enable the Commission to carry out its functions under this section.

(2) AVAILABILITY.—Amounts appropriated to the Commission shall remain available until expended.

(g) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) EFFECTIVE DATE.—This section shall take effect on the first day of the 107th Congress.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Prohibition on use of funds for elimination of conventional weapons.
Sec. 1304. Limitations on use of funds for fissile material storage facility.
Sec. 1305. Limitation on use of funds to support warhead dismantlement processing.
Sec. 1306. Agreement on nuclear weapons storage sites.
Sec. 1307. Limitation on use of funds for construction of fossil fuel energy plants; report.
Sec. 1308. Reports on activities and assistance under Cooperative Threat Reduction programs.
Sec. 1309. Russian chemical weapons elimination.
Sec. 1310. Limitation on use of funds for elimination of weapons grade plutonium program.
Sec. 1311. Report on audits of Cooperative Threat Reduction programs.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF CTR PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note).

(b) FISCAL YEAR 2001 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2001 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for three fiscal years.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $443,400,000 authorized to be appropriated to the Department of Defense for fiscal year 2001 in section 301(23) for Cooperative Threat Reduction programs, not more than the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $177,800,000.

(2) For strategic nuclear arms elimination in Ukraine, $29,100,000.

(3) For activities to support warhead dismantlement processing in Russia, $9,300,000.

(4) For weapons transportation security in Russia, $14,000,000.

(5) For planning, design, and construction of a storage facility for Russian fissile material, $57,400,000.

(6) For weapons storage security in Russia, $89,700,000.

(7) For development of a cooperative program with the Government of Russia to eliminate the production of weapons grade plutonium at Russian reactors, $32,100,000.

(8) For biological weapons proliferation prevention activities in the former Soviet Union, $12,000,000.

(9) For activities designated as Other Assessments/Administrative Support, $13,000,000.

(10) For defense and military contacts, $9,000,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2001 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (10) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2001 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—(1) Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2001 for a purpose listed in any of the paragraphs in subsection (a) in excess of the amount specifically authorized for such purpose.

(2) An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) The Secretary may not, under the authority provided in paragraph (1), obligate amounts for the purposes stated in any of paragraphs (4), (5), (7), (9), or (10) of subsection (a) in excess of 115 percent of the amount specifically authorized for such purposes.

SEC. 1303. PROHIBITION ON USE OF FUNDS FOR ELIMINATION OF CONVENTIONAL WEAPONS.

No fiscal year 2001 Cooperative Threat Reduction funds, and no funds appropriated for Cooperative Threat Reduction programs for any other fiscal year, may be obligated or expended for elimination of conventional weapons or the delivery vehicles primarily intended to deliver such weapons.

SEC. 1304. LIMITATIONS ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.

(a) LIMITATIONS.—No fiscal year 2001 Cooperative Threat Reduction funds may be used—

(1) for construction of a second wing for the storage facility for Russian fissile material referred to in section 1302(a)(5); or

(2) for design or planning with respect to such facility until 15 days after the date that the Secretary of Defense submits to Congress notification that Russia and the United States have signed a written transparency agreement that provides for verification that material stored at the facility is of weapons origin.

(b) ESTABLISHMENT OF FUNDING CAP FOR FIRST WING OF STORAGE FACILITY.—Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5).

SEC. 1305. LIMITATION ON USE OF FUNDS TO SUPPORT WARHEAD DISMANTLEMENT PROCESSING.

No fiscal year 2001 Cooperative Threat Reduction funds may be used for activities to support warhead dismantlement processing in Russia until 15 days after the date that the Secretary of Defense submits to Congress notification that the United States has reached an agreement with Russia, which shall provide for appropriate transparency measures, regarding assistance by the United States with respect to such processing.

SEC. 1306. AGREEMENT ON NUCLEAR WEAPONS STORAGE SITES.

The Secretary of Defense shall seek to enter into an agreement with Russia regarding procedures to allow the United States appropriate access to nuclear weapons storage sites for which assistance under Cooperative Threat Reduction programs is provided.

SEC. 1307. LIMITATION ON USE OF FUNDS FOR CONSTRUCTION OF FOSSIL FUEL ENERGY PLANTS; REPORT.

(a) IN GENERAL.—No fiscal year 2001 Cooperative Threat Reduction funds may be used for the construction of a fossil fuel energy plant intended to provide power to local communities that already receive power from nuclear energy plants that produce plutonium.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to Congress a report detailing options for assisting Russia in the development of alternative energy sources to the three plutonium production reactors remaining in operation in Russia. The report shall include—

(1) an assessment of the costs of building fossil fuel plants in Russia to replace the existing plutonium production reactors; and

(2) an identification of funding sources, other than Cooperative Threat Reduction funds, that could possibly be used for the construction of such plants in the event that the option to use fossil fuel energy is chosen as part of a plan to shut down Russia's nuclear plutonium production reactors at Seversk and Zelenogorsk.

SEC. 1308. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

(a) ANNUAL REPORT.—In any year in which the budget of the President under section 1105 of title 31, United States Code, for the fiscal year beginning in such year requests funds for the Department of Defense for assistance or activities under Cooperative Threat Reduction programs with the states of the former Soviet Union, the Secretary of Defense shall submit to Congress a report on activities and assistance during the preceding fiscal year under Cooperative Threat Reduction programs setting forth the matters in subsection (c).

(b) DEADLINE FOR REPORT.—The report under subsection (a) shall be submitted not later than the first Monday in February of a year.

(c) MATTERS TO BE INCLUDED.—The report under subsection (a) in a year shall set forth the following:

(1) An estimate of the total amount that will be required to be expended by the United States in order to achieve the objectives of the Cooperative Threat Reduction programs.

(2) A five-year plan setting forth the amount of funds and other resources proposed to be provided by the United States for Cooperative Threat Reduction programs over the term of the plan, including the purpose for which such funds and resources will be used, and to provide guidance for the preparation of annual budget submissions with respect to Cooperative Threat Reduction programs.

(3) A description of the Cooperative Threat Reduction activities carried out during the fiscal year ending in the year preceding the year of the report, including—

(A) the amounts notified, obligated, and expended for such activities and the purposes for which such amounts were notified, obligated, and expended for such fiscal year and cumulatively for Cooperative Threat Reduction programs;

(B) a description of the participation, if any, of each department and agency of the United States Government in such activities;

(C) a description of such activities, including the forms of assistance provided;

(D) a description of the United States private sector participation in the portion of such activities that were supported by the obligation and expenditure of funds for Cooperative Threat Reduction programs; and

(E) such other information as the Secretary of Defense considers appropriate to inform Congress fully of the operation of Cooperative Threat Reduction programs and activities, including with respect to proposed demilitarization or conversion projects, information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

(4) A description of the audits, examinations, and other efforts, such as on-site inspections, conducted by the United States during the fiscal year ending in the year preceding the year of the report to ensure that assistance provided under Cooperative Threat Reduction programs is fully accounted for and that such assistance is being used for its intended purpose, including—

(A) if such assistance consisted of equipment, a description of the current location of such equipment and the current condition of such equipment;

(B) if such assistance consisted of contracts or other services, a description of the status of such contracts or services and the methods used to ensure that such contracts and services are being used for their intended purpose;

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose; and

(D) a description of the audits, examinations, and other efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

(5) A current description of the tactical nuclear weapons arsenal of Russia, including—

(A) an estimate of the current types, numbers, yields, viability, locations, and deployment status of the nuclear warheads in that arsenal;

(B) an assessment of the strategic relevance of such warheads;

(C) an assessment of the current and projected threat of theft, sale, or unauthorized use of such warheads; and

(D) a summary of past, current, and planned United States efforts to work cooperatively with Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile materials.

(d) INPUT OF DCI.—The Director of Central Intelligence shall submit to the Secretary of Defense the views of the Director on any matters covered by subsection (c)(5) in a report under subsection (a). Such views shall be included in such report as a classified annex to such report.

(e) COMPTROLLER GENERAL ASSESSMENT.—Not later than 90 days after the date on which a report is submitted to Congress under subsection (a), the Comptroller General shall submit to Congress a report setting forth the Comptroller General's assessment of the information described in paragraphs (2) and (4) of subsection (c).

(f) FIRST REPORT.—The first report submitted under subsection (a) shall be submitted in 2001.

(g) REPEAL OF SUPERSEDED REPORTING REQUIREMENTS.—(1) The following provisions of law are repealed:

(A) Section 1207 of the Cooperative Threat Reduction Act of 1994 (title XII of Public Law 103–160; 107 Stat. 1782; 22 U.S.C. 5956), relating to semiannual reports on Cooperative Threat Reduction.

(B) Section 1203 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2882), relating to a report accounting for United States assistance for Cooperative Threat Reduction.

(C) Section 1206 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 22 U.S.C. 5955 note), relating to accounting for United States assistance for Cooperative Threat Reduction.

(D) Section 1307 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 795), relating to a limitation on use of funds for Cooperative Threat Reduction pending submittal of a multiyear plan.

(2) Effective on the date the Secretary of Defense submits to Congress an updated version of the multiyear plan for fiscal year 2001 as described in subsection (h), section 1205 of the National Defense Authorization Act for Fiscal Year 1995 (108 Stat. 2883; 10 U.S.C. 5952 note), relating to multiyear planning and Allied support for Cooperative Threat Reduction, is repealed.

(3) Section 1312 of the National Defense Authorization Act for Fiscal Year 2000 (113 Stat. 796; 22 U.S.C. 5955 note), relating to Russian nonstrategic nuclear arms, is amended—

(A) by striking ''(a) SENSE OF CONGRESS.—''; and

(B) by striking subsections (b) and (c).

(h) LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF MULTIYEAR PLAN.—Not more than 10 percent of fiscal year 2001 Cooperative Threat Reduction funds may be obligated or expended until the Secretary of Defense submits to Congress an updated version of the multiyear plan for fiscal year 2001 required to be submitted under section 1205 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 22 U.S.C. 5952 note).

(i) REPORT ON RUSSIAN NONSTRATEGIC NUCLEAR ARMS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the following regarding Russia's arsenal of tactical nuclear warheads:

(1) Estimates regarding current types, numbers, yields, viability, locations, and deployment status of the warheads.

(2) An assessment of the strategic relevance of the warheads.

(3) An assessment of the current and projected threat of theft, sale, or unauthorized use of the warheads.

(4) A summary of past, current, and planned United States efforts to work cooperatively with

Russia to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

SEC. 1309. RUSSIAN CHEMICAL WEAPONS ELIMINATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the international community should, when practicable, assist Russia in eliminating its chemical weapons stockpile in accordance with Russia's obligations under the Chemical Weapons Convention, and that the level of such assistance should be based on—

(1) full and accurate disclosure by Russia of the size of its existing chemical weapons stockpile;

(2) a demonstrated annual commitment by Russia to allocate at least $25,000,000 to chemical weapons elimination;

(3) development by Russia of a practical plan for destroying its stockpile of nerve agents;

(4) enactment of a law by Russia that provides for the elimination of all nerve agents at a single site; and

(5) an agreement by Russia to destroy its chemical weapons production facilities at Volgograd and Novocheboksark.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that identifies—

(1) the amount spent by Russia for chemical weapons elimination during fiscal year 2000;

(2) the specific assistance being provided to Russia by the international community for the safe storage and elimination of Russia's stockpile of nerve agents, including those nerve agents located at the Shchuch'ye depot;

(3) the countries providing the assistance identified in paragraph (2); and

(4) the value of the assistance that the international community has already provided and has committed to provide in future years for the purpose described in paragraph (2).

(c) CHEMICAL WEAPONS CONVENTION DEFINED.—In this section, the term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature on January 13, 1993.

SEC. 1310. LIMITATION ON USE OF FUNDS FOR ELIMINATION OF WEAPONS GRADE PLUTONIUM PROGRAM.

Of the amounts authorized to be appropriated by this Act for fiscal year 2001 for the Elimination of Weapons Grade Plutonium Program, not more than 50 percent of such amounts may be obligated or expended for the program in fiscal year 2001 until 30 days after the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives a report on an agreement between the United States Government and the Government of the Russian Federation regarding a new option selected for the shut down or conversion of the reactors of the Russian Federation that produce weapons grade plutonium, including—

(1) the new date on which such reactors will cease production of weapons grade plutonium under such agreement by reason of the shut down or conversion of such reactors; and

(2) any cost-sharing arrangements between the United States Government and the Government of the Russian Federation in undertaking activities under such agreement.

SEC. 1311. REPORT ON AUDITS OF COOPERATIVE THREAT REDUCTION PROGRAMS.

Not later than March 31, 2001, the Comptroller General shall submit to Congress a report examining the procedures and mechanisms with respect to audits by the Department of Defense of the use of funds for Cooperative Threat Reduction programs. The report shall examine the following:

(1) Whether the audits being conducted by the Department of Defense are producing necessary information regarding whether assistance under such programs, including equipment provided and services furnished, is being used as intended.

(2) Whether the audit procedures of the Department of Defense are adequate, including whether random samplings are used.

TITLE XIV—COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK

Sec. 1401. Establishment of commission.
Sec. 1402. Duties of commission.
Sec. 1403. Reports.
Sec. 1404. Powers.
Sec. 1405. Commission procedures.
Sec. 1406. Personnel matters.
Sec. 1407. Miscellaneous administrative provisions.
Sec. 1408. Funding.
Sec. 1409. Termination of the commission.

SEC. 1401. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack'' (hereinafter in this title referred to as the ''Commission'').

(b) COMPOSITION.—The Commission shall be composed of nine members. Seven of the members shall be appointed by the Secretary of Defense and two of the members shall be appointed by the Director of the Federal Emergency Management Agency. In selecting individuals for appointment to the Commission, the Secretary of Defense shall consult with the chairmen and ranking minority members of the Committees on Armed Services of the Senate and House of Representatives.

(c) QUALIFICATIONS.—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and military aspects of electromagnetic pulse (hereinafter in this title referred to as ''EMP'') effects resulting from the detonation of a nuclear weapon or weapons at high altitude, sometimes referred to as high-altitude electromagnetic pulse effects (HEMP).

(d) CHAIRMAN OF COMMISSION.—The Secretary of Defense shall designate one of the members of the Commission to serve as chairman of the Commission.

(e) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(f) SECURITY CLEARANCES.—All members of the Commission shall hold appropriate security clearances.

(g) INITIAL ORGANIZATION REQUIREMENTS.—All appointments to the Commission shall be made not later than 90 days after the date of the enactment of this Act. The Commission shall convene its first meeting not later than 60 days after the date as of which all members of the Commission have been appointed.

SEC. 1402. DUTIES OF COMMISSION.

(a) REVIEW OF EMP THREAT.—The Commission shall assess—

(1) the nature and magnitude of potential high-altitude EMP threats to the United States from all potentially hostile states or non-state actors that have or could acquire nuclear weapons and ballistic missiles enabling them to perform a high-altitude EMP attack against the United States within the next 15 years;

(2) the vulnerability of United States military and especially civilian systems to an EMP attack, giving special attention to vulnerability of the civilian infrastructure as a matter of emergency preparedness;

(3) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by an EMP attack; and

(4) the feasibility and cost of hardening select military and civilian systems against EMP attack.

(b) RECOMMENDATION.—The Commission shall recommend any steps it believes should be taken by the United States to better protect its military and civilian systems from EMP attack.

(c) COOPERATION FROM GOVERNMENT OFFICIALS.—In carrying out its duties, the Commission should receive the full and timely cooperation of the Secretary of Defense, the Director of the Federal Emergency Management Agency, and any other United States Government official serving in the Department of Defense or Armed Forces in providing the Commission with analyses, briefings, and other information necessary for the fulfillment of its responsibilities.

SEC. 1403. REPORTS.

(a) COMMISSION REPORT.—The Commission shall, not later than one year after the date of its first meeting, submit to Congress, the Secretary of Defense, and the Director of the Federal Emergency Management Agency a report on the Commission's findings and conclusions.

(b) SECRETARY OF DEFENSE REPORT.—Not later than one year after the date of the Commission's report under subsection (a), the Secretary of Defense shall submit to Congress a report—

(1) commenting on the Commission's findings and conclusions;

(2) describing political-military scenarios that could possibly lead to an EMP attack against the United States;

(3) evaluating the relative likelihood of an EMP attack against the United States compared to other threats involving nuclear weapons; and

(4) explaining what actions, if any, the Secretary intends to take to implement the recommendations of the Commission and the Secretary's reasons for doing so.

SEC. 1404. POWERS.

(a) HEARINGS.—The Commission or, at its direction, any panel or member of the Commission, may, for the purpose of carrying out the provisions of this title, hold hearings, take testimony, receive evidence, and administer oaths to the extent that the Commission or any panel or member considers advisable.

(b) INFORMATION.—The Commission may secure directly from the Department of Defense, the Central Intelligence Agency, and any other Federal department or agency information that the Commission considers necessary to enable the Commission to carry out its responsibilities under this title.

SEC. 1405. COMMISSION PROCEDURES.

(a) MEETINGS.—The Commission shall meet at the call of the Chairman.

(b) QUORUM.—(1) Five members of the Commission shall constitute a quorum other than for the purpose of holding hearings.

(2) The Commission shall act by resolution agreed to by a majority of the members of the Commission.

(c) COMMISSION.—The Commission may establish panels composed of less than full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of each such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

(d) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any agent or member of the Commission may, if authorized by the Commission,

take any action which the Commission is authorized to take under this title.

SEC. 1406. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—Members of the Commission shall serve without pay by reason of their work on the Commission.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) STAFF.—(1) The chairman of the Commission may, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, appoint a staff director and such additional personnel as may be necessary to enable the Commission to perform its duties. The appointment of a staff director shall be subject to the approval of the Commission.

(2) The chairman of the Commission may fix the pay of the staff director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay fixed under this paragraph for the staff director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title and the rate of pay for other personnel may not exceed the maximum rate payable for grade GS–15 of the General Schedule.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any Federal department or agency may detail, on a nonreimbursable basis, any personnel of that department or agency to the Commission to assist it in carrying out its duties.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1407. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) POSTAL AND PRINTING SERVICES.—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1408. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 2001. Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 1409. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its report under section 1403(a).

TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

Sec. 1501. Assistance for economic growth on Vieques.
Sec. 1502. Conveyance of Naval Ammunition Support Detachment, Vieques Island.
Sec. 1503. Determination regarding continuation of Navy training.
Sec. 1504. Actions if training is approved.
Sec. 1505. Requirements if training is not approved or mandate for referendum is vitiated.
Sec. 1506. Certain properties exempt from conveyance or transfer.
Sec. 1507. Moratorium on improvements at Fort Buchanan.
Sec. 1508. Transfer and management of Conservation Zones.

SEC. 1501. ASSISTANCE FOR ECONOMIC GROWTH ON VIEQUES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense for fiscal year 2000, $40,000,000 to be used to provide economic assistance for the people and communities of the island of Vieques, Puerto Rico, in accordance with the terms and conditions of the Vieques supplemental appropriation.

(b) TRANSFER AUTHORITY.—The Secretary of Defense may transfer amounts of authorizations made available to the Department of Defense in subsection (a) to any agency or office of the United States Government in order to implement the projects for which the Vieques supplemental appropriation is made available. The transfer authority under this section is in addition to any transfer authority provided in Public Law 106–65 or any other Act.

(c) NOTICE TO CONGRESS.— The advance notice required by the Vieques supplemental appropriation of each proposed transfer shall also be submitted to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(d) DEFINITION.—In this section, the term ''Vieques supplemental appropriation'' means the paragraph under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' in chapter 1 of title I of the Emergency Supplemental Act, 2000 (division B of Public Law 106–246; 114 Stat. 525).

SEC. 1502. CONVEYANCE OF NAVAL AMMUNITION SUPPORT DETACHMENT, VIEQUES ISLAND.

(a) CONVEYANCE REQUIRED.—

(1) PROPERTY TO BE CONVEYED.—The Secretary of the Navy shall convey, without consideration, to the Municipality of Vieques, Puerto Rico, all right, title, and interest of the United States in and to the land constituting the Naval Ammunition Support Detachment located on the western end of the island of Vieques, Puerto Rico, except for—

(A) the property that is exempt from conveyance under section 1506;

(B) the property that is required to be transferred to the Secretary of the Interior under section 1508(a); and

(C) any property that is conveyed pursuant to section 1508(b).

(2) TIME FOR CONVEYANCE.—The Secretary of the Navy shall complete the conveyance required by paragraph (1) not later than May 1, 2001.

(b) DESCRIPTION OF PROPERTY.—The Secretary of the Navy, in consultation with the Secretary of the Interior on issues relating to natural resource protection under section 1508, shall determine the exact acreage and legal description of the property required to be conveyed pursuant to subsection (a), including the legal description of any easements, rights of way, and other interests that are retained pursuant to section 1506.

(c) ENVIRONMENTAL RESTORATION.—

(1) OBJECTIVE OF CONVEYANCE.—An important objective of the conveyance required by this section is to promote timely redevelopment of the conveyed property in a manner that enhances employment opportunities and economic redevelopment, consistent with all applicable environmental requirements and in full consultation with the Governor of Puerto Rico, for the benefit of the residents of the island of Vieques.

(2) CONVEYANCE DESPITE RESPONSE NEED.—If the Secretary of the Navy, by May 1, 2001, is unable to provide the covenant required by subparagraph (A)(ii)(I) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)) with respect to the property to be conveyed, the Secretary shall still complete the conveyance by that date, as required by subsection (a)(2). The Secretary shall remain responsible for completing all response actions required under such Act. Upon completion of such response actions, the Secretary shall execute and deliver to the transferee the warranty referred to in subparagraph (C)(iii) of such section. The completion of the response actions shall not be delayed on account of the conveyance.

(3) CONTINUED NAVY RESPONSIBILITY.—Consistent with existing Navy and legal requirements, the Secretary of the Navy shall remain responsible for the environmental condition of the property, and neither the Commonwealth of Puerto Rico nor the Municipality of Vieques shall be responsible for such condition existing at the time of the conveyance.

(4) SAVINGS CLAUSE.—All response actions with respect to the property to be conveyed shall take place in compliance with current law.

(d) CONTROL OF CONVEYED PROPERTY.—The government of the Municipality of Vieques, acting through the elected officials of that government, shall have the power to administer, manage, and control the property conveyed under subsection (a) in any manner determined by the government of the Municipality of Vieques as being most advantageous to the majority of the residents of the island of Vieques (consistent with the laws of the United States).

(e) INDEMNIFICATION.—

(1) ENTITIES AND PERSONS COVERED; EXTENT.—(A) Except as provided in subparagraph (C), and subject to paragraph (2), the Secretary of Defense shall hold harmless, defend, and indemnify in full the persons and entities described in subparagraph (B) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or economic loss) that results from, or is in any manner predicated upon, the release or threatened release (after the conveyance is made under subsection (a)) of any hazardous substance or pollutant or contaminant as a result of Department of Defense activities at those parts of the Naval Ammunition Support Detachment conveyed pursuant to subsection (a).

(B) The persons and entities described in this paragraph are the following:

(i) The Commonwealth of Puerto Rico (including any officer, agent, or employee of the Commonwealth of Puerto Rico).

(ii) The Municipality of Vieques, Puerto Rico, and any other political subdivision of the Commonwealth of Puerto Rico that acquires such ownership or control (including any officer, agent, or employee of that Municipality or other political subdivision).

(iii) Any other person or entity that acquires such ownership or control.

(iv) Any successor, assignee, transferee, lender, or lessee of a person or entity described in clauses (i) through (iii).

(C) To the extent the persons and entities described in subparagraph (B) contributed to any such release or threatened release, subparagraph (A) shall not apply.

(2) CONDITIONS ON INDEMNIFICATION.—No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification—

(A) notifies the Secretary of Defense in writing within two years after such claim accrues or begins action within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Secretary of Defense;

(B) furnishes to the Secretary of Defense copies of pertinent papers the entity receives;

(C) furnishes evidence of proof of any claim, loss, or damage covered by this subsection; and

(D) provides, upon request by the Secretary of Defense, access to the records and personnel of the entity for purposes of defending or settling the claim or action.

(3) RESPONSIBILITIES OF SECRETARY OF DEFENSE.—(A) In any case in which the Secretary of Defense determines that the Department of Defense may be required to make indemnification payments to a person under this subsection for any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage referred to in paragraph (1)(A), the Secretary may settle or defend, on behalf of that person, the claim for personal injury or property damage.

(B) In any case described in subparagraph (A), if the person to whom the Department of Defense may be required to make indemnification payments does not allow the Secretary of Defense to settle or defend the claim, the person may not be afforded indemnification with respect to that claim under this subsection.

(4) ACCRUAL OF ACTION.—For purposes of paragraph (2)(A), the date on which a claim accrues is the date on which the plaintiff knew (or reasonably should have known) that the personal injury or property damage referred to in paragraph (1) was caused or contributed to by the release or threatened release of a hazardous substance or pollutant or contaminant as a result of Department of Defense activities at any part of the Naval Ammunition Support Detachment conveyed pursuant to subsection (a).

(5) RELATIONSHIP TO OTHER LAWS.—Nothing in this subsection shall be construed as affecting or modifying in any way subsection 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(6) DEFINITIONS.—In this subsection, the terms ''hazardous substance'', ''release'', and ''pollutant or contaminant'' have the meanings given such terms under paragraphs (9), (14), (22), and (33) of section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

SEC. 1503. DETERMINATION REGARDING CONTINUATION OF NAVY TRAINING.

(a) REFERENDUM.—

(1) REQUIREMENT.—Except as provided in paragraph (2), the President shall provide for a referendum to be conducted on the island of Vieques, Puerto Rico, to determine by a majority of the votes cast in the referendum by the Vieques electorate whether the people of Vieques approve or disapprove of the continuation of the conduct of live-fire training, and any other types of training, by the Armed Forces at the Navy's training sites on the island under the conditions described in subsection (d).

(2) EXCEPTION.—If the Chief of Naval Operations and the Commandant of the Marine Corps jointly submit to the congressional defense committees, after the date of the enactment of this Act and before the date set forth in subsection (c), their certification that the Vieques Naval Training Range is no longer needed for training by the Navy and the Marine Corps, then the requirement for a referendum under paragraph (1) shall cease to be effective on the date on which the certification is submitted.

(b) PROHIBITION OF OTHER PROPOSITIONS.—In the referendum under this section, no proposition or option may be presented as an alternative to the propositions of approval and of disapproval of the continuation of the conduct of training as described in subsection (a)(1).

(c) TIME FOR REFERENDUM.—The referendum required under this section shall be held on May 1, 2001, or within 270 days before such date or 270 days after such date. The Secretary of the Navy shall publicize the date set for the referendum 90 days before that date.

(d) REQUIRED TRAINING CONDITIONS.—For the purposes of the referendum under this section, the conditions for the continuation of the conduct of training are those that are proposed by the Secretary of the Navy and publicized on the island of Vieques in connection with, and for a reasonable period in advance of, the referendum. The conditions shall include the following:

(1) LIVE-FIRE TRAINING.—A condition that the training may include live-fire training.

(2) MAXIMUM ANNUAL DAYS OF USE.—A condition that the training may be conducted on not more than 90 days each year.

(e) PROCLAMATION OF OUTCOME.—Promptly after the referendum is completed under this section, the President shall determine, and issue a proclamation declaring, the outcome of the referendum. The President's determination shall be final, and the outcome of the referendum (as so determined) shall be binding.

(f) VIEQUES ELECTORATE DEFINED.—

(1) REGISTERED VOTERS.—In this section, the term ''Vieques electorate'', with respect to a referendum under this section, means the residents of the island of Vieques, Puerto Rico, who, on both dates specified in paragraph (2), are registered to vote in a general election held for casting ballots for the election of the Resident Commissioner of the Commonwealth of Puerto Rico.

(2) REGISTRATION DATES.—The dates referred to in paragraph (1) are as follows:

(A) November 7, 2000.

(B) The date that is 180 days before the date of the referendum under this section.

SEC. 1504. ACTIONS IF TRAINING IS APPROVED.

(a) CONDITION FOR EFFECTIVENESS.—This section shall take effect on the date on which the President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has been approved in the referendum conducted under such section.

(b) AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL ECONOMIC ASSISTANCE.—There is authorized to be appropriated to the President $50,000,000 to provide economic assistance for the people and communities of the island of Vieques. This authorization of appropriations is in addition to the amount authorized to appropriated to provide economic assistance under section 1501.

(c) TRAINING RANGE TO REMAIN OPEN.—The Vieques Naval Training Range shall remain available for the use of the Armed Forces, including for live-fire training.

SEC. 1505. REQUIREMENTS IF TRAINING IS NOT APPROVED OR MANDATE FOR REFERENDUM IS VITIATED.

(a) CONDITIONS FOR EFFECTIVENESS.—This section shall take effect on the date on which either of the following occurs:

(1) The President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has not been approved in the referendum conducted under such section.

(2) The requirement for a referendum under section 1503 ceases to be effective pursuant to subsection (a)(2) of such section.

(b) ACTIONS REQUIRED OF SECRETARY OF DEFENSE.—

(1) TERMINATION OF OPERATION.—Not later than May 1, 2003, the Secretary of Defense shall—

(A) terminate all Navy and Marine Corps training operations on the island of Vieques; and

(B) terminate all Navy and Marine Corps operations at Naval Station Roosevelt Roads, Puerto Rico, that are related exclusively to the use of the training range on the island of Vieques by the Navy and the Marine Corps.

(2) RELOCATION OF UNITS.—The Secretary of Defense may relocate the units of the Armed Forces (other than those of the reserve components) and activities of the Department of Defense (including nonappropriated fund activities) at Fort Buchanan, Puerto Rico, to Naval Station Roosevelt Roads, Puerto Rico, to ensure maximum utilization of capacity.

(3) CLOSURE OF INSTALLATIONS AND FACILITIES.—The Secretary of Defense shall close the Department of Defense installations and facilities on the island of Vieques, other than properties exempt from conveyance and transfer under section 1506.

(c) ACTIONS REQUIRED OF SECRETARY OF THE NAVY.—The Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior—

(1) the Live Impact Area on the island of Vieques;

(2) all Department of Defense real properties on the eastern side of the island that are identified as conservation zones; and

(3) all other Department of Defense real properties on the eastern side of the island.

(d) ACTIONS REQUIRED OF SECRETARY OF THE INTERIOR.—

(1) RETENTION AND ADMINISTRATION.—The Secretary of the Interior shall retain, and may not dispose of any of, the properties transferred under paragraphs (2) and (3) of subsection (c) and shall administer such properties as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) pending the enactment of a law that addresses the disposition of such properties.

(2) RESPONSIBILITY FOR LIVE IMPACT AREA.—Upon a termination of Navy and Marine Corps training operations on the island of Vieques under subsection (b)(1), the Secretary of the Interior shall assume responsibility for the administration of the Live Impact Area, administer that area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), and deny public access to the area.

(3) LIVE IMPACT AREA DEFINED.—In this section, the term ''Live Impact Area'' means the parcel of real property, consisting of approximately 900 acres (more or less), on the island of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of forces of the Navy and Marine Corps.

(e) GAO REVIEW.—

(1) REQUIREMENT FOR REVIEW.—The Comptroller General shall review the requirement for the continued use of Fort Buchanan, Puerto Rico, by active Army forces and shall submit to the congressional defense committees a report containing—

(A) the findings resulting from the review; and

(B) recommendations regarding the closure of Fort Buchanan and the consolidation of units of the Armed Forces to Naval Station Roosevelt Roads, Puerto Rico.

(2) TIME FOR SUBMITTAL OF REPORT.—The Comptroller General shall submit the report under paragraph (1) not later than one year after the date on which the referendum under section 1503 is conducted or one year after the date on which a certification is submitted to the congressional defense committees under subsection (a)(2) of such section, as the case may be.

SEC. 1506. CERTAIN PROPERTIES EXEMPT FROM CONVEYANCE OR TRANSFER.

(a) EXEMPT PROPERTY.—The Department of Defense properties and property interests described in subsection (b) may not be conveyed or transferred out of the Department of Defense under this title.

(b) PROPERTIES DESCRIBED.—The exemption under subsection (a) applies to the following Department of Defense properties and property interests on the island of Vieques, Puerto Rico:

(1) ROTHR SITE.—The site for relocatable over-the-horizon radar.

(2) TELECOMMUNICATIONS SITES.—The Mount Pirata telecommunications sites.

(3) ASSOCIATED INTERESTS.—Any easements, rights-of-way, and other interests in property that the Secretary of the Navy determines necessary for—

(A) ensuring access to the properties referred to in paragraphs (1) and (2);

(B) providing utilities for such properties;

(C) ensuring the security of such properties; and

(D) ensuring effective maintenance and operations on such properties.

(4) REMEDIATION ACTIVITIES.—Any easements, rights-of-way, and other interests in property that the Secretary of the Navy determines necessary for protecting human health and the environment in the discharge of the Secretary's responsibilities for environmental remediation under section 1502(c), until such time as these responsibilities are completed.

SEC. 1507. MORATORIUM ON IMPROVEMENTS AT FORT BUCHANAN.

(a) IN GENERAL.—Except as provided in subsection (b), no acquisition, construction, conversion, rehabilitation, extension, or improvement of any facility at Fort Buchanan, Puerto Rico, may be initiated or continued on or after the date of the enactment of this Act.

(b) EXCEPTIONS.—The prohibition in subsection (a) does not apply to the following:

(1) Actions necessary to maintain the existing facilities (including utilities) at Fort Buchanan.

(2) The construction of reserve component and nonappropriated fund facilities authorized before the date of the enactment of this Act.

(c) TERMINATION.—This section shall cease to be effective upon the issuance of a proclamation described in section 1504(a) or the enactment of a law, after the date of the enactment of this Act, that authorizes any acquisition, construction, conversion, rehabilitation, extension, or improvement of any facility at Fort Buchanan, Puerto Rico.

SEC. 1508. TRANSFER AND MANAGEMENT OF CONSERVATION ZONES.

(a) TRANSFER TO SECRETARY OF THE INTERIOR.—

(1) TRANSFER REQUIRED.—Except as provided in section 1506, the Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior all Department of Defense real properties on the western end of the Vieques Island, consisting of a total of approximately 3,100 acres, that are designated as Conservation Zones in section IV of the 1983 Memorandum of Understanding between the Commonwealth of Puerto Rico and the Secretary of the Navy.

(2) TIME FOR TRANSFER.—The Secretary of the Navy shall complete the transfer required by paragraph (1) not later than May 1, 2001.

(b) CONVEYANCE TO CONSERVATION TRUST.—

(1) CONVEYANCE REQUIRED.—Except as provided in section 1506 and subject to paragraph (2), the Secretary of the Navy shall convey, without consideration, to the Puerto Rico Conservation Trust the additional Conservation Zones, consisting of a total of approximately 800 acres, identified in Alternative 1 in the Draft Environmental Assessment for the proposed transfer of Naval Ammunition Support Detachment property, Vieques, Puerto Rico, prepared by the Department of the Navy, as described in the Federal Register of August 28, 2000 (65 Fed. Reg. 52100).

(2) TIME FOR CONVEYANCE.—The Secretary of the Navy shall complete the conveyance required by paragraph (1) not later than May 1, 2001, except that paragraph (1) shall apply only to those portions of the lands described in such paragraph that the Commonwealth of Puerto Rico, the Secretary of the Interior, and the Puerto Rico Conservation Trust mutually agree, before that date, to—

(A) include in the cooperative agreement under subsection (d)(2); and

(B) manage under standards consistent with the standards in subsection (c) applicable to the lands transferred under subsection (a).

(c) ADMINISTRATION OF PROPERTIES AS WILDLIFE REFUGES.—The Secretary of the Interior shall administer as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) the Conservation Zones transferred to the Secretary under subsection (a).

(d) COOPERATIVE AGREEMENT.—

(1) REQUIRED; PARTIES.—The Secretary of the Interior shall manage the Conservation Zones transferred under subsection (a) pursuant to a cooperative agreement among the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior.

(2) INCLUSION OF ADJACENT AREAS.—Areas adjacent to the Conservation Zones transferred under subsection (a) shall be considered for inclusion under the cooperative agreement. Subject to the mutual agreement of the Commonwealth of Puerto Rico, the Secretary of the Interior, and the Puerto Rico Conservation Trust, such adjacent areas may be included under the cooperative agreement, except that the total acreage so included under this paragraph may not exceed 800 acres. This determination of inclusion of lands shall be incorporated into the cooperative agreement process as set forth in paragraph (4).

(3) SEA GRASS AREA.—The Sea Grass Area west of Mosquito Pier, as identified in the 1983 Memorandum of Understanding between the Commonwealth of Puerto Rico and the Secretary of the Navy, shall be included in the cooperative agreement to be protected under the laws of the United States and the laws of the Commonwealth of Puerto Rico.

(4) MANAGEMENT PURPOSES.—All lands covered by the cooperative agreement shall be managed to protect and preserve the natural resources of the lands in perpetuity. The Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior shall follow all applicable Federal environmental laws during the creation and any subsequent amendment of the cooperative agreement, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(5) COMPLETION AND IMPLEMENTATION.—The cooperative agreement shall be completed not later than May 1, 2001. The Secretary of the Interior shall implement the terms and conditions of the cooperative agreement, which can only be amended by agreement of the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of the Interior.

TITLE XVI—GI BILL EDUCATIONAL ASSISTANCE AND VETERANS CLAIMS ASSISTANCE

Subtitle A—Veterans Education Benefits

Sec. 1601. Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery GI Bill.

Sec. 1602. Modification of authority to pay tuition for off-duty training and education.

Subtitle B—Veterans Claims Assistance

Sec. 1611. Clarification of Department of Veterans Affairs duty to assist.

Subtitle A—Veterans Education Benefits

SEC. 1601. ADDITIONAL OPPORTUNITY FOR CERTAIN VEAP PARTICIPANTS TO ENROLL IN BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.

(a) SPECIAL ENROLLMENT PERIOD.—Section 3018C of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) A qualified individual (described in paragraph (2)) may make an irrevocable election under this subsection, during the one-year period beginning on the date of the enactment of this subsection, to become entitled to basic educational assistance under this chapter. Such an election shall be made in the same manner as elections made under subsection (a)(5).

''(2) A qualified individual referred to in paragraph (1) is an individual who meets each of the following requirements:

''(A) The individual was a participant in the educational benefits program under chapter 32 of this title on or before October 9, 1996.

''(B) The individual has continuously served on active duty since October 9, 1996 (excluding the periods referred to in section 3202(1)(C) of this title), through at least April, 1, 2000.

''(C) The individual meets the requirements of subsection (a)(3).

''(D) The individual, when discharged or released from active duty, is discharged or released therefrom with an honorable discharge.

''(3)(A) Subject to the succeeding provisions of this paragraph, with respect to a qualified individual who makes an election under paragraph (1) to become entitled to basic education assistance under this chapter—

''(i) the basic pay of the qualified individual shall be reduced (in a manner determined by the Secretary concerned) until the total amount by which such basic pay is reduced is $2,700; and

''(ii) to the extent that basic pay is not so reduced before the qualified individual's discharge or release from active duty as specified in subsection (a)(4), at the election of the qualified individual—

''(I) the Secretary concerned shall collect from the qualified individual, or

''(II) the Secretary concerned shall reduce the retired or retainer pay of the qualified individual by,

an amount equal to the difference between $2,700 and the total amount of reductions under clause (i), which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(B)(i) The Secretary concerned shall provide for an 18-month period, beginning on the date the qualified individual makes an election under paragraph (1), for the qualified individual to pay that Secretary the amount due under subparagraph (A).

''(ii) Nothing in clause (i) shall be construed as modifying the period of eligibility for and entitlement to basic education assistance under

this chapter applicable under section 3031 of this title.

''(C) The provisions of subsection (c) shall apply to individuals making elections under this subsection in the same manner as they applied to individuals making elections under subsection (a)(5).

''(4) With respect to qualified individuals referred to in paragraph (3)(A)(ii), no amount of educational assistance allowance under this chapter shall be paid to the qualified individual until the earlier of the date on which—

''(A) the Secretary concerned collects the applicable amount under subparagraph (I) of such paragraph, or

''(B) the retired or retainer pay of the qualified individual is first reduced under subparagraph (II) of such paragraph.

''(5) The Secretary, in conjunction with the Secretary of Defense, shall provide for notice to participants in the educational benefits program under chapter 32 of this title of the opportunity under this section to elect to become entitled to basic educational assistance under this chapter.''.

(b) CONFORMING AMENDMENT.—Section 3018C(b) of such title is amended by striking ''subsection (a)'' and inserting ''subsection (a) or (e)''.

SEC. 1602. MODIFICATION OF AUTHORITY TO PAY TUITION FOR OFF-DUTY TRAINING AND EDUCATION.

(a) AUTHORITY TO PAY ALL CHARGES.—Section 2007 of title 10, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following new subsections:

''(a) Subject to subsection (b), the Secretary of a military department may pay all or a portion of the charges of an educational institution for the tuition or expenses of a member of the armed forces enrolled in such educational institution for education or training during the member's off-duty periods.

''(b) In the case of a commissioned officer on active duty, the Secretary of the military department concerned may not pay charges under subsection (a) unless the officer agrees to remain on active duty for a period of at least two years after the completion of the training or education for which the charges are paid.''; and

(2) in subsection (d)—

(A) by striking ''(within the limits set forth in subsection (a))'' in the matter preceding paragraph (1); and

(B) in paragraph (3), by striking ''subsection (a)(3)'' and inserting ''subsection (b)''.

(b) USE OF ENTITLEMENT TO ASSISTANCE UNDER MONTGOMERY GI BILL FOR PAYMENT OF CHARGES.—(1) That section is further amended by adding at the end the following new subsection:

''(e)(1) A member of the armed forces who is entitled to basic educational assistance under chapter 30 of title 38 may use such entitlement for purposes of paying any portion of the charges described in subsection (a) or (c) that are not paid for by the Secretary of the military department concerned under such subsection.

''(2) The use of entitlement under paragraph (1) shall be governed by the provisions of section 3014(b) of title 38.''.

(2) Section 3014 of title 38, United States Code, is amended—

(A) by inserting ''(a)'' before ''The Secretary''; and

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

''(b)(1) In the case of an individual entitled to basic educational assistance who is pursuing education or training described in subsection (a) or (c) of section 2007 of title 10, the Secretary shall, at the election of the individual, pay the individual a basic educational assistance allowance to meet all or a portion of the charges of the educational institution for the education or training that are not paid by the Secretary of the military department concerned under such subsection.

''(2)(A) The amount of the basic educational assistance allowance payable to an individual under this subsection for a month shall be the amount of the basic educational assistance allowance to which the individual would be entitled for the month under section 3015 of this title (without regard to subsection (g) of that section) were payment made under that section instead of under this subsection.

''(B) The maximum number of months for which an individual may be paid a basic educational assistance allowance under paragraph (1) is 36.''.

(3) Section 3015 of title 38, United States Code, is amended—

(A) by striking ''subsection (g)'' each place it appears in subsections (a) and (b);

(B) by redesignating subsection (g) as subsection (h); and

(C) by inserting after subsection (f) the following new subsection (g):

''(g) In the case of an individual who has been paid a basic educational assistance allowance under section 3014(b) of this title, the rate of the basic educational assistance allowance applicable to the individual under this section shall be the rate otherwise applicable to the individual under this section reduced by an amount equal to—

''(1) the aggregate amount of such allowances paid the individual under such section 3014(b); divided by

''(2) 36.''.

Subtitle B—Veterans Claims Assistance

SEC. 1611. CLARIFICATION OF DEPARTMENT OF VETERANS AFFAIRS DUTY TO ASSIST.

(a) IN GENERAL.—Section 5107 of title 38, United States Code, is amended to read as follows:

''§5107 Assistance to claimants; benefit of the doubt; burden of proof

''(a) The Secretary shall assist a claimant in developing all facts pertinent to a claim for benefits under this title. Such assistance shall include requesting information as described in section 5106 of this title. The Secretary shall provide a medical examination when such examination may substantiate entitlement to the benefits sought. The Secretary may decide a claim without providing assistance under this subsection when no reasonable possibility exists that such assistance will aid in the establishment of entitlement.

''(b) The Secretary shall consider all evidence and material of record in a case before the Department with respect to benefits under laws administered by the Secretary and shall give the claimant the benefit of the doubt when there is an approximate balance of positive and negative evidence regarding any issue material to the determination of the matter.

''(c) Except when otherwise provided by this title or by the Secretary in accordance with the provisions of this title, a person who submits a claim for benefits under a law administered by the Secretary shall have the burden of proof.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of that title is amended by striking the item relating to section 5017 and inserting the following new item:

''5107 Assistance to claimants; benefit of the doubt; burden of proof.''.

TITLE XVII—ASSISTANCE TO FIREFIGHTERS

Sec. 1701. Firefighter assistance.
Sec. 1702. Volunteer fire assistance program.
Sec. 1703. Burn research.
Sec. 1704. Study and demonstration projects regarding cases of hepatitis C among certain emergency response employees.
Sec. 1705. Report on progress on spectrum sharing.
Sec. 1706. Sale or donation of excess defense property to assist firefighting agencies.
Sec. 1707. Identification of defense technologies suitable for use, or conversion for use, in providing fire and emergency medical services.

SEC. 1701. FIREFIGHTER ASSISTANCE.

(a) IN GENERAL.—The Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) is amended by adding at the end the following new section:

''SEC. 33. FIREFIGHTER ASSISTANCE.

''(a) DEFINITION OF FIREFIGHTING PERSONNEL.—In this section, the term 'firefighting personnel' means individuals, including volunteers, who are firefighters, officers of fire departments, or emergency medical service personnel of fire departments.

''(b) ASSISTANCE PROGRAM.—

''(1) AUTHORITY.—In accordance with this section, the Director may—

''(A) make grants on a competitive basis directly to fire departments of a State, in consultation with the chief executive of the State, for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

''(B) provide assistance for fire prevention programs in accordance with paragraph (4).

''(2) OFFICE FOR ADMINISTRATION OF ASSISTANCE.—

''(A) ESTABLISHMENT.—Before providing assistance under paragraph (1), the Director shall establish an office in the Federal Emergency Management Agency to administer the assistance under this section.

''(B) INCLUDED DUTIES.—The duties of the office shall include the following:

''(i) RECIPIENT SELECTION CRITERIA.—To establish specific criteria for the selection of recipients of the assistance under this section.

''(ii) GRANT-WRITING ASSISTANCE.—To provide grant-writing assistance to applicants.

''(3) USE OF FIRE DEPARTMENT GRANT FUNDS.—The Director may make a grant under paragraph (1)(A) only if the applicant for the grant agrees to use the grant funds—

''(A) to hire additional firefighting personnel;

''(B) to train firefighting personnel in firefighting, emergency response, arson prevention and detection, or the handling of hazardous materials, or to train firefighting personnel to provide any of the training described in this subparagraph;

''(C) to fund the creation of rapid intervention teams to protect firefighting personnel at the scenes of fires and other emergencies;

''(D) to certify fire inspectors;

''(E) to establish wellness and fitness programs for firefighting personnel to ensure that the firefighting personnel can carry out their duties;

''(F) to fund emergency medical services provided by fire departments;

''(G) to acquire additional firefighting vehicles, including fire trucks;

''(H) to acquire additional firefighting equipment, including equipment for communications and monitoring;

''(I) to acquire personal protective equipment required for firefighting personnel by the Occupational Safety and Health Administration, and other personal protective equipment for firefighting personnel;

''(J) to modify fire stations, fire training facilities, and other facilities to protect the health and safety of firefighting personnel;

''(K) to enforce fire codes;

''(L) to fund fire prevention programs;

''(M) to educate the public about arson prevention and detection; or

''(N) to provide incentives for the recruitment and retention of volunteer firefighting personnel for volunteer firefighting departments and other firefighting departments that utilize volunteers.

''(4) FIRE PREVENTION PROGRAMS.—

''(A) IN GENERAL.—For each fiscal year, the Director shall use not less than 5 percent of the funds made available under subsection (e)—

''(i) to make grants to fire departments for the purpose described in paragraph (3)(L); and

''(ii) to make grants to, or enter into contracts or cooperative agreements with, national, State, local, or community organizations that are recognized for their experience and expertise with respect to fire prevention or fire safety programs and activities, for the purpose of carrying out fire prevention programs.

''(B) PRIORITY.—In selecting organizations described in subparagraph (A)(ii) to receive assistance under this paragraph, the Director shall give priority to organizations that focus on prevention of injuries to children from fire.

''(5) APPLICATION.—The Director may provide assistance to a fire department or organization under this subsection only if the fire department or organization seeking the assistance submits to the Director an application that meets the following requirements:

''(A) FORM.—The application shall be in such form as the Director may require.

''(B) INFORMATION.—The application shall include the following information:

''(i) FINANCIAL NEED.—Information that demonstrates the financial need of the applicant for the assistance for which applied.

''(ii) COST-BENEFIT ANALYSIS.—An analysis of the costs and benefits, with respect to public safety, of the use of the assistance.

''(iii) REPORTING SYSTEMS DATA.—An agreement to provide information to the national fire incident reporting system for the period covered by the assistance.

''(iv) OTHER INFORMATION.—Any other information that the Director may require.

''(6) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Director may provide assistance under this subsection only if the applicant for the assistance agrees to match with an equal amount of non-Federal funds 30 percent of the assistance received under this subsection for any fiscal year.

''(B) REQUIREMENT FOR SMALL COMMUNITY ORGANIZATIONS.—In the case of an applicant whose personnel serve jurisdictions of 50,000 or fewer residents, the percent applied under the matching requirement of subparagraph (A) shall be 10 percent.

''(7) MAINTENANCE OF EXPENDITURES—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to maintain in the fiscal year for which the assistance will be received the applicant's aggregate expenditures for the uses described in paragraph (3) or (4) at or above the average level of such expenditures in the two fiscal years preceding the fiscal year for which the assistance will be received.

''(8) REPORT TO THE DIRECTOR.—The Director may provide assistance under this subsection only if the applicant for the assistance agrees to submit to the Director a report, including a description of how the assistance was used, with respect to each fiscal year for which the assistance was received.

''(9) VARIETY OF FIRE DEPARTMENT GRANT RECIPIENTS.—The Director shall ensure that grants under paragraph (1)(A) for a fiscal year are made to a variety of fire departments, including, to the extent that there are eligible applicants—

''(A) paid, volunteer, and combination fire departments;

''(B) fire departments located in communities of varying sizes; and

''(C) fire departments located in urban, suburban, and rural communities.

''(10) GRANT LIMITATIONS.—

''(A) RECIPIENT LIMITATION.—A grant recipient under this section may not receive more than $750,000 under this section for any fiscal year.

''(B) LIMITATION ON EXPENDITURES FOR FIREFIGHTING VEHICLES.—Not more than 25 percent of the funds appropriated to provide grants under this section for a fiscal year may be used to assist grant recipients to purchase vehicles, as authorized by paragraph (3)(G).

''(11) RESERVATION OF GRANT FUNDS FOR VOLUNTEER DEPARTMENTS.—In making grants to firefighting departments, the Director shall ensure that those firefighting departments that have either all-volunteer forces of firefighting personnel or combined forces of volunteer and professional firefighting personnel receive a proportion of the total grant funding that is not less than the proportion of the United States population that those firefighting departments protect.

''(c) AUDITS.—A recipient of a grant under this section shall be subject to audits to ensure that the grant proceeds are expended for the intended purposes and that the grant recipient complies with the requirements of paragraphs (6) and (7) of subsection (b).

''(d) STATE DEFINED.—In this section, the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of this section amounts as follows:

''(1) $100,000,000 for fiscal year 2001.

''(2) $300,000,000 for fiscal year 2002.''.

(b) STUDY ON NEED FOR FEDERAL ASSISTANCE TO STATE AND LOCAL COMMUNITIES TO FUND FIREFIGHTING AND EMERGENCY RESPONSE ACTIVITIES.—

(1) REQUIREMENT FOR STUDY.—The Director of the Federal Emergency Management Agency shall conduct a study in conjunction with the National Fire Protection Association to—

(A) define the current role and activities associated with the fire services;

(B) determine the adequacy of current levels of funding; and

(C) provide a needs assessment to identify shortfalls.

(2) TIME FOR COMPLETION OF STUDY; REPORT.—The Director shall complete the study under paragraph (1), and submit a report on the results of the study to Congress, within 18 months after the date of the enactment of this Act.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Emergency Management Agency $300,000 for fiscal year 2001 to carry out the study required by paragraph (1).

SEC. 1702. VOLUNTEER FIRE ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Agriculture for carrying out paragraphs (1) through (3) of section 10(b) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(b)(1)-(3)) amounts as follows:

(1) $10,000,000 for fiscal year 2001.

(2) $20,000,000 for fiscal year 2002.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Agriculture shall submit a report to Congress on the results of the assistance provided under the provisions of law for which funds are authorized for appropriations under subsection (a).

(2) CONTENT.—The report shall contain the following:

(A) A list of the organizations that received funds authorized for appropriations under subsection (a) and the purpose for which those organizations were provided the funds.

(B) Efforts taken to ensure that potential recipients are provided with information necessary to develop an effective application.

(C) The Secretary's assessment regarding the appropriate level of funding that should be provided annually through the assistance program.

(D) The Secretary's assessment regarding the appropriate purposes for such assistance.

(E) Any other information the Secretary determines necessary.

(3) SUBMISSION DATE.—The report shall be submitted not later than February 1, 2002.

SEC. 1703. BURN RESEARCH.

(a) OFFICE.—The Director of the Federal Emergency Management Agency shall establish an office in the Agency to establish specific criteria of grant recipients and to administer grants under this section.

(b) SAFETY ORGANIZATION GRANTS.—The Director may make grants, on a competitive basis, to safety organizations that have experience in conducting burn safety programs for the purpose of assisting those organizations in conducting burn prevention programs or augmenting existing burn prevention programs.

(c) HOSPITAL GRANTS.—The Director may make grants, on a competitive basis, to hospitals that serve as regional burn centers to conduct acute burn care research.

(d) OTHER GRANTS.—The Director may make grants, on a competitive basis, to governmental and nongovernmental entities to provide afterburn treatment and counseling to individuals that are burn victims.

(e) REPORT.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of the grants provided under this section.

(2) CONTENT.—The report shall contain the following:

(A) A list of the organizations, hospitals, or other entities to which the grants were provided and the purpose for which those entities were provided grants.

(B) Efforts taken to ensure that potential grant applicants are provided with information necessary to develop an effective application.

(C) The Director's assessment regarding the appropriate level of funding that should be provided annually through the grant program.

(D) The Director's assessment regarding the appropriate purposes for such grants.

(E) Any other information the Director determines necessary.

(3) SUBMISSION DATE.—The report shall be submitted not later than February 1, 2002.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purposes of this section amounts as follows:

(1) $10,000,000 for fiscal year 2001.

(2) $20,000,000 for fiscal year 2002.

SEC. 1704. STUDY AND DEMONSTRATION PROJECTS REGARDING CASES OF HEPATITIS C AMONG CERTAIN EMERGENCY RESPONSE EMPLOYEES.

(a) STUDY REGARDING PREVALENCE AMONG CERTAIN EMERGENCY RESPONSE EMPLOYEES.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), in consultation with the Secretary of Labor, shall conduct a study to determine—

(A) an estimate of the prevalence of hepatitis C among designated emergency response employees in the United States; and

(B) the likely means through which such employees become infected with such disease in the

course of performing their duties as such employees.

(2) DESIGNATED EMERGENCY RESPONSE EMPLOYEES.—For purposes of this section, the term ''designated emergency response employees'' means firefighters, paramedics, and emergency medical technicians who are employees or volunteers of units of local government.

(3) DATE CERTAIN FOR COMPLETION; REPORT TO CONGRESS.—The Secretary shall commence the study under paragraph (1) not later than 90 days after the date of the enactment of this Act. Not later that one year after such date, the Secretary shall complete the study and submit to the Congress a report describing the findings of the study.

(b) DEMONSTRATION PROJECTS REGARDING TRAINING AND TREATMENT.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall make grants to qualifying local governments for the purpose of carrying out demonstration projects that (directly or through arrangements with nonprofit private entities) carry out each of the following activities:

(A) Training designated emergency response employees in minimizing the risk of infection with hepatitis C in performing their duties as such employees.

(B) Testing such employees for infection with the disease.

(C) Treating the employees for the disease.

(2) QUALIFYING LOCAL GOVERNMENTS.—For purposes of this section, the term ''qualifying local government'' means a unit of local government whose population of designated emergency response employees has a prevalence of hepatitis C that is not less than 200 percent of the national average for the prevalence of such disease in such populations.

(3) CONFIDENTIALITY.—A grant may be made under paragraph (1) only if the qualifying local government involved agrees to ensure that information regarding the testing or treatment of designated emergency response employees pursuant to the grant is maintained confidentially in a manner not inconsistent with applicable law.

(4) EVALUATIONS.—The Secretary shall provide for an evaluation of each demonstration project under paragraph (1) in order to determine the extent to which the project has been effective in carry out the activities described in such paragraph.

(5) REPORT TO CONGRESS.—Not later than 180 days after the date on which all grants under paragraph (1) have been expended, the Secretary shall submit to Congress a report providing—

(A) a summary of evaluations under paragraph (4); and

(B) the recommendations of the Secretary for administrative or legislative initiatives regarding the activities described in paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated to the Department of Health and Human Services and the Department of Labor $10,000,000 for fiscal year 2001.

SEC. 1705. REPORT ON PROGRESS ON SPECTRUM SHARING.

(a) STUDY REQUIRED.—The Secretary of Defense, in consultation with the Attorney General and the Secretary of Commerce, shall provide for the conduct of an engineering study to identify—

(1) any portion of the 138-144 megahertz band that the Department of Defense can share in various geographic regions with public safety radio services;

(2) any measures required to prevent harmful interference between Department of Defense systems and the public safety systems proposed for operation on those frequencies; and

(3) a reasonable schedule for implementation of such sharing of frequencies.

(b) SUBMISSION OF INTERIM REPORT.—Within one year after the date of enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an interim report on the progress of the study conducted pursuant to subsection (a).

(c) REPORT.—Not later than January 1, 2002, the Secretary of Commerce and the Chairman of the Federal Communications Commission shall jointly submit a report to Congress on alternative frequencies available for use by public safety systems.

SEC. 1706. SALE OR DONATION OF EXCESS DEFENSE PROPERTY TO ASSIST FIREFIGHTING AGENCIES.

(a) TRANSFER AUTHORIZED.—Chapter 153 of title 10, United States Code, is amended by inserting after section 2576a the following new section:

''§2576b. Excess personal property: sale or donation to assist firefighting agencies

''(a) TRANSFER AUTHORIZED.—Subject to subsection (b), the Secretary of Defense may transfer to a firefighting agency in a State any personal property of the Department of Defense that the Secretary determines is—

''(1) excess to the needs of the Department of Defense; and

''(2) suitable for use in providing fire and emergency medical services, including personal protective equipment and equipment for communication and monitoring.

''(b) CONDITIONS FOR TRANSFER.—The Secretary of Defense may transfer personal property under this section only if—

''(1) the property is drawn from existing stocks of the Department of Defense;

''(2) the recipient firefighting agency accepts the property on an as-is, where-is basis;

''(3) the transfer is made without the expenditure of any funds available to the Department of Defense for the procurement of defense equipment; and

''(4) all costs incurred subsequent to the transfer of the property are borne or reimbursed by the recipient.

''(c) CONSIDERATION.—Subject to subsection (b)(4), the Secretary may transfer personal property under this section without charge to the recipient firefighting agency.

''(d) DEFINITIONS.—In this section:

''(1) STATE.—The term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States.

''(2) FIREFIGHTING AGENCY.—The term 'firefighting agency' means any volunteer, paid, or combined departments that provide fire and emergency medical services.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2576a the following new item:

''2576b. Excess personal property: sale or donation to assist firefighting agencies.''.

SEC. 1707. IDENTIFICATION OF DEFENSE TECHNOLOGIES SUITABLE FOR USE, OR CONVERSION FOR USE, IN PROVIDING FIRE AND EMERGENCY MEDICAL SERVICES.

(a) APPOINTMENT OF TASK FORCE; PURPOSE.—The Secretary of Defense shall appoint a task force consisting of representatives from the Department of Defense and each of the seven major fire organizations identified in subsection (b) to identify defense technologies and equipment that—

(1) can be readily put to civilian use by fire service and the emergency response agencies; and

(2) can be transferred to these agencies using the authority provided by section 2576b of title 10, United States Code, as added by section 1706 of this Act.

(b) PARTICIPATING MAJOR FIRE ORGANIZATIONS.—Members of the task force shall be appointed from each of the following:

(1) The International Association of Fire Chiefs.

(2) The International Association of Fire Fighters.

(3) The National Volunteer Fire Council.

(4) The International Association of Arson Investigators.

(5) The International Society of Fire Service Instructors.

(6) The National Association of State Fire Marshals.

(7) The National Fire Protection Association.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Defense for activities of the task force $1,000,000 for fiscal year 2001.

TITLE XVIII—IMPACT AID

Sec. 1801. Short title.
Sec. 1802. Purpose.
Sec. 1803. Payments relating to Federal acquisition of real property.
Sec. 1804. Payments for eligible federally connected children.
Sec. 1805. Maximum amount of basic support payments.
Sec. 1806. Basic support payments for heavily impacted local educational agencies.
Sec. 1807. Basic support payments for local educational agencies affected by removal of Federal property.
Sec. 1808. Additional payments for local educational agencies with high concentrations of children with severe disabilities.
Sec. 1809. Application for payments under sections 8002 and 8003.
Sec. 1810. Payments for sudden and substantial increases in attendance of military dependents.
Sec. 1811. Construction.
Sec. 1812. State consideration of payments in providing State aid.
Sec. 1813. Federal administration.
Sec. 1814. Administrative hearings and judicial review.
Sec. 1815. Forgiveness of overpayments.
Sec. 1816. Definitions.
Sec. 1817. Authorization of appropriations.
Sec. 1818. Effective date.

SEC. 1801. SHORT TITLE.

This title may be cited as the ''Impact Aid Reauthorization Act of 2000''.

SEC. 1802. PURPOSE.

Section 8001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting after ''educational services to federally connected children'' the following: ''in a manner that promotes control by local educational agencies with little or no Federal or State involvement''; and

(B) by inserting after ''certain activities of the Federal Government'' the following: '', such as activities to fulfill the responsibilities of the Federal Government with respect to Indian tribes and activities under section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 574),'';

(2) in paragraph (4), by adding ''or'' at the end;

(3) by striking paragraph (5);

(4) by redesignating paragraph (6) as paragraph (5); and

(5) in paragraph (5) (as redesignated), by inserting before the period at the end the following: ''and because of the difficulty of raising

local revenue through bond referendums for capital projects due to the inability to tax Federal property''.

SEC. 1803. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

(a) FISCAL YEAR REQUIREMENT.—Section 8002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)) is amended in the matter preceding paragraph (1) by striking ''1999'' and inserting ''2003''.

(b) AMOUNT.—

(1) PROHIBITION ON REDUCTION IN AMOUNT OF PAYMENT.—Section 8002(b)(1)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(A)(i)) is amended—

(A) by striking ''(i) The amount'' and inserting ''(i)(I) Subject to subclauses (II) and (III), the amount'';

(B) by striking '', except that'' and all that follows through ''Federal property''; and

(C) by adding at the end the following:

''(II) Except as provided in subclause (III), the Secretary may not reduce the amount of a payment under this section to a local educational agency for a fiscal year by (aa) the amount equal to the amount of revenue, if any, the agency received during the previous fiscal year from activities conducted on Federal property eligible under this section and located in a school district served by the agency, including amounts received from any Federal department or agency (other than the Department of Education) from such activities, by reason of receipt of such revenue, or (bb) any other amount by reason of receipt of such revenue.

''(III) If the amount equal to the sum of (aa) the proposed payment under this section to a local educational agency for a fiscal year and (bb) the amount of revenue described in subclause (II)(aa) received by the agency during the previous fiscal year, exceeds the maximum amount the agency is eligible to receive under this section for the fiscal year involved, then the Secretary shall reduce the amount of the proposed payment under this section by an amount equal to such excess amount.''.

(2) INSUFFICIENT FUNDS.—Section 8002(b)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(B)) is amended by striking ''shall ratably reduce the payment to each eligible local educational agency'' and inserting ''shall calculate the payment for each eligible local educational agency in accordance with subsection (h)''.

(3) MAXIMUM AMOUNT.—Section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by adding at the end before the period the following: '', or the maximum amount that such agency is eligible to receive for such fiscal year under this section, whichever is greater''.

(c) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8002(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)) is amended to read as follows:

''(h) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For any fiscal year for which the amount appropriated under section 8014(a) is insufficient to pay to each eligible local educational agency the full amount determined under subsection (b), the Secretary shall make payments to each local educational agency under this section as follows:

''(1) FOUNDATION PAYMENTS FOR PRE-1995 RECIPIENTS.—

''(A) IN GENERAL.—The Secretary shall first make a foundation payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved and was eligible to receive a payment under section 2 of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of the enactment of the Improving America's Schools Act of 1994) for any of the fiscal years 1989 through 1994.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be equal to 38 percent of the local educational agency's maximum entitlement amount under section 2 of the Act of September 30, 1950, for fiscal year 1994 (or if the local educational agency was not eligible to receive a payment under such section 2 for fiscal year 1994, the local educational agency's maximum entitlement amount under such section 2 for the most recent fiscal year preceding 1994).

''(C) INSUFFICIENT APPROPRIATIONS.—If the amount appropriated under section 8014(a) is insufficient to pay the full amount determined under this paragraph for all eligible local educational agencies for the fiscal year, then the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

''(2) PAYMENTS FOR 1995 RECIPIENTS.—

''(A) IN GENERAL.—From any amounts remaining after making payments under paragraph (1) for the fiscal year involved, the Secretary shall make a payment to each eligible local educational agency that received a payment under this section for fiscal year 1995.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

''(i) Calculate the difference between the amount appropriated to carry out this section for fiscal year 1995 and the total amount of foundation payments made under paragraph (1) for the fiscal year.

''(ii) Determine the percentage share for each local educational agency that received a payment under this section for fiscal year 1995 by dividing the assessed value of the Federal property of the local educational agency for fiscal year 1995 determined in accordance with subsection (b)(3), by the total eligible national assessed value of the eligible Federal property of all such local educational agencies for fiscal year 1995, as so determined.

''(iii) Multiply the percentage share described in clause (ii) for the local educational agency by the amount determined under clause (i).

''(3) SUBSECTION (i) RECIPIENTS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make payments in accordance with subsection (i).

''(4) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1), (2), and (3) for the fiscal year involved—

''(A) the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) for the fiscal year involved in an amount that bears the same relation to 25 percent of the remainder as the amount the local educational agency received under paragraph (1) for the fiscal year involved bears to the amount all local educational agencies received under paragraph (1) for the fiscal year involved; and

''(B) the Secretary shall make a payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved in an amount that bears the same relation to 75 percent of the remainder as a percentage share determined for the local educational agency (in the same manner as percentage shares are determined for local educational agencies under paragraph (2)(B)(ii)) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that for the purpose of calculating a local educational agency's assessed value of the Federal property, data from the most current fiscal year shall be used.''.

(d) SPECIAL PAYMENTS.—

(1) IN GENERAL.—Section 8002(i)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)(1)) is amended to read as follows:

''(1) IN GENERAL.—For any fiscal year beginning with fiscal year 2000 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996 and for which subsection (b)(1)(B) applies, the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved (not to exceed the amount equal to the difference between (A) the amount appropriated to carry out this section for fiscal year 1997 and (B) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2).''.

(2) CONFORMING AMENDMENT.—The heading of section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended by striking ''PRIORITY'' and inserting SPECIAL''.

(e) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8002(j)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(j)(2)) is amended—

(1) by striking ''(A) A local educational agency'' and inserting ''A local educational agency'';

(2) by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively; and

(3) in subparagraph (C) (as redesignated), by adding at the end before the semicolon the following: ''and, at the time at which the agency is applying for a payment under this subsection, the agency does not have a military installation located within its geographic boundaries''.

(f) PRIOR YEAR DATA.—Section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) is amended by adding at the end the following:

''(l) PRIOR YEAR DATA.—Notwithstanding any other provision of this section, in determining the eligibility of a local educational agency for a payment under subsection (b) or (h)(4)(B) of this section for a fiscal year, and in calculating the amount of such payment, the Secretary—

''(1) shall use data from the prior fiscal year with respect to the Federal property involved, including data with respect to the assessed value of the property and the real property tax rate for current expenditures levied against or imputed to the property; and

''(2) shall use data from the second prior fiscal year with respect to determining the amount of revenue referred to in subsection (b)(1)(A)(i).''.

(g) ELIGIBILITY.—Section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702), as amended by this section, is further amended by adding at the end the following:

''(m) ELIGIBILITY.—

''(1) OLD FEDERAL PROPERTY.—Except as provided in paragraph (2), a local educational agency that is eligible to receive a payment under this section for Federal property acquired by the Federal Government before the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment only if the local educational agency submits an application for a payment under this section not later than 5 years after the date of the enactment of such Act.

''(2) COMBINED FEDERAL PROPERTY.—A local educational agency that is eligible to receive a

payment under this section for Federal property acquired by the Federal Government before the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment if—

''(A) the Federal property, when combined with other Federal property in the school district served by the local educational agency acquired by the Federal Government after the date of the enactment of such Act, meets the requirements of subsection (a); and

''(B) the local educational agency submits an application for a payment under this section not later than 5 years after the date of acquisition of the Federal property acquired after the date of the enactment of such Act.

''(3) NEW FEDERAL PROPERTY.—A local educational agency that is eligible to receive a payment under this section for Federal property acquired by the Federal Government after the date of enactment of the Impact Aid Reauthorization Act of 2000 shall be eligible to receive the payment only if the local educational agency submits an application for a payment under this section not later than 5 years after the date of acquisition.''.

SEC. 1804. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

(a) GENERAL AMENDMENTS.—Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(2)—

(A) by redesignating subparagraph (E) as subparagraph (F);

(B) in subparagraph (D), by striking ''subparagraphs (D) and (E) of paragraph (1) by a factor of .10'' and inserting ''subparagraph (D) of paragraph (1) by a factor of .20''; and

(C) by inserting after subparagraph (D) the following:

''(E) Multiply the number of children described in subparagraph (E) of paragraph (1) by a factor of .10.'';

(2) in subsection (b)(1), by adding at the end the following:

''(D) DATA.—If satisfactory data from the third preceding fiscal year are not available for any of the expenditures described in clause (i) or (ii) of subparagraph (C), the Secretary shall use data from the most recent fiscal year for which data that are satisfactory to the Secretary are available.

''(E) SPECIAL RULE.—For purposes of determining the comparable local contribution rate under subparagraph (C)(iii) for a local educational agency described in section 222.39(c)(3) of title 34, Code of Federal Regulations, that had its comparable local contribution rate for fiscal year 1998 calculated pursuant to section 222.39 of title 34, Code of Federal Regulations, the Secretary shall determine such comparable local contribution rate as the rate upon which payments under this subsection for fiscal year 2000 were made to the local educational agency adjusted by the percentage increase or decrease in the per pupil expenditure in the State serving the local educational agency calculated on the basis of the second most recent preceding school year compared to the third most recent preceding school year for which school year data are available.''; and

(3) by amending subsection (e) to read as follows:

''(e) HOLD HARMLESS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the total amount the Secretary shall pay a local educational agency under subsection (b)—

''(A) for fiscal year 2001 shall not be less than 85 percent of the total amount that the local educational agency received under subsections (b) and (f) for fiscal year 2000; and

''(B) for fiscal year 2002 shall not be less than 70 percent of the total amount that the local educational agency received under subsections (b) and (f) for fiscal year 2000.

''(2) MAXIMUM AMOUNT.—The total amount provided to a local educational agency under subparagraph (A) or (B) of paragraph (1) for a fiscal year shall not exceed the maximum basic support payment amount for such agency determined under paragraph (1) or (2) of subsection (b), as the case may be.

''(3) RATABLE REDUCTIONS.—

''(A) IN GENERAL.—If the sums made available under this title for any fiscal year are insufficient to pay the full amounts that all local educational agencies in all States are eligible to receive under paragraph (1) for such year, then the Secretary shall ratably reduce the payments to all such agencies for such year.

''(B) ADDITIONAL FUNDS.—If additional funds become available for making payments under paragraph (1) for such fiscal year, payments that were reduced under subparagraph (A) shall be increased on the same basis as such payments were reduced.''.

(b) MILITARY INSTALLATION AND INDIAN HOUSING UNDERGOING RENOVATION OR REBUILDING.—

(1) IN GENERAL.—Section 8003(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended—

(A) in the heading—

(i) by inserting ''AND INDIAN'' after ''MILITARY INSTALLATION''; and

(ii) by inserting ''OR REBUILDING'' after ''RENOVATION'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—(i) For purposes'';

(C) in subparagraph (A)(i) (as designated by subparagraph (B)), by inserting ''or rebuilding'' after ''undergoing renovation''; and

(D) by adding at the end the following:

''(ii) For purposes of computing the amount of a payment for a local educational agency that received a payment for children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application, the Secretary shall consider such children to be children described in paragraph (1)(C) if the Secretary determines, on the basis of a certification provided to the Secretary by a designated representative of the Secretary of the Interior or the Secretary of Housing and Urban Development, that such children would have resided in housing on Indian lands in accordance with paragraph (1)(C) except that such housing was undergoing renovation or rebuilding on the date for which the Secretary determines the number of children under paragraph (1).

''(B) LIMITATIONS.—(i)(I) Children described in paragraph (1)(D)(i) may be deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A)(i) for a period not to exceed 3 fiscal years.

''(II) The number of children described in paragraph (1)(D)(i) who are deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A)(i) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.

''(ii)(I) Children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application may be deemed to be children described in paragraph (1)(C) with respect to housing on Indian lands undergoing renovation or rebuilding in accordance with subparagraph (A)(ii) for a period not to exceed 3 fiscal years.

''(II) The number of children that resided on Indian lands in accordance with paragraph (1)(C) for the fiscal year prior to the fiscal year for which the local educational agency is making an application who are deemed to be children described in paragraph (1)(C) with respect to housing on Indian lands undergoing renovation or rebuilding in accordance with subparagraph (A)(ii) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to payments to a local educational agency for fiscal years beginning before, on, or after the date of the enactment of this Act.

(c) MILITARY ''BUILD TO LEASE'' PROGRAM HOUSING.—Section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended by adding at the end the following:

''(5) MILITARY 'BUILD TO LEASE' PROGRAM HOUSING.—

''(A) IN GENERAL.—For purposes of computing the amount of payment for a local educational agency for children identified under paragraph (1), the Secretary shall consider children residing in housing initially acquired or constructed under the former section 2828(g) of title 10, United States Code (commonly known as the 'Build to Lease' program), as added by section 801 of the Military Construction Authorization Act, 1984, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated.

''(B) ADDITIONAL REQUIREMENTS.—If the property described in subparagraph (A) is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency that is applying to receive a payment under this section, then the Secretary—

''(i) shall require the local educational agency to provide certification from an appropriate official of the Department of Defense that the property is being used to provide military housing; and

''(ii) shall reduce the amount of the payment under this section by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.''.

SEC. 1805. MAXIMUM AMOUNT OF BASIC SUPPORT PAYMENTS.

Section 8003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(1)), as amended by this Act, is further amended by adding at the end the following:

''(F) INCREASE IN LOCAL CONTRIBUTION RATE DUE TO UNUSUAL GEOGRAPHIC FACTORS.—If the current expenditures in those local educational agencies which the Secretary has determined to be generally comparable to the local educational agency for which a computation is made under subparagraph (C) are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain, in such agency, a level of education equivalent to that maintained in such other agencies, then the Secretary shall increase the local contribution rate for such agency under subparagraph (C)(iii) by such an amount which the Secretary determines will compensate such agency for the increase in current expenditures necessitated by such unusual geographical factors. The amount of any such supplementary payment may not exceed the per-pupil share

(computed with regard to all children in average daily attendance), as determined by the Secretary, of the increased current expenditures necessitated by such unusual geographic factors.''.

SEC. 1806. BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) IN GENERAL.—Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—(i) From the amount appropriated under section 8014(b) for a fiscal year, the Secretary is authorized to make basic support payments to eligible heavily impacted local educational agencies with children described in subsection (a).

''(ii) A local educational agency that receives a basic support payment under this paragraph for a fiscal year shall not be eligible to receive a basic support payment under paragraph (1) for that fiscal year.

''(B) ELIGIBILITY FOR CONTINUING HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

(I) received an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000; and

''(II)(aa) is a local educational agency whose boundaries are the same as a Federal military installation;

''(bb) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency which is not less than 35 percent, has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State;

''(cc) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency which is not less than 30 percent, and has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State;

''(dd) has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 6,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

''(ee) meets the requirements of subsection (f)(2) applying the data requirements of subsection (f)(4) (as such subsections were in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000).

''(ii) LOSS OF ELIGIBILITY.—A heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

''(C) ELIGIBILITY FOR NEW HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency that did not receive an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000 is eligible to receive a basic support payment under subparagraph (A) for fiscal year 2002 and any subsequent fiscal year with respect to a number of children determined under subsection (a)(1) only if the agency is a local educational agency whose boundaries are the same as a Federal military installation, or the agency—

''(I) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that—

''(aa) is not less than 50 percent if such agency receives a payment on behalf of children described in subparagraphs (F) and (G) of such subsection; or

''(bb) is not less than 40 percent if such agency does not receive a payment on behalf of such children;

''(II)(aa) for a local educational agency that has a total student enrollment of 350 or more students, has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located; or

''(bb) for a local educational agency that has a total student enrollment of less than 350 students, has a per-pupil expenditure that is less than the average per-pupil expenditure of a comparable local educational agency in the State in which the agency is located; and

''(III) has a tax rate for general fund purposes that is at least 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State.

''(ii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency is a local educational agency whose boundaries are the same as a Federal military installation, or meets the requirements of clause (i), for that subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(iii) APPLICATION.—With respect to the first fiscal year for which a heavily impacted local educational agency described in clause (i) applies for a basic support payment under subparagraph (A), or with respect to the first fiscal year for which a heavily impacted local educational agency applies for a basic support payment under subparagraph (A) after becoming ineligible under clause (i) for 1 or more preceding fiscal years, the agency shall apply for such payment at least 1 year prior to the start of that first fiscal year.

''(D) MAXIMUM AMOUNT FOR REGULAR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i) Except as provided in subparagraph (E), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

''(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

''(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

''(ii)(I) For a local educational agency with respect to which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), the Secretary shall calculate the weighted student units of such children for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 0.55.

''(II) For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

''(III) For a local educational agency that has an enrollment of more than 100 but not more than 750 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

''(E) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i)(I) Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

''(II) A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 6,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(ii) For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

''(F) DATA.—For purposes of providing assistance under this paragraph the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.''.

(b) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8003(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(3)) (as so redesignated) is amended—

(1) in subparagraph (A), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subparagraph (B)—

(A) in the heading, by inserting after ''PAYMENTS'' the following: ''IN LIEU OF PAYMENTS UNDER PARAGRAPH (1)'';

(B) in clause (i)—

(i) in the matter preceding subclause (I), by inserting before ''by multiplying'' the following: ''in lieu of basic support payments under paragraph (1)''; and

(ii) in subclause (II), by striking ''(not including amounts received under subsection (f))''; and

(C) by adding at the end the following:

''(iv) In the case of a local educational agency that has a total student enrollment of fewer than 1,000 students and that has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located, the total percentage used to calculate threshold payments under clause (i) shall not be less than 40 percent.'';

(3) by redesignating subparagraph (C) as subparagraph (D);

(4) by inserting after subparagraph (B) the following:

''(C) LEARNING OPPORTUNITY THRESHOLD PAYMENTS IN LIEU OF PAYMENTS UNDER PARAGRAPH (2).—For fiscal years described in subparagraph (A), the learning opportunity threshold payment in lieu of basic support payments under paragraph (2) shall be equal to the amount obtained under subparagraph (D) or (E) of paragraph (2), as the case may be.''; and

(5) in subparagraph (D) (as so redesignated), by striking ''computation made under subparagraph (B)'' and inserting ''computations made under subparagraphs (B) and (C)''.

(c) CONFORMING AMENDMENTS.—Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended—

(1) in the matter preceding subparagraph (A) of subsection (a)(1), by striking ''subsection (b), (d), or (f)'' and inserting ''subsection (b) or (d)'';

(2) in subsection (b)—

(A) in paragraph (1)(C), in the matter preceding clause (i), by striking ''this subsection'' and inserting ''this paragraph''; and

(B) in paragraph (4) (as so redesignated)—

(i) in subparagraph (A), by striking ''paragraphs (1)(B), (1)(C), and (2) of this subsection'' and inserting ''subparagraphs (B) and (C) of paragraph (1) or subparagraphs (B) through (D) of paragraph (2), as the case may be, paragraph (3) of this subsection''; and

(ii) in subparagraph (B)—

(I) by inserting after ''paragraph (1)(C)'' the following: ''or subparagraph (D) or (E) of paragraph (2), as the case may be,''; and

(II) by striking ''paragraph (2)(B)'' and inserting ''subparagraph (B) or (C) of paragraph (3), as the case may be,'';

(3) in subsection (c)(1), by striking ''paragraph (2) and subsection (f)'' and inserting ''subsections (b)(1)(D), (b)(2), and paragraph (2)'';

(4) by striking subsection (f); and

(5) in subsection (h), by striking ''section 6'' and all that follows through ''1994)'' and inserting ''section 386 of the National Defense Authorization Act for Fiscal Year 1993''.

SEC. 1807. BASIC SUPPORT PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.

Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)), as amended by this Act, is further amended by adding at the end the following:

''(5) LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.—

''(A) IN GENERAL.—In computing the amount of a basic support payment under this subsection for a fiscal year for a local educational agency described in subparagraph (B), the Secretary shall meet the additional requirements described in subparagraph (C).

''(B) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency with respect to which Federal property (i) located within the boundaries of the agency, and (ii) on which one or more children reside who are receiving a free public education at a school of the agency, is transferred by the Federal Government to another entity in any fiscal year beginning on or after the date of the enactment of the Impact Aid Reauthorization Act of 2000 so that the property is subject to taxation by the State or a political subdivision of the State.

''(C) ADDITIONAL REQUIREMENTS.—The additional requirements described in this subparagraph are the following:

''(i) For each fiscal year beginning after the date on which the Federal property is transferred, a child described in subparagraph (B) who continues to reside on such property and who continues to receive a free public education at a school of the agency shall be deemed to be a child who resides on Federal property for purposes of computing under the applicable subparagraph of subsection (a)(1) the amount that the agency is eligible to receive under this subsection.

''(ii)(I) For the third fiscal year beginning after the date on which the Federal property is transferred, and for each fiscal year thereafter, the Secretary shall, after computing the amount that the agency is otherwise eligible to receive under this subsection for the fiscal year involved, deduct from such amount an amount equal to the revenue received by the agency for the immediately preceding fiscal year as a result of the taxable status of the former Federal property.

''(II) For purposes of determining the amount of revenue to be deducted in accordance with subclause (I), the local educational agency—

''(aa) shall provide for a review and certification of such amount by an appropriate local tax authority; and

''(bb) shall submit to the Secretary a report containing the amount certified under item (aa).''.

SEC. 1808. ADDITIONAL PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES WITH HIGH CONCENTRATIONS OF CHILDREN WITH SEVERE DISABILITIES.

(a) REPEAL.—Subsection (g) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(g)) is repealed.

(b) CONFORMING AMENDMENTS.—(1) Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(2) Section 426 of the General Education Provisions Act (20 U.S.C. 1228) is amended by striking ''subsections (d) and (g) of section 8003 of such Act'' and inserting ''section 8003(d) of such Act''.

SEC. 1809. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)) is amended—

(1) in paragraph (2), by inserting after ''not more than 60 days after a deadline established under subsection (c)'' the following: '', or not more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to paragraph (3)(A), as the case may be,''; and

(2) in paragraph (3) to read as follows:

''(3) LATE APPLICATIONS.—

''(A) NOTICE.—The Secretary shall, as soon as practicable after the deadline established under subsection (c), provide to each local educational agency that applied for a payment under section 8002 or 8003 for the prior fiscal year, and with respect to which the Secretary has not received an application for a payment under either such section (as the case may be) for the fiscal year in question, written notice of the failure to comply with the deadline and instruction to ensure that the application is filed not later than 60 days after the date on which the Secretary sends the notice.

''(B) ACCEPTANCE AND APPROVAL OF LATE APPLICATIONS.—The Secretary shall not accept or approve any application of a local educational agency that is filed more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to subparagraph (A).''.

SEC. 1810. PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE OF MILITARY DEPENDENTS.

Section 8006 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7706) is repealed.

SEC. 1811. CONSTRUCTION.

Section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) is amended to read as follows:

''SEC. 8007. CONSTRUCTION.

''(a) CONSTRUCTION PAYMENTS AUTHORIZED.—

''(1) IN GENERAL.—From 40 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall make payments in accordance with this subsection to each local educational agency that receives a basic support payment under section 8003(b) for that fiscal year.

''(2) ADDITIONAL REQUIREMENTS.—A local educational agency that receives a basic support payment under section 8003(b)(1) shall also meet at least one of the following requirements:

''(A) The number of children determined under section 8003(a)(1)(C) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(B) The number of children determined under subparagraphs (B) and (D)(i) of section 8003(a)(1) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(3) AMOUNT OF PAYMENTS.—

''(A) LOCAL EDUCATIONAL AGENCIES IMPACTED BY MILITARY DEPENDENT CHILDREN.—The amount of a payment to each local educational agency described in this subsection that is impacted by military dependent children for a fiscal year shall be equal to—

''(i)(I) 20 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in subparagraphs (B) and (D)(i) of section 8003(a)(1) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)), including the number of weighted student units of such children attending a school facility described in section 8008(a) if the Secretary does not provide assistance for the school facility under that section for the prior fiscal year; multiplied by

''(ii) the total number of such weighted student units for the agency.

''(B) LOCAL EDUCATIONAL AGENCIES IMPACTED BY CHILDREN WHO RESIDE ON INDIAN LANDS.—The amount of a payment to each local educational agency described in this subsection that is impacted by children who reside on Indian lands for a fiscal year shall be equal to—

''(i)(I) 20 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in section 8003(a)(1)(C) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)); multiplied by

''(ii) the total number of such weighted student units for the agency.

''(4) USE OF FUNDS.—Any local educational agency that receives funds under this subsection shall use such funds for construction, as defined in section 8013(3).

''(b) SCHOOL FACILITY MODERNIZATION GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From 60 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall award grants in accordance with this subsection to eligible local educational agencies to enable the local educational agencies to carry out modernization of school facilities.

''(2) ELIGIBILITY REQUIREMENTS.—A local educational agency is eligible to receive funds under this subsection only if—

''(A) such agency (or in the case of a local educational agency that does not have the authority to tax or issue bonds, such agency's fiscal agent) has no capacity to issue bonds or is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures, except that a local educational agency that is eligible to receive funds under section 8003(b)(2) shall be deemed to meet the requirements of this subparagraph; and

''(B)(i) such agency received assistance under section 8002(a) for the fiscal year and has an assessed value of taxable property per student in the school district that is less than the average of the assessed value of taxable property per student in the State in which the local educational agency is located; or

''(ii) such agency received assistance under subsection (a) for the fiscal year and has a school facility emergency, as determined by the Secretary, that poses a health or safety hazard to the students and school personnel assigned to the school facility.

''(3) AWARD CRITERIA.—In awarding grants under this subsection the Secretary shall consider one or more of the following factors:

''(A) The extent to which the local educational agency lacks the fiscal capacity to undertake the modernization project without Federal assistance.

''(B) The extent to which property in the local educational agency is nontaxable due to the presence of the Federal Government.

''(C) The extent to which the local educational agency serves high numbers or percentages of children described in subparagraphs (A), (B), (C), and (D) of section 8003(a)(1).

''(D) The need for modernization to meet—

''(i) the threat that the condition of the school facility poses to the health, safety, and well-being of students;

''(ii) overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment; and

''(iii) facility needs resulting from actions of the Federal Government.

''(E) The age of the school facility to be modernized.

''(4) OTHER AWARD PROVISIONS.—

''(A) FEDERAL SHARE.—The Federal funds provided under this subsection to a local educational agency described in subparagraph (C) shall not exceed 50 percent of the total cost of the project to be assisted under this subsection. A local educational agency may use in-kind contributions to meet the matching requirement of the preceding sentence.

''(B) MAXIMUM GRANT.—A local educational agency described in subparagraph (C) may not receive a grant under this subsection in an amount that exceeds $3,000,000 during any 5-year period.

''(C) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency that has the authority to issue bonds but is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures.

''(5) APPLICATIONS.—A local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall contain—

''(A) documentation certifying such agency's lack of bonding capacity;

''(B) a listing of the school facilities to be modernized, including the number and percentage of children determined under section 8003(a)(1) in average daily attendance in each school facility;

''(C) a description of the ownership of the property on which the current school facility is located or on which the planned school facility will be located;

''(D) a description of any school facility deficiency that poses a health or safety hazard to the occupants of the school facility and a description of how that deficiency will be repaired;

''(E) a description of the modernization to be supported with funds provided under this subsection;

''(F) a cost estimate of the proposed modernization; and

''(G) such other information and assurances as the Secretary may reasonably require.

''(6) EMERGENCY GRANTS.—

''(A) APPLICATIONS.—Each local educational agency described in paragraph (2)(B)(ii) that desires a grant under this subsection shall include in the application submitted under paragraph (5) a signed statement from an appropriate local official certifying that a health or safety deficiency exists.

''(B) PRIORITY.—If the Secretary receives more than one application from local educational agencies described in paragraph (2)(B)(ii) for grants under this subsection for any fiscal year, the Secretary shall give priority to local educational agencies based on the severity of the emergency, as determined by the Secretary, and when the application was received.

''(C) ALLOCATION; REPORTING REQUIREMENT.—

''(i) ALLOCATION.—In awarding grants under this subsection to local educational agencies described in paragraph (2)(B)(ii), the Secretary shall consider all applications received from local educational agencies that meet the requirement of subsection (a)(2)(A) and local educational agencies that meet the requirement of subsection (a)(2)(B).

''(ii) REPORTING REQUIREMENT.—

''(I) IN GENERAL.—Not later than January 1 of each year, the Secretary shall prepare and submit to the appropriate congressional committees a report that contains a justification for each grant awarded under this subsection for the prior fiscal year.

''(II) DEFINITION.—In this clause, the term 'appropriate congressional committees' means the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives and the Committee on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate.

''(D) CONSIDERATION FOR FOLLOWING YEAR.—A local educational agency described in paragraph (2)(B)(ii) that applies for a grant under this subsection for any fiscal year and does not receive the grant shall have the application for the grant considered for the following fiscal year, subject to the priority described in subparagraph (B).

''(7) SUPPLEMENT NOT SUPPLANT.—An eligible local educational agency shall use funds received under this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the modernization of school facilities used for educational purposes, and not to supplant such funds.''.

SEC. 1812. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709) is amended—

(1) in subsection (a)(1), by striking ''or under'' and all that follows through ''of 1994)'';

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—A State may reduce State aid to a local educational agency that receives a payment under section 8002 or 8003(b) (except the amount calculated in excess of 1.0 under section 8003(a)(2)(B)) for any fiscal year if the Secretary determines, and certifies under subsection (c)(3)(A), that the State has in effect a program of State aid that equalizes expenditures for free public education among local educational agencies in the State.''; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter proceeding subparagraph (A), by striking ''or under'' and all that follows through ''of 1994)''; and

(ii) in subparagraph (B), by striking ''or under'' and all that follows through ''of 1994)''; and

(B) in paragraph (2), by striking ''or under'' and all that follows through ''of 1994)''.

SEC. 1813. FEDERAL ADMINISTRATION.

Section 8010(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7710(c)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (2) (as redesignated)—

(A) in subparagraph (D), by striking ''section 5(d)(2) of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) or''; and

(B) in subparagraph (E)—

(i) by striking ''1994'' and inserting ''1999'';

(ii) by striking ''(or such section's predecessor authority)''; and

(iii) by striking ''paragraph (2)'' and inserting ''paragraph (1)''.

SEC. 1814. ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE HEARINGS.—

(1) IN GENERAL.—Section 8011(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711) is amended by adding at the end before the period the following: ''if the local educational agency or State, as the case may be, submits to the Secretary a request for the hearing not later than 60 days after the date of the action of the Secretary under this title''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an action of the Secretary under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) initiated on or after the date of the enactment of this Act.

(b) JUDICIAL REVIEW OF SECRETARIAL ACTION.—Section 8011(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711(b)(1)) is amended by striking ''60 days'' and inserting ''30 working days (as determined by the local educational agency or State)''.

SEC. 1815. FORGIVENESS OF OVERPAYMENTS.

The matter preceding paragraph (1) of section 8012 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7712) is amended by striking ''under the Act'' and all that follows through ''of 1994)'' and inserting ''under this title's predecessor authorities''.

SEC. 1816. DEFINITIONS.

Section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A)(iii)—

(I) in subclause (I), by striking ''or'' after the semicolon; and

(II) by adding at the end the following:

''(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996; or''; and

(B) in subparagraph (F)(i), by striking ''the mutual'' and all that follows through ''1937'' and inserting ''or authorized by the Native American Housing Assistance and Self-Determination Act of 1996'';

(2) in paragraph (8)(B), by striking ''all States'' and inserting ''the 50 States and the District of Columbia'';

(3) by redesignating paragraphs (11) and (12) as paragraphs (12) and (13), respectively; and

(4) by inserting after paragraph (10) the following:

''(11) MODERNIZATION.—The term 'modernization' means repair, renovation, alteration, or construction, including—

''(A) the concurrent installation of equipment; and

''(B) the complete or partial replacement of an existing school facility, but only if such replacement is less expensive and more cost-effective than repair, renovation, or alteration of the school facility.''.

SEC. 1817. AUTHORIZATION OF APPROPRIATIONS.

(a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL PROPERTY.—Section 8014(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(a)) is amended—

(1) by striking ''$16,750,000 for fiscal year 1995'' and inserting ''$32,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(b) BASIC PAYMENTS.—Section 8014(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(b)) is amended—

(1) by striking ''subsections (b) and (f) of section 8003'' and inserting ''section 8003(b)'';

(2) by striking ''$775,000,000 for fiscal year 1995'' and inserting ''$809,400,000 for fiscal year 2000'';

(3) by striking ''four'' and inserting ''three''; and

(4) by striking '', of which 6 percent'' and all that follows and inserting a period.

(c) PAYMENTS FOR CHILDREN WITH DISABILITIES.—Section 8014(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(c)) is amended—

(1) by striking ''$45,000,000 for fiscal year 1995'' and inserting ''$50,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(d) PAYMENTS FOR INCREASES IN MILITARY CHILDREN.—Subsection (d) of section 8014 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714) is repealed.

(e) CONSTRUCTION.—Section 8014(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(e)) is amended—

(1) by striking ''$25,000,000 for fiscal year 1995'' and inserting ''$10,052,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(f) FACILITIES MAINTENANCE.—Section 8014(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(f)) is amended—

(1) by striking ''$2,000,000 for fiscal year 1995'' and inserting ''$5,000,000 for fiscal year 2000''; and

(2) by striking ''four'' and inserting ''three''.

(g) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8014(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(g)) is amended—

(1) in the heading, by striking ''FEDERAL PROPERTY LOCAL EDUCATIONAL AGENCIES'' and inserting ''LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION''; and

(2) by striking ''such sums as are necessary beginning in fiscal year 1998 and for each succeeding fiscal year'' and inserting ''$1,500,000 for fiscal year 2000 and such sums as may be necessary for each of the three succeeding fiscal years''.

SEC. 1818. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on October 1, 2000, or the date of the enactment of this Act, whichever occurs later.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2001''.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain fiscal year 2000 projects.
Sec. 2106. Modification of authority to carry out certain fiscal year 1999 projects.
Sec. 2107. Modification of authority to carry out fiscal year 1998 project.
Sec. 2108. Authority to accept funds for realignment of certain military construction project, Fort Campbell, Kentucky.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama.	Redstone Arsenal	$39,000,000
Alaska	Fort Richardson	$3,000,000
Arizona	Fort Huachuca	$4,600,000
Arkansas.	Pine Bluff Arsenal	$2,750,000
California.	Fort Irwin	$31,000,000
	Presidio, Monterey	$2,600,000
Georgia	Fort Benning	$15,800,000
	Fort Gordon	$2,600,000
Hawaii	Pohakoula Training Facility.	$32,000,000
	Schofield Barracks	$43,800,000
Kansas	Fort Riley	$22,000,000
Kentucky.	Fort Knox	$550,000
Maryland.	Fort Meade	$19,000,000
Missouri.	Fort Leonard Wood	$65,400,000
New Jersey.	Picatinny Arsenal	$5,600,000
New York.	Fort Drum	$18,000,000
North Carolina.	Fort Bragg	$222,200,000

Army: Inside the United States—Continued

State	Installation or location	Amount
	Sunny Point Army Terminal.	$2,300,000
Ohio	Columbus	$1,832,000
Pennsylvania.	Carlisle Barracks	$10,500,000
	New Cumberland Army Depot.	$3,700,000
Texas	Fort Bliss	$26,000,000
	Fort Hood	$36,492,000
	Red River Army Depot.	$800,000
Virginia	Fort Evans	$4,450,000
	Total:	$615,974,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Area Support Group, Bamberg	$11,650,000
	Area Support Group, Darmstadt	$11,300,000
	Kaiserslautern	$3,400,000
	Mannheim	$4,050,000
Korea	Camp Carroll	$10,000,000
	Camp Hovey	$30,200,000
	Camp Humphreys	$14,200,000
	Camp Page	$19,500,000
	Yongpyong	$11,850,000
Puerto Rico.	Fort Buchanan	$3,700,000
	Total:	$119,850,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for the installation and location, and in the amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide.	Classified Location.	$11,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Army: Family Housing

State or Country	Installation or location	Purpose	Amount
Alaska	Fort Wainwright	75 Units	$24,000,000
Arizona	Fort Huachuca	110 Units	$16,224,000
California	Fort Irwin	24 Units	$4,700,000
Hawaii	Schofield Barracks	72 Units	$15,500,000
Kentucky	Fort Campbell	184 Units	$27,800,000
Maryland	Fort Detrick	48 Units	$5,600,000
Missouri	Fort Leonard Wood	24 Units	$4,150,000
North Carolina	Fort Bragg	160 Units	$22,000,000
South Carolina	Fort Jackson	1 Unit	$250,000
Texas	Fort Bliss	64 Units	$10,200,000
Virginia	Fort Lee	52 Units	$8,600,000
Korea	Camp Humphreys	60 Units	$21,800,000
Puerto Rico	Fort Buchanan	31 Units	$5,000,000
	Total:		$165,824,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $6,542,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $63,590,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $1,925,344,000, as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $419,374,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $119,850,000.

(3) For a military construction project at an unspecified worldwide location authorized by section 2101(c), $11,000,000.

(4) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $20,700,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $109,306,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $235,956,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $971,704,000.

(7) For the construction of phase 1C of a barracks complex, Infantry Drive, Fort Riley, Kansas, authorized by section 2101(a) of the Military Construction Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2182), $10,000,000.

(8) For the construction of a railhead facility, Fort Hood, Texas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2182), as amended by section 2106 of this Act, $9,800,000.

(9) For the construction of a chemical defense qualification facility, Pine Bluff Arsenal, Arkansas, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825), $2,592,000.

(10) For the construction of phase 1B of a barracks complex, Wilson Street, Schofield Barracks, Hawaii, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $22,400,000.

(11) For the construction of phase 2B of a barracks complex, Tagaytay Street, Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $3,108,000.

(12) For the construction of phase 2 of a tactical equipment shop, Fort Sill, Oklahoma, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 825), $10,100,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $22,600,000 (the balance of the amount authorized under section 2101(a) for the construction of a Basic Training Complex at Fort Leonard Wood, Missouri);

(3) $10,000,000 (the balance of the amount authorized under section 2101(a) for construction of a Multipurpose Digital Training Range at Fort Hood, Texas);

(4) $34,000,000 (the balance of the amount authorized under section 2101(a) for construction of phase I of a barracks complex, Longstreet Road, Fort Bragg, North Carolina);

(5) $104,000,000 (the balance of the amount authorized under section 2101(a) for the construction phase I of a barracks complex, Bunter Road, Fort Bragg, North Carolina);

(6) $6,000,000 (the balance of the amount authorized under section 2101(a) for the construction of a battle simulation center at Fort Drum, New York); and

(7) $20,000,000 (the balance of the amount authorized under section 2101(a) for the construction of Saddle Access Road, Pohakuloa Training Facility, Hawaii).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (12) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $635,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $19,911,000 which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(a) CONSTRUCTION PROJECTS INSIDE THE UNITED STATES.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 825) is amended—

(1) in the item relating to Fort Stewart, Georgia, by striking ''$71,700,000'' in the amount column and inserting ''$25,700,000'';

(2) by striking the item relating to Fort Riley, Kansas;

(3) in the item relating to CONUS Various, by striking ''$36,400,000'' in the amount column and inserting ''$138,900,000''; and

(4) by striking the amount identified as the total in the amount column and inserting ''$1,059,250,000''.

(b) UNSPECIFIED MINOR CONSTRUCTION PROJECTS.—Subsection (a)(3) of section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 826) is amended by striking ''$9,500,000'' and inserting ''$14,600,000''.

(c) CONFORMING AMENDMENTS.—Section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 is further amended—

(1) in the matter preceding subsection (a), by striking ''$2,353,231,000'' and inserting ''$2,358,331,000''; and

(2) in subsection (b), by striking paragraph (7) and inserting the following new paragraph:

''(7) $102,500,000 (the balance of the amount authorized under section 2101(a) for Army construction and land acquisition projects covered under the item relating to CONUS Various, as amended by section 2105 of the Military Construction Authorization Act for Fiscal Year 2001).

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1999 PROJECTS.

(a) MODIFICATION.—The table in section 2101 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2182) is amended—

(1) in the item relating to Fort Hood, Texas, by striking ''$32,500,000'' in the amount column and inserting ''$45,300,000'';

(2) in the item relating to Fort Riley, Kansas, by striking ''$41,000,000'' in the amount column and inserting ''$44,500,000''; and

(3) by striking the amount identified as the total in the amount column and inserting ''$785,081,000''.

(b) CONFORMING AMENDMENTS.—Section 2104 of that Act (112 Stat. 2184) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''$2,098,713,000'' and inserting ''$2,111,513,000''; and

(B) in paragraph (1), by striking ''$609,781,000'' and inserting ''$622,581,000''; and

(2) in subsection (b)(7), by striking ''$24,500,000'' and inserting ''$28,000,000''.

SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 1998 PROJECT.

(a) MODIFICATION.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1967), as amended by section 2105(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2185), is amended—

(1) in the item relating to Hunter Army Airfield, Fort Stewart, Georgia, by striking ''$54,000,000'' in the amount column and inserting ''$57,500,000''; and

(2) by striking the amount identified as the total in the amount column and inserting ''$606,250,000''.

(b) CONFORMING AMENDMENT.—Section 2104(b)(5) of the Military Construction Authorization Act for Fiscal Year 1998 (111 Stat. 1969) is amended by striking ''$42,500,000'' and inserting ''$46,000,000''.

SEC. 2108. AUTHORITY TO ACCEPT FUNDS FOR REALIGNMENT OF CERTAIN MILITARY CONSTRUCTION PROJECT, FORT CAMPBELL, KENTUCKY.

(a) AUTHORITY TO ACCEPT FUNDS.—(1) The Secretary of the Army may accept funds from the Federal Highway Administration or the Commonwealth of Kentucky for purposes of funding all costs associated with the realignment of the military construction project involving a rail connector located at Fort Campbell, Kentucky, as authorized in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2763).

(2) Any funds accepted under paragraph (1) shall be credited to the account of the Department of the Army from which the costs of the realignment of the military construction project described in that paragraph are to be paid.

(b) USE OF FUNDS.—(1) The Secretary may use funds accepted under subsection (a) for any costs associated with the realignment of the military construction project described in that subsection in addition to any amounts authorized and appropriated for the military construction project.

(2) For purposes of paragraph (1), the costs associated with the realignment of the military construction project described in subsection (a) include redesign costs, additional construction costs, additional costs due to construction delays related to the realignment, and additional real estate costs.

(3) Funds accepted under subsection (a) shall remain available for use under paragraph (1) until expended.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out fiscal year 1997 project at Marine Corps Combat Development Command, Quantico, Virginia.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma.	$8,200,000
	Navy Detachment, Camp Navajo.	$2,940,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	$23,870,000
	Marine Corps Air Station, Miramar	$13,740,000
	Marine Corps Base, Camp Pendleton	$8,100,000
	Marine Corps Logistics Base, Barstow	$6,660,000
	Naval Air Station, Lemoore.	$12,050,000
	Naval Air Warfare Center Weapons Division, Point Mugu	$11,400,000
	Naval Aviation Depot, North Island	$4,340,000
	Naval Facility, San Clemente Island	$8,860,000
	Naval Postgraduate School, Monterey	$5,280,000
	Naval Ship Weapons Systems Engineering Station, Port Hueneme	$10,200,000
	Naval Station, San Diego.	$53,200,000
Connecticut.	Naval Submarine Base, New London	$3,100,000
CONUS Various.	CONUS Various	$11,500,000
District of Columbia.	Marine Corps Barracks.	$24,597,000
	Naval District, Washington.	$2,450,000
	Naval Research Laboratory, Washington	$12,390,000
Florida	Naval Air Station, Whiting Field.	$5,130,000
	Naval Surface Warfare Center Wastal Systems Station, Panama City	$9,960,000
	Naval Station, Mayport.	$6,830,000
	Naval Surface Warfare Center Detachment, Ft. Lauderdale	$3,570,000
Georgia	Marine Corps Logistics Base, Albany	$1,100,000
	Navy Supply Corps School, Athens	$2,950,000
	Trident Refit Facility, Kings Bay.	$5,200,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
Hawaii	Fleet Industrial Supply Center, Pearl Harbor	$12,000,000
	Naval Undersea Weapons Station Detachment, Lualualei	$2,100,000
	Marine Corps Air Station, Kaneohe	$18,400,000
	Naval Station, Pearl Harbor.	$37,600,000
Illinois	Naval Training Center, Great Lakes	$121,400,000
Maine	Naval Air Station, Brunswick.	$2,450,000
	Naval Shipyard, Portsmouth.	$4,960,000
Maryland	Naval Explosive Ordinance Disposal Technology Center, Indian Head	$6,430,000
	Naval Air Station, Patuxent River	$8,240,000
Mississippi	Naval Air Station, Meridian.	$4,700,000
	Naval Oceanographic Office, Stennis Space Center	$6,950,000
Nevada	Naval Air Station, Fallon.	$6,280,000
New Jersey	Naval Weapons Station, Earle.	$2,420,000
North Carolina.	Marine Corps Air Station, Cherry Point	$8,480,000
	Marine Corps Air Station, New River	$3,400,000
	Marine Corps Base, Camp Lejeune	$45,870,000
	Naval Aviation Depot, Cherry Point	$7,540,000
Pennsylvania.	Naval Surface Warfare Center Shipyard Systems Engineering Station, Philadelphia	$10,680,000
Rhode Island.	Naval Undersea Warfare Center Division, Newport	$4,150,000
South Carolina.	Marine Corps Air Station, Beaufort	$3,140,000
	Marine Corps Recruit Depot, Parris Island	$2,660,000
Texas	Naval Air Station, Corpus Christi	$4,850,000
	Naval Air Station, Kingsville.	$2,670,000
	Naval Station, Ingleside.	$2,420,000
Virginia	AEGIS Combat Systems Center, Wallops Island	$3,300,000
	Marine Corps Combat Development Command, Quantico	$8,590,000
	Naval Air Station, Norfolk.	$31,450,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
Washington.	Naval Air Station, Oceana.	$5,250,000
	Naval Amphibious Base, Little Creek	$2,830,000
	Naval Shipyard, Norfolk, Portsmouth	$16,100,000
	Naval Station, Norfolk.	$4,700,000
	Naval Surface Warfare Center, Dahlgren	$30,700,000
	Naval Shipyard, Bremerton, Puget Sound	$100,740,000
	Naval Station, Bremerton	$11,930,000
	Naval Station, Everett	$5,500,000
	Naval Submarine Base, Bangor	$4,600,000
	Strategic Weapons Facility Pacific, Bremerton	$1,400,000
	Total:	$811,497,000

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Administrative Support Unit.	$19,400,000
Italy	Naval Air Station, Sigonella.	$32,969,000
	Naval Support Activity, Naples.	$15,000,000
Various Locations.	Host Nation Infrastructure Support	$142,000
	Total:	$67,511,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Family Housing

State	Installation or location	Purpose	Amount
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	79 Units	$13,923,000
	Naval Air Station, Lemoore	260 Units	$47,871,000
Hawaii	Commander Naval Base, Pearl Harbor	112 Units	$23,654,000
	Commander Naval Base, Pearl Harbor	62 Units	$14,237,000
	Commander Naval Base, Pearl Harbor	98 Units	$22,230,000
	Marine Corps Air Station, Kaneohe Bay	84 Units	$21,910,000
Louisiana	Naval Air Station, New Orleans	34 Units	$5,000,000
Maine	Naval Air Station, Brunswick	168 Units	$18,722,000
Mississippi	Naval Construction Battalion Center, Gulfport	157 Units	$20,700,000
Washington	Naval Air Station, Whidbey Island	98 Units	$16,873,000
		Total:	$205,120,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $19,958,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $193,077,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,227,995,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $750,257,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $67,511,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $11,659,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $73,335,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $418,155,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $882,638,000.

(6) For construction of a berthing wharf at Naval Air Station, North Island, California, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 828), $12,800,000.

(7) For construction of the Commander-in-Chief Headquarters, Pacific Command, Camp H.M. Smith, Hawaii, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000, $35,600,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) $17,500,000 (the balance of the amount authorized under section 2201(a) for repair of a pier at Naval Station, San Diego, California);

(3) $24,460,000 (the balance of the amount authorized under section 2201(a) for replacement of a pier at Naval Shipyard, Bremerton, Puget Sound, Washington); and

(4) $10,280,000 (the balance of the amount authorized under section 2201(a) for construction of an industrial skills center at Naval Shipyard, Bremerton, Puget Sound, Washington).

(c) ADJUSTMENTS.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (7) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $2,889,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States;

(2) $20,000,000, which represents the combination of project savings in military construction resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes; and

(3) $1,071,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing support outside the United States.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 1997 PROJECT AT MARINE CORPS COMBAT DEVELOPMENT COMMAND, QUANTICO, VIRGINIA.

The Secretary of the Navy may carry out a military construction project involving infrastructure development at the Marine Corps Combat Development Command, Quantico, Virginia, in the amount of $8,900,000, using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2769) for a military construction project involving a sanitary landfill at that installation, as authorized by section 2201(a) of that Act (110 Stat. 2767) and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 842) and section 2703 of this Act.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base.	$3,825,000
Alaska	Cape Romanzof	$3,900,000
	Eielson Air Force Base.	$40,990,000
	Elmendorf Air Force Base.	$35,186,000
Arizona	Davis-Monthan Air Force Base	$7,900,000
Arkansas	Little Rock Air Force Base	$18,319,000
California	Beale Air Force Base.	$10,099,000
	Los Angeles Air Force Base.	$6,580,000
	Vandenberg Air Force Base.	$4,650,000
Colorado	Buckley Air National Guard Base	$2,750,000
	Peterson Air Force Base.	$22,396,000
	Schriever Air Force Base.	$8,450,000
	United States Air Force Academy	$18,960,000
CONUS Classified.	Classified Location.	$1,810,000
District of Columbia.	Bolling Air Force Base.	$4,520,000
Florida	Eglin Air Force Base.	$8,940,000
	Eglin Auxiliary Field 9.	$7,960,000
	Patrick Air Force Base.	$12,970,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
	Tyndall Air Force Base.	$31,495,000
Georgia	Fort Stewart/Hunter Army Air Field	$4,920,000
	Moody Air Force Base.	$11,318,000
	Robins Air Force Base.	$15,857,000
Hawaii	Hickam Air Force Base.	$4,620,000
Idaho	Mountain Home Air Force Base	$10,125,000
Illinois	Scott Air Force Base.	$3,830,000
Kansas	McConnell Air Force Base.	$11,864,000
Louisiana	Barksdale Air Force Base.	$20,464,000
Massachusetts.	Hanscom Air Force Base.	$12,000,000
Mississippi	Columbus Air Force Base.	$4,828,000
	Keesler Air Force Base.	$15,040,000
Missouri	Whiteman Air Force Base.	$12,050,000
Montana	Malmstrom Air Force Base.	$11,179,000
New Jersey	McGuire Air Force Base.	$29,772,000
New Mexico.	Cannon Air Force Base.	$4,934,000
	Holloman Air Force Base.	$18,380,000
	Kirtland Air Force Base.	$7,350,000
North Carolina.	Pope Air Force Base.	$24,570,000
	Seymour Johnson Air Force Base	$7,141,000
Ohio	Wright-Patterson Air Force Base	$37,508,000
Oklahoma	Altus Air Force Base.	$2,939,000
	Tinker Air Force Base.	$26,895,000
	Vance Air Force Base.	$10,504,000
South Carolina.	Charleston Air Force Base.	$22,238,000
	Shaw Air Force Base.	$8,102,000
South Dakota.	Ellsworth Air Force Base.	$10,290,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Texas	Dyess Air Force Base.	$24,988,000
	Lackland Air Force Base.	$10,330,000
	Laughlin Air Force Base.	$11,973,000
	Sheppard Air Force Base.	$6,450,000
Utah	Hill Air Force Base.	$28,050,000
Virginia	Langley Air Force Base.	$19,650,000
Washington.	Fairchild Air Force Base.	$7,926,000
	McChord Air Force Base.	$10,250,000
Wyoming	F.E. Warren Air Force Base.	$25,720,000
	Total:	$745,755,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Diego Garcia.	Diego Garcia	$5,475,000
Italy	Aviano Air Base	$8,000,000
Korea	Kunsan Air Base	$6,400,000
	Osan Air Base	$21,948,000
Spain	Naval Station, Rota.	$5,052,000
Turkey	Incirlik Air Base	$1,000,000
	Total:	$47,875,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Air Force: Family Housing

State	Installation or location	Purpose	Amount
California	Edwards Air Force Base	57 Units	$9,870,000
	Travis Air Force Base	64 Units	$9,870,000
District of Columbia	Bolling Air Force Base	136 Units	$17,137,000
Idaho	Mountain Home Air Force Base	119 Units	$10,598,000
Nevada	Nellis Air Force Base	26 Units	$5,000,000
North Dakota	Cavalier Air Force Station	2 Units	$443,000
	Minot Air Force Base	134 Units	$19,097,000
		Total:	$72,015,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $12,760,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $174,046,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $1,943,069,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $736,355,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $47,875,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $11,350,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $74,628,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $258,821,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $826,271,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $9,400,000 (the balance of the amount authorized under section 2301(a) for the construction of an air freight terminal and base supply complex at McGuire Air Force Base, New Jersey).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (5) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by $12,231,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military family housing construction and military family housing support outside the United States.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Energy conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Modification of authority to carry out certain fiscal year 1990 project.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Aberdeen Proving Ground	$3,100,000
Defense Education Activity	Camp Lejeune, North Carolina	$5,914,000
	Laurel Bay, South Carolina	$804,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
Defense Logistics Agency	Defense Distribution Depot Susquehanna, New Cumberland, Pennsylvania	$17,700,000
	Defense Fuel Support Point, Cherry Point, North Carolina	$5,700,000
	Defense Fuel Support Point, MacDill Air Force Base, Florida	$16,956,000
	Defense Fuel Support Point, McConnell Air Force Base, Kansas	$11,000,000
	Defense Fuel Support Point, Naval Air Station, Fallon, Nevada	$5,000,000
	Defense Fuel Support Point, North Island, California	$5,900,000
	Defense Fuel Support Point, Oceana Naval Air Station, Virginia	$2,000,000
	Defense Fuel Support Point, Patuxent River, Maryland	$8,300,000
	Defense Fuel Support Point, Twentynine Palms, California	$2,200,000
	Defense Supply Center, Richmond, Virginia	$4,500,000
National Security Agency	Fort Meade, Maryland	$4,228,000
Special Operations Command	Eglin Auxiliary Field 9, Florida	$23,204,000
	Fleet Combat Training Center, Dam Neck, Virginia	$5,500,000
	Fort Bragg, North Carolina	$8,600,000
	Fort Campbell, Kentucky	$16,300,000
	Naval Air Station, North Island, California	$1,350,000
	Naval Air Station, Oceana, Virginia	$3,400,000
	Naval Amphibious Base, Coronado, California	$4,300,000
	Naval Amphibious Base, Little Creek, Virginia	$5,400,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
TRICARE Management Activity	Pearl Harbor, Hawaii	$9,900,000
	Edwards Air Force Base, California	$17,900,000
	Marine Corps Base, Camp Pendleton, California	$14,150,000
	Eglin Air Force Base, Florida	$37,600,000
	Fort Drum, New York	$1,400,000
	Patrick Air Force Base, Florida	$2,700,000
	Tyndall Air Force Base, Florida	$7,700,000
	William Beaumont Medical Center, Texas	$4,200,000
	Total:	$256,906,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity	Hanau, Germany	$2,030,000
	Hohenfels, Germany	$13,774,000
	Osan, Korea	$892,000
	Royal Air Force, Feltwell, United Kingdom	$1,800,000
	Royal Air Force, Lakenheath, United Kingdom	$5,650,000
	Schweinfurt, Germany	$1,750,000
	Seoul, Korea	$2,451,000
	Sigonella, Italy	$3,450,000
	Taegu, Korea	$806,000
	Wuerzburg, Germany	$2,635,000
Defense Finance and Accounting Service	Kleber Kaserne, Germany.	$7,500,000
Defense Logistics Agency	Defense Fuel Support Point, Andersen Air Force Base, Guam	$36,000,000
	Defense Fuel Support Point, Marine Corps Air Station, Iwakuni, Japan	$22,400,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Defense Fuel Support Point, Misawa Air Base, Japan	$26,400,000
	Defense Fuel Support Point, Royal Air Force, Mildenhall, United Kingdom	$10,000,000
	Defense Fuel Support Point, Sigonella, Italy	$16,300,000
Defense Threat Reduction Agency	Darmstadt, Germany	$2,450,000
Special Operations Command	Roosevelt Roads, Puerto Rico	$1,241,000
	Taegu, Korea	$1,450,000
TRICARE Management Agency	Kitzingen, Germany	$1,400,000
	Wiesbaden Air Base, Germany	$7,187,000
	Total:	$167,566,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(3), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations, and in the amounts, set forth in the following table:

Defense Agencies: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide.	Unspecified Worldwide	$451,135,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(7), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $15,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Subject to subsection (c), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,883,902,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $256,906,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $167,566,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2401(c), $85,095,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, $17,390,000.

(5) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $6,000,000.

(6) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $77,505,000.

(7) For energy conservation projects authorized by section 2402 of this Act, $15,000,000.

(8) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $1,024,369,000.

(9) For military family housing functions, for support of military housing (including functions described in section 2833 of title 10, United States Code), $44,886,000 of which not more than $38,478,000 may be obligated or expended for the leasing of military family housing units worldwide.

(10) For the construction of an ammunition demilitarization facility, Pine Bluff Arsenal, Arkansas, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), $43,600,000.

(11) For the construction of phase 6 of an ammunition demilitarization facility, Umatilla Army Depot, Oregon, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1995, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996, section 2408 of the Military Construction Authorization Act for Fiscal Year 1998, and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999, $9,400,000.

(12) For the construction of phase 2 of an ammunition demilitarization facility, Pueblo Army Depot, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), $10,700,000.

(13) For the construction of phase 3 of an ammunition demilitarization facility, Newport Army Depot, Indiana, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (112 Stat. 2193), $54,400,000.

(14) For the construction of phase 3 of an ammunition demilitarization facility, Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999, $45,700,000.

(15) For construction of a replacement hospital at Fort Wainwright, Alaska, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (113 Stat. 836), $44,000,000.

(16) For the construction of the Ammunition Demilitarization Support Phase 2, Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Act for Fiscal Year 2000, $8,500,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a); and

(2) $366,040,000 (the balance of the amount authorized under section 2401(c) for construction of National Missile Defense Initial Deployment Facilities, Unspecified Worldwide locations).

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (16) of subsection (a) is the sum of the amounts authorized to be appropriated by such paragraphs, reduced by—

(1) $7,115,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $20,000,000, which represents the combination of project savings in military construction for chemical demilitarization resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1990 PROJECT.

(a) MODIFICATION.—Section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2197), is amended in the item relating to Portsmouth Naval Hospital, Virginia, by striking ''$351,354,000'' and inserting ''$359,854,000''.

(b) CONFORMING AMENDMENT.—Section 2405(b)(2) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991, as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999, is amended by striking ''$342,854,000'' and inserting ''$351,354,000''.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $172,000,000.

TITLE XXVI—GUARD AND RESERVE FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

Sec. 2602. Authority to contribute to construction of airport tower, Cheyenne Airport, Cheyenne, Wyoming.

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 2000, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $266,531,000; and

(B) for the Army Reserve, $108,738,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $62,073,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $194,929,000; and

(B) for the Air Force Reserve, $36,591,000.

SEC. 2602. AUTHORITY TO CONTRIBUTE TO CONSTRUCTION OF AIRPORT TOWER, CHEYENNE AIRPORT, CHEYENNE, WYOMING.

The Secretary of the Air Force may use up to $1,450,000 of the amounts appropriated pursuant to the authorization of appropriations in section 2601(3)(A) to make a contribution to the Cheyenne Airport Authority, consistent with applicable agreements, to the costs of construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 1998 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 1997 projects.

Sec. 2704. Effective date.

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2003; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2004.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2003; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2004 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1998 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 1984), authorizations set forth in the tables in subsection (b), as provided in section 2102, 2202, or 2302 of that Act, shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Army: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units)	$7,900,000
Texas	Fort Hood	Family Housing Construction (130 units)	$18,800,000

Navy: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
California	Naval Complex, San Diego	Replacement Family Housing Construction (94 units)	$13,500,000
California	Marine Corps Air Station, Miramar	Family Housing Construction (166 units)	$28,881,000
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	Replacement Family Housing Construction (132 units)	$23,891,000
Louisiana	Naval Complex, New Orleans	Replacement Family Housing Construction (100 units)	$11,930,000
Texas	Naval Air Station, Corpus Christi	Family Housing Construction (212 units)	$22,250,000
Washington	Naval Air Station, Whidbey Island	Replacement Family Housing Construction (102 units)	$16,000,000

Air Force: Extension of 1998 Project Authorizations

State	Installation or location	Project	Amount
Georgia	Robins Air Force Base	Replace Family Housing (60 units)	$6,800,000
Idaho	Mountain Home Air Force Base	Replace Family Housing (60 units)	$11,032,000
New Mexico	Kirtland Air Force Base	Replace Family Housing (180 units)	$20,900,000
Texas	Dyess Air Force Base	Construct Family Housing (70 units)	$10,503,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2782), authorizations set forth in the tables in subsection (b), as provided in section 2201, 2202, or 2601 of that Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 842), shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or location	Project	Amount
Florida	Navy Station, Mayport	Family Housing Construction (100 units)	$10,000,000
North Carolina	Marine Corps Base, Camp Lejuene	Family Housing Construction (94 units)	$10,110,000
South Carolina	Marine Corps Air Station, Beaufort	Family Housing Construction (140 units)	$14,000,000
Texas	Naval Complex, Corpus Christi	Family Housing Replacement (104 units)	$11,675,000
	Naval Air Station, Kingsville	Family Housing Replacement (48 units)	$7,550,000
Virginia	Marine Corps Combat Development Command, Quantico	Sanitary landfill	$8,900,000
Washington	Naval Station, Everett	Family Housing Construction (100 units)	$15,015,000

Army National Guard: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Mississippi	Camp Shelby	Multipurpose Range Complex (Phase II)	$5,000,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—

(1) October 1, 2000; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Joint use military construction projects.

Sec. 2802. Exclusion of certain costs from determination of applicability of limitation on use of funds for improvement of family housing.

Sec. 2803. Revision of space limitations for military family housing.

Sec. 2804. Modification of lease authority for high-cost military family housing.

Sec. 2805. Provision of utilities and services under alternative authority for acquisition and improvement of military housing.

Sec. 2806. Extension of alternative authority for acquisition and improvement of military housing.

Sec. 2807. Expansion of definition of armory to include readiness centers.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Increase in threshold for notice and wait requirements for real property transactions.

Sec. 2812. Enhancement of authority of military departments to lease non-excess property.

Sec. 2813. Conveyance authority regarding utility systems of military departments.

Sec. 2814. Permanent conveyance authority to improve property management.

Subtitle C—Defense Base Closure and Realignment

Sec. 2821. Scope of agreements to transfer property to redevelopment authorities without consideration under the base closure laws.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

Sec. 2831. Transfer of jurisdiction, Rock Island Arsenal, Illinois.
Sec. 2832. Land conveyance, Army Reserve Center, Galesburg, Illinois.
Sec. 2833. Land conveyance, Charles Melvin Price Support Center, Illinois.
Sec. 2834. Land conveyance, Fort Riley, Kansas.
Sec. 2835. Land conveyance, Fort Polk, Louisiana.
Sec. 2836. Land conveyance, Army Reserve Center, Winona, Minnesota.
Sec. 2837. Land conveyance, Fort Dix, New Jersey.
Sec. 2838. Land conveyance, Nike Site 43, Elrama, Pennsylvania.
Sec. 2839. Land exchange, Army Reserve Local Training Center, Chattanooga, Tennessee.
Sec. 2840. Land exchange, Fort Hood, Texas.
Sec. 2841. Land conveyance, Fort Pickett, Virginia.
Sec. 2842. Land conveyance, Fort Lawton, Washington.
Sec. 2843. Land conveyance, Vancouver Barracks, Washington.

PART II—NAVY CONVEYANCES

Sec. 2846. Modification of land conveyance, Marine Corps Air Station, El Toro, California.
Sec. 2847. Modification of authority for Oxnard Harbor District, Port Hueneme, California, to use certain Navy property.
Sec. 2848. Transfer of jurisdiction, Marine Corps Air Station, Miramar, California.
Sec. 2849. Land exchange, Marine Corps Recruit Depot, San Diego, California.
Sec. 2850. Lease of property, Naval Air Station, Pensacola, Florida.
Sec. 2851. Land conveyance, Naval Reserve Center, Tampa, Florida.
Sec. 2852. Modification of land conveyance, Defense Fuel Supply Point, Casco Bay, Maine.
Sec. 2853. Land conveyance, Naval Computer and Telecommunications Station, Cutler, Maine.
Sec. 2854. Modification of land conveyance authority, former Naval Training Center, Bainbridge, Cecil County, Maryland.
Sec. 2855. Land conveyance, Marine Corps Base, Camp Lejeune, North Carolina.
Sec. 2856. Land exchange, Naval Air Reserve Center, Columbus, Ohio.
Sec. 2857. Land conveyance, Naval Station, Bremerton, Washington.

PART III—AIR FORCE CONVEYANCES

Sec. 2861. Land conveyance, Los Angeles Air Force Base, California.
Sec. 2862. Land conveyance, Point Arena Air Force Station, California.
Sec. 2863. Land conveyance, Lowry Air Force Base, Colorado.
Sec. 2864. Land conveyance, Wright Patterson Air Force Base, Ohio.
Sec. 2865. Modification of land conveyance, Ellsworth Air Force Base, South Dakota.
Sec. 2866. Land conveyance, Mukilteo Tank Farm, Everett, Washington.

PART IV—OTHER CONVEYANCES

Sec. 2871. Land conveyance, Army and Air Force Exchange Service property, Farmers Branch, Texas.
Sec. 2872. Land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia.

Subtitle E—Other Matters

Sec. 2881. Relation of easement authority to leased parkland, Marine Corps Base, Camp Pendleton, California.
Sec. 2882. Extension of demonstration project for purchase of fire, security, police, public works, and utility services from local government agencies.
Sec. 2883. Acceptance and use of gifts for construction of third building at United States Air Force Museum, Wright-Patterson Air Force Base, Ohio.
Sec. 2884. Development of Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia.
Sec. 2885. Activities relating to greenbelt at Fallon Naval Air Station, Nevada.
Sec. 2886. Establishment of World War II memorial on Guam.
Sec. 2887. Naming of Army missile testing range at Kwajalein Atoll as the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.
Sec. 2888. Designation of building at Fort Belvoir, Virginia, in honor of Andrew T. McNamara.
Sec. 2889. Designation of Balboa Naval Hospital, San Diego, California, in honor of Bob Wilson, a former member of the House of Representatives.
Sec. 2890. Sense of Congress regarding importance of expansion of National Training Center, Fort Irwin, California.
Sec. 2891. Sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. JOINT USE MILITARY CONSTRUCTION PROJECTS.

(a) SENSE OF CONGRESS ON JOINT USE PROJECTS.—It is the sense of Congress that when the Secretary of Defense assists the President in preparing the budget for the Department of Defense for a fiscal year for submission to Congress under section 1105 of title 31, United States Code, the Secretary of Defense should—

(1) seek to identify military construction projects that are suitable as joint use military construction projects;

(2) specify in the budget for the fiscal year the military construction projects that are identified under paragraph (1); and

(3) give priority in the budget for the fiscal year to the military construction projects specified under paragraph (2).

(b) ANNUAL EVALUATION OF JOINT USE PROJECTS.—(1) Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2815. Joint use military construction projects: annual evaluation

''(a) JOINT USE MILITARY CONSTRUCTION PROJECT DEFINED.—In this section, the term 'joint use military construction project' means a military construction project for a facility intended to be used by—

''(1) both the active and a reserve component of a single armed force; or

''(2) two or more components (whether active or reserve components) of the armed forces.

''(b) ANNUAL EVALUATION.—In the case of the budget submitted under section 1105 of title 31 for fiscal year 2003 and each fiscal year thereafter, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the budget a certification by each Secretary concerned that, in evaluating military construction projects for inclusion in the budget for that fiscal year, the Secretary concerned evaluated the feasibility of carrying out the projects as joint use military construction projects.''.

(2) The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''2815. Joint use military construction projects: annual evaluation.''.

SEC. 2802. EXCLUSION OF CERTAIN COSTS FROM DETERMINATION OF APPLICABILITY OF LIMITATION ON USE OF FUNDS FOR IMPROVEMENT OF FAMILY HOUSING.

Section 2825(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) In determining the applicability of the limitation contained in paragraph (1), the Secretary concerned shall not include as part of the cost of the improvement of the unit or units concerned the following:

''(A) The cost of the installation of communications, security, or antiterrorism equipment required by an occupant of the unit or units to perform duties assigned to the occupant as a member of the armed forces.

''(B) The cost of the maintenance or repair of equipment described in subparagraph (A) installed for the purpose specified in such subparagraph.''.

SEC. 2803. REVISION OF SPACE LIMITATIONS FOR MILITARY FAMILY HOUSING.

(a) IN GENERAL.—(1) Section 2826 of title 10, United States Code, is amended to read as follows:

"§ 2826. Military family housing: local comparability of room patterns and floor areas

''(a) LOCAL COMPARABILITY.—In the construction, acquisition, and improvement of military family housing, the Secretary concerned shall ensure that the room patterns and floor areas of military family housing in a particular locality (as designated by the Secretary concerned for purposes of this section) are similar to room patterns and floor areas of similar housing in the private sector in that locality.

''(b) REQUESTS FOR AUTHORITY FOR MILITARY FAMILY HOUSING.—(1) In submitting to Congress a request for authority to carry out the construction, acquisition, or improvement of military family housing, the Secretary concerned shall include in the request information on the net floor area of each unit of military family housing to be constructed, acquired, or improved under the authority.

''(2) In this subsection, the term 'net floor area', in the case of a military family housing unit, means the total number of square feet of the floor space inside the exterior walls of the unit, excluding the floor area of an unfinished basement, an unfinished attic, a utility space, a garage, a carport, an open or insect-screened porch, a stairwell, and any space used for a solar-energy system.''.

(2) The table of sections at the beginning of subchapter II of chapter 169 of that title is amended by striking the item relating to section 2826 and inserting the following new item:

''2826. Military family housing: local comparability of room patterns and floor areas.''.

(b) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall take effect on October 1, 2001, but the Secretary of Defense shall anticipate the requirements of section 2826 of title 10, United States Code, as added by such subsection, when preparing the budget request for new construction, acquisition, or improvement of military family housing for fiscal year 2002.

(2) Section 2826 of title 10, United States Code, as in effect on September 30, 2001, shall continue to apply with respect to the construction, acquisition, or improvement of military family housing commenced on or before that date.

SEC. 2804. MODIFICATION OF LEASE AUTHORITY FOR HIGH-COST MILITARY FAMILY HOUSING.

(a) LEASES FOR UNITED STATES SOUTHERN COMMAND.—Paragraph (4) of section 2828(b) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) by striking the second sentence; and

(3) by adding at the end the following new subparagraphs:

''(B) The amount of all leases under this paragraph may not exceed $280,000 per year, as adjusted from time to time under paragraph (6).

''(C) The term of any lease under this paragraph may not exceed 5 years.''.

(b) ANNUAL ADJUSTMENT OF MAXIMUM LEASE AMOUNTS.—Such section is further amended by striking paragraph (5) and inserting the following new paragraphs:

''(5) At the beginning of each fiscal year, the Secretary concerned shall adjust the maximum lease amount provided for leases under paragraphs (2) and (3) for the previous fiscal year by the percentage (if any) by which the national average monthly cost of housing (as calculated for purposes of determining rates of basic allowance for housing under section 403 of title 37) for the preceding fiscal year exceeds the national average monthly cost of housing (as so calculated) for the fiscal year before such preceding fiscal year.

''(6) At the beginning of each fiscal year, the Secretary of the Army shall adjust the maximum aggregate amount for leases under paragraph (4) for the previous fiscal year by the percentage (if any) by which the annual average cost of housing for the Miami Military Housing Area (as calculated for purposes of determining rates of basic allowance for housing under section 403 of title 37) for the preceding fiscal year exceeds the annual average cost of housing for the Miami Military Housing Area (as so calculated) for the fiscal year before such preceding fiscal year.''.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in paragraph (2), by inserting after ''per year'' the following: '', as adjusted from time to under paragraph (5)''; and

(2) in paragraph (3), by striking ''$12,000 per unit per year but does not exceed $14,000 per unit per year'' and inserting ''the maximum amount per unit per year in effect under paragraph (2) but does not exceed $14,000 per unit per year, as adjusted from time to time under paragraph (5)''.

SEC. 2805. PROVISION OF UTILITIES AND SERVICES UNDER ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) AUTHORITY TO FURNISH ON REIMBURSABLE BASIS.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by inserting after section 2872 the following new section:

''§ 2872a. Utilities and services

''(a) AUTHORITY TO FURNISH.—The Secretary concerned may furnish utilities and services referred to in subsection (b) in connection with any military housing acquired or constructed pursuant to the exercise of any authority or combination of authorities under this subchapter if the military housing is located on a military installation.

''(b) COVERED UTILITIES AND SERVICES.—The utilities and services that may be furnished under subsection (a) are the following:

''(1) Electric power.

''(2) Steam.

''(3) Compressed air.

''(4) Water.

''(5) Sewage and garbage disposal.

''(6) Natural gas.

''(7) Pest control.

''(8) Snow and ice removal.

''(9) Mechanical refrigeration.

''(10) Telecommunications service.

''(c) REIMBURSEMENT.—(1) The Secretary concerned shall be reimbursed for any utilities or services furnished under subsection (a).

''(2) The amount of any cash payment received under paragraph (1) shall be credited to the appropriation or working capital account from which the cost of furnishing the utilities or services concerned was paid. Amounts so credited to an appropriation or account shall be merged with funds in such appropriation or account, and shall be available to the same extent, and subject to the same terms and conditions, as such funds.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2872 the following new item:

''2872a. Utilities and services.''.

SEC. 2806. EXTENSION OF ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

Section 2885 of title 10, United States Code, is amended by striking ''February 10, 2001'' and inserting ''December 31, 2004''.

SEC. 2807. EXPANSION OF DEFINITION OF ARMORY TO INCLUDE READINESS CENTERS.

(a) DEFINITION.—Section 18232(3) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''The term 'armory' means'' and inserting ''The terms 'armory' and 'readiness center' mean''; and

(2) in the second sentence, by striking ''It includes'' and inserting ''Such terms include''.

(b) CONFORMING AMENDMENTS.—(1) Section 18232(2) of such title is amended by striking ''armory or other structure'' and inserting ''armory, readiness center, or other structure''.

(2) Section 18236(b) of such title by inserting ''or readiness center'' after ''armory''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. INCREASE IN THRESHOLD FOR NOTICE AND WAIT REQUIREMENTS FOR REAL PROPERTY TRANSACTIONS.

(a) INCREASED THRESHOLD.—Section 2662 of title 10, United States Code, is amended by striking ''$200,000'' each place it appears and inserting ''$500,000''.

(b) REFERENCE TO SIMPLIFIED ACQUISITION THRESHOLD.—Subsection (b) of such section is amended by striking ''under section 2304(g) of this title'' and inserting ''specified in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)),''.

SEC. 2812. ENHANCEMENT OF AUTHORITY OF MILITARY DEPARTMENTS TO LEASE NON-EXCESS PROPERTY.

(a) PROPERTY AVAILABLE FOR LEASE.—Subsection (a) of section 2667 of title 10, United States Code, is amended—

(1) by inserting ''and'' at the end of paragraph (1);

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) ACCEPTANCE OF IN-KIND CONSIDERATION.—Such section is further amended—

(1) in subsection (b)(5)—

(A) by striking ''improvement, maintenance, protection, repair, or restoration,'' and inserting ''alteration, repair, or improvement,''; and

(B) by striking '', or of the entire unit or installation where a substantial part of it is leased,'';

(2) by transferring subsection (c) to the end of the section and redesignating such subsection, as so transferred, as subsection (i);

(3) by inserting after subsection (b) the following new subsection (c):

''(c)(1) In addition to any in-kind consideration accepted under subsection (b)(5), in-kind consideration accepted with respect to a lease under this section may include the following:

''(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities under the control of the Secretary concerned.

''(B) Construction of new facilities for the Secretary concerned.

''(C) Provision of facilities for use by the Secretary concerned.

''(D) Facilities operation support for the Secretary concerned.

''(E) Provision of such other services relating to activities that will occur on the leased property as the Secretary concerned considers appropriate.

''(2) In-kind consideration under paragraph (1) may be accepted at any property or facilities under the control of the Secretary concerned that are selected for that purpose by the Secretary concerned.

''(3) Sections 2662 and 2802 of this title shall not apply to any new facilities whose construction is accepted as in-kind consideration under this subsection.

''(4) In the case of a lease for which all or part of the consideration proposed to be accepted by the Secretary concerned under this subsection is in-kind consideration with a value in excess of $500,000, the Secretary concerned may not enter into the lease until 30 days after the date on which a report on the facts of the lease is submitted to the congressional defense committees.''; and

(4) in subsection (f)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

(c) USE OF PROCEEDS.—Subsection (d)(1) of such section is amended to read as follows:

''(d)(1)(A) The Secretary of a military department shall deposit in a special account in the Treasury established for such military department the following:

''(i) All money rentals received pursuant to leases entered into by that Secretary under this section.

''(ii) All proceeds received pursuant to the granting of easements by that Secretary under sections 2668 and 2669 of this title.

''(iii) All proceeds received by that Secretary from authorizing the temporary use of other property under the control of that military department.

''(B) Subparagraph (A) does not apply to the following proceeds:

''(i) Amounts paid for utilities and services furnished lessees by the Secretary of a military department pursuant to leases entered into under this section.

''(ii) Money rentals referred to in paragraph (4) or (5).

''(C) Subject to subparagraphs (D) and (E), the proceeds deposited in the special account of a military department pursuant to subparagraph (A) shall be available to the Secretary of that military department, in such amounts as provided in appropriation Acts, for the following:

''(i) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities.

''(ii) Construction or acquisition of new facilities.

''(iii) Lease of facilities.

''(iv) Facilities operation support.

''(D) At least 50 percent of the proceeds deposited in the special account of a military department under subparagraph (A) shall be available for activities described in subparagraph (C) only at the military installation where the proceeds were derived.

''(E) The Secretary concerned may not expend under subparagraph (C) an amount in excess of $500,000 at a single installation until 30 days after the date on which a report on the facts of the proposed expenditure is submitted to the congressional defense committees.''.

(d) CONGRESSIONAL NOTIFICATION.—Subsection (d)(3) of such section is amended—

(1) in the matter preceding subparagraph (A), by striking ''As part'' and all that follows through ''Secretary of Defense'' and inserting ''Not later than March 15 each year, the Secretary of Defense shall submit to the congressional defense committees a report which''; and

(2) in subparagraph (A), by striking ''request'' and inserting ''report''.

(e) DEFINITIONS.—Subsection (h) of such section is amended to read as follows:

''(h) In this section:

''(1) The term 'congressional defense committees' means:

''(A) The Committee on Armed Services and the Committee on Appropriations of the Senate.

''(B) The Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

''(2) The term 'base closure law' means the following:

''(A) Section 2687 of this title.

''(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

''(C) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

''(3) The term 'military installation' has the meaning given such term in section 2687(e)(1) of this title.''.

(f) CONFORMING AMENDMENTS.—(1) Section 2668 of such title is amended by adding at the end the following new subsection:

''(e) Subsection (d) of section 2667 of this title shall apply with respect to proceeds received by the Secretary of a military department in connection with an easement granted under this section in the same manner as such subsection applies to money rentals received pursuant to leases entered into by that Secretary under such section.''.

(2) Section 2669 of such title is amended by adding at the end the following new subsection:

''(e) Subsection (d) of section 2667 of this title shall apply with respect to proceeds received by the Secretary of a military department in connection with an easement granted under this section in the same manner as such subsection applies to money rentals received pursuant to leases entered into by that Secretary under such section.''.

SEC. 2813. CONVEYANCE AUTHORITY REGARDING UTILITY SYSTEMS OF MILITARY DEPARTMENTS.

(a) SELECTION OF CONVEYEE.—Subsection (b) of section 2688 of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''If more than one''; and

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

''(2) Notwithstanding paragraph (1), the Secretary concerned may use procedures other than competitive procedures, but only in accordance with subsections (c) through (f) of section 2304 of this title, to select the conveyee of a utility system (or part of a utility system) under subsection (a).

''(3) With respect to the solicitation process used in connection with the conveyance of a utility system (or part of a utility system) under subsection (a), the Secretary concerned shall ensure that the process is conducted in a manner consistent with the laws and regulations of the State in which the utility system is located to the extent necessary to ensure that all interested regulated and unregulated utility companies and other interested entities receive an opportunity to acquire and operate the utility system to be conveyed.''.

(b) APPLICABILITY OF REGULATORY REQUIREMENTS.—Subsection (f) of such section is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

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

''(2) The Secretary concerned shall require in any contract for the conveyance of a utility system (or part of a utility system) under subsection (a) that the conveyee manage and operate the utility system in a manner consistent with applicable Federal and State regulations pertaining to health, safety, fire, and environmental requirements.''.

SEC. 2814. PERMANENT CONVEYANCE AUTHORITY TO IMPROVE PROPERTY MANAGEMENT.

Section 203(p)(1) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(p)(1)) is amended by striking subparagraph (B) and inserting the following new subparagraph:

''(B) The Administrator may exercise the authority under subparagraph (A) with respect to such surplus real and related property needed by the transferee or grantee for—

''(i) law enforcement purposes, as determined by the Attorney General; or

''(ii) emergency management response purposes, including fire and rescue services, as determined by the Director of the Federal Emergency Management Agency.''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. SCOPE OF AGREEMENTS TO TRANSFER PROPERTY TO REDEVELOPMENT AUTHORITIES WITHOUT CONSIDERATION UNDER THE BASE CLOSURE LAWS.

(a) 1990 LAW.—Section 2905(b)(4)(B)(i) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by striking ''the transfer'' and inserting ''the initial transfer of property''.

(b) 1988 LAW.—Section 204(b)(4)(B)(i) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended by striking ''the transfer'' and inserting ''the initial transfer of property''.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. TRANSFER OF JURISDICTION, ROCK ISLAND ARSENAL, ILLINOIS.

(a) TRANSFER AUTHORIZED.—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property, including any improvements thereon, consisting of approximately 23 acres and comprising a portion of the Rock Island Arsenal, Illinois.

(b) USE OF LAND.—The Secretary of Veterans Affairs shall include the real property transferred under subsection (a) in the Rock Island National Cemetery and use the transferred property as a national cemetery under chapter 24 of title 38, United States Code.

(c) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Army. The cost of the survey shall be borne by the Secretary of Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Army considers appropriate to protect the interests of the United States.

SEC. 2832. LAND CONVEYANCE, ARMY RESERVE CENTER, GALESBURG, ILLINOIS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Knox County, Illinois (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Galesburg, Illinois, consisting of approximately 4.65 acres and containing an Army Reserve Center for the purpose of permitting the County to use the parcel for municipal office space.

(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. The cost of the survey shall be borne by the County.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. LAND CONVEYANCE, CHARLES MELVIN PRICE SUPPORT CENTER, ILLINOIS.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey to the Tri-City Regional Port District of Granite City, Illinois (in this section referred to as the ''Port District''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 752 acres and known as the Charles Melvin Price Support Center, for the purpose of permitting the Port District to use the parcel for development of a port facility and for other public purposes.

(2) The property to be conveyed under paragraph (1) shall include 158 units of military family housing at the Charles Melvin Price Support Center for the purpose of permitting the Port District to use the housing to provide affordable housing, but only if the Port District agrees to provide members of the Armed Forces first priority in leasing the housing at a rental rate not to exceed the member's basic allowance for housing.

(3) The Secretary of the Army may include as part of the conveyance under paragraph (1) personal property of the Army at the Charles Melvin Price Support Center that the Secretary of Transportation recommends is appropriate for the development or operation of the port facility and the Secretary of the Army agrees is excess to the needs of the Army.

(b) INTERIM LEASE.—Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Army may lease the property to the Port District.

(c) CONSIDERATION.—(1) The conveyance under subsection (a) shall be made without consideration as a public benefit conveyance for port development if the Secretary of the Army determines that the Port District satisfies the criteria specified in section 203(q) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(q)) and regulations prescribed to implement such section. If the Secretary determines that the Port District fails to qualify for a public benefit conveyance, but still desires to acquire the property, the Port District shall pay to the United States an amount equal to the fair

market value of the property to be conveyed. The fair market value of the property shall be determined by the Secretary of the Army.

(2) The Secretary of the Army may accept as consideration for a lease of the property under subsection (b) an amount that is less than fair market value if the Secretary determines that the public interest will be served as a result of the lease.

(d) ARMY RESERVE ACTIVITIES.—(1) Notwithstanding the total acreage of the parcel authorized for conveyance under subsection (a), the Secretary of the Army may retain up to 50 acres of the parcel for use by the Army Reserve. The acreage selected for retention shall be mutually agreeable to the Secretary and the Port District.

(2) At such time as the Secretary of the Army determines that the property retained under this subsection is no longer needed for Army Reserve activities, the Secretary shall convey the property to the Port District. The consideration for the conveyance shall be determined in the manner provided in subsection (c).

(e) FEDERAL LEASE OF FACILITIES.—(1) As a condition for the conveyance under subsection (a), the Secretary of the Army may require that the Port District lease to the Department of Defense or any other Federal agency facilities for use by the agency on the property being conveyed. Any lease under this subsection shall be made under terms and conditions satisfactory to the Secretary and the Port District.

(2) The agency leasing a facility under this subsection shall provide for the maintenance of the facility or pay the Port District to maintain the facility. Maintenance of the leased facilities performed by the Port District shall be to the reasonable satisfaction of the United States, or as required by all applicable Federal, State, and local laws and ordinances.

(3) At the end of a lease under this subsection, the facility covered by the lease shall revert to the Port District.

(f) FLOOD CONTROL EASEMENT.—The Port District shall grant to the Secretary of the Army an easement on the property conveyed under subsection (a) for the purpose of permitting the Secretary to implement and maintain flood control projects. The Secretary of the Army, acting through the Corps of Engineers, shall be responsible for the maintenance of any flood control project built on the property pursuant to the easement.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army and the Port District. The cost of such survey shall be borne by the Port District.

(h) ADDITIONAL TERMS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. LAND CONVEYANCE, FORT RILEY, KANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Kansas (in this section referred to as the ''State''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 70 acres at Fort Riley Military Reservation, Fort Riley, Kansas. The preferred site is adjacent to the Fort Riley Military Reservation boundary, along the north side of Huebner Road across from the First Territorial Capitol of Kansas Historical Site Museum.

(b) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the conditions that—

(1) the State use the property conveyed solely for purposes of establishing and maintaining a State-operated veterans cemetery; and

(2) all costs associated with the conveyance, including the cost of relocating water and electric utilities should the Secretary determine that such relocations are necessary, be borne by the State.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Director of the Kansas Commission on Veterans Affairs.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance required by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LAND CONVEYANCE, FORT POLK, LOUISIANA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State of Louisiana (in this section referred to as the ''State''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 200 acres at Fort Polk, Louisiana, for the purpose of permitting the State to establish a State-run cemetery for veterans.

(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. The cost of the survey shall be borne by the State.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. LAND CONVEYANCE, ARMY RESERVE CENTER, WINONA, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Winona State University Foundation of Winona, Minnesota (in this section referred to as the ''Foundation''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Winona, Minnesota, containing an Army Reserve Center for the purpose of permitting the Foundation to use the parcel for educational purposes.

(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. The cost of the survey shall be borne by the Foundation.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2837. LAND CONVEYANCE, FORT DIX, NEW JERSEY.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to Pemberton Township, New Jersey (in this section referred to as the ''Township''), all right, title, and interest of the United States in and to a parcel of real property at Fort Dix, New Jersey, consisting of approximately 2 acres and containing a parking lot inadvertently constructed on the parcel by the Township.

(b) CONDITIONS OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the conditions that—

(1) the Township accept the property as is; and

(2) the Township assume responsibility for any environmental restoration or remediation required with respect to the property under applicable law.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Township.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2838. LAND CONVEYANCE, NIKE SITE 43, ELRAMA, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Board of Supervisors of Union Township, Pennsylvania (in this section referred to as the ''Township''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in Elrama, Pennsylvania, consisting of approximately 160 acres, which is known as Nike Site 43 and was more recently used by the Pennsylvania Army National Guard, for the purpose of permitting the Township to use the parcel for municipal storage and other public purposes.

(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. The cost of the survey shall be borne by the Township.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2839. LAND CONVEYANCE, ARMY RESERVE LOCAL TRAINING CENTER, CHATTANOOGA, TENNESSEE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Medal of Honor Museum, Inc., a nonprofit corporation organized in the State of Tennessee (in this section referred to as the ''Corporation''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 15 acres at the Army Reserve Local Training Center located on Bonny Oaks Drive, Chattanooga, Tennessee, for the purpose of permitting the Corporation to develop and use the parcel as a museum and for other educational purposes.

(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. The cost of the survey shall be borne by the Corporation.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2840. LAND EXCHANGE, FORT HOOD, TEXAS.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Army may convey to the City of Copperas Cove, Texas (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 100 acres at Fort Hood, Texas, in exchange for the City's conveyance to the Secretary of all right, title, and interest of the City in and to one or more parcels of real property that are acceptable to the Secretary and consist of a total of approximately 300 acres.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the City.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2841. LAND CONVEYANCE, FORT PICKETT, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Commonwealth of Virginia (in this section referred to as the ''Commonwealth''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 700 acres at Fort Pickett, Virginia, for the purpose of permitting the Commonwealth to develop and operate a public safety training facility.

(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. The cost of the survey shall be borne by the Commonwealth.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, FORT LAWTON, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Seattle, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the real property at Fort Lawton, Washington, consisting of Area 500 and Government Way from 36th Avenue to Area 500, for purposes of the inclusion of the property in Discovery Park, Seattle, Washington.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2843. LAND CONVEYANCE, VANCOUVER BARRACKS, WASHINGTON.

(a) CONVEYANCE OF WEST BARRACKS AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the City of Vancouver, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, encompassing 19 structures at Vancouver Barracks, Washington, which are identified by the Army using numbers between 602 and 676, and are known as the west barracks.

(b) PURPOSE.—The purpose of the conveyance authorized by subsection (a) shall be to include the property described in that subsection in the Vancouver National Historic Reserve, Washington.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the City.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2846. MODIFICATION OF LAND CONVEYANCE, MARINE CORPS AIR STATION, EL TORO, CALIFORNIA.

(a) USE OF CONSIDERATION.—Subsection (a)(2) of section 2811 of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1650) is amended by striking ''of additional military family housing units at Marine Corps Air Station, Tustin, California.'' and inserting ''and repair of roads and development of Aerial Port of Embarkation facilities at Marine Corps Air Station, Miramar, California.''.

(b) CONFORMING AMENDMENT.—The section heading of such section is amended by striking ***'', AND CONSTRUCTION OF FAMILY HOUSING AT MARINE CORPS AIR STATION, TUSTIN, CALIFORNIA''.***

SEC. 2847. MODIFICATION OF AUTHORITY FOR OXNARD HARBOR DISTRICT, PORT HUENEME, CALIFORNIA, TO USE CERTAIN NAVY PROPERTY.

(a) ADDITIONAL RESTRICTIONS ON JOINT USE.—Subsection (c) of section 2843 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3067) is amended to read as follows:

''(c) RESTRICTIONS ON USE.—The District's use of the property covered by an agreement under subsection (a) is subject to the following conditions:

''(1) The District shall suspend operations under the agreement upon notification by the commanding officer of the Center that the property is needed to support mission essential naval vessel support requirements or Navy contingency operations, including combat missions, natural disasters, and humanitarian missions.

''(2) The District shall use the property covered by the agreement in a manner consistent with Navy operations at the Center, including cooperating with the Navy for the purpose of assisting the Navy to meet its through-put requirements at the Center for the expeditious movement of military cargo.

''(3) The commanding officer of the Center may require the District to remove any of its personal property at the Center that the commanding officer determines may interfere with military operations at the Center. If the District cannot expeditiously remove the property, the commanding officer may provide for the removal of the property at District expense.''.

(b) CONSIDERATION.—Subsection (d) of such section is amended to read as follows:

''(d) CONSIDERATION.—(1) As consideration for the use of the property covered by an agreement under subsection (a), the District shall pay to the Navy an amount that is mutually agreeable to the parties to the agreement, taking into account the nature and extent of the District's use of the property.

''(2) The Secretary may accept in-kind consideration under paragraph (1), including consideration in the form of—

''(A) the District's maintenance, preservation, improvement, protection, repair, or restoration of all or any portion of the property covered by the agreement;

''(B) the construction of new facilities, the modification of existing facilities, or the replacement of facilities vacated by the Navy on account of the agreement; and

''(C) covering the cost of relocation of the operations of the Navy from the vacated facilities to the replacement facilities.

''(3) All cash consideration received under paragraph (1) shall be deposited in the special account in the Treasury established for the Navy under section 2667(d) of title 10, United States Code. The amounts deposited in the special account pursuant to this paragraph shall be available, as provided in appropriation Acts, for general supervision, administration, overhead expenses, and Center operations and for the maintenance preservation, improvement, protection, repair, or restoration of property at the Center.''.

(c) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking subsection (f); and

(2) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

SEC. 2848. TRANSFER OF JURISDICTION, MARINE CORPS AIR STATION, MIRAMAR, CALIFORNIA.

(a) TRANSFER AUTHORIZED.—The Secretary of the Navy may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior a parcel of real property, including any improvements thereon, consisting of approximately 250 acres and known as the Teacup Parcel, which comprises a portion of the Marine Corps Air Station, Miramar, California.

(b) USE OF LAND.—The Secretary of the Interior shall include the real property transferred under subsection (a) in the Vernal Pool Unit of the San Diego National Wildlife Refuge and administer the property for the conservation of fish and wildlife. All current and future military aviation and related activities at the Marine Corps Air Station, Miramar, are deemed to be compatible with the refuge purposes for which the property is transferred, and with any secondary uses that may be established on the transferred property.

(c) CONDITION ON TRANSFER.—The transfer authorized under subsection (a) shall be subject to the condition that the Secretary of the Interior make the transferred property available to the Secretary of the Navy for any habitat restoration or preservation project that may be required for mitigation of military activities occurring at the Marine Corps Air Station, Miramar, unless the Secretary of the Interior determines that the project will adversely affect the property's sensitive wildlife and habitat resource values.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary of the Interior.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Navy considers appropriate to protect the interests of the United States.

SEC. 2849. LAND EXCHANGE, MARINE CORPS RECRUIT DEPOT, SAN DIEGO, CALIFORNIA.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to the San Diego Unified Port District of San Diego, California (in this section referred to as the ''Port District''), all right, title, and interest of the United States in and to three parcels of real property, including any improvements thereon, consisting of approximately 44.5 acres and comprising a portion of the Marine Corps Recruit Depot, San Diego, California, in exchange for the Port District's—

(1) conveyance to the Secretary of all right, title, and interest of Port District in and to a parcel of real property that is acceptable to the Secretary and contiguous to the Marine Corps Recruit Depot; and

(2) construction of suitable replacement facilities and necessary supporting structures on the parcel or other property comprising the Marine Corps Recruit Depot, as determined necessary by the Secretary.

(b) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance to the Port District authorized by subsection (a) until the Secretary determines that the replacement facilities have been constructed and are ready for occupancy.

(c) ADMINISTRATIVE EXPENSES.—The Port District shall reimburse the Secretary for administrative expenses incurred by the Secretary in carrying out the exchange under subsection (a), including expenses related to the planning, design, survey, environmental compliance, and supervision and inspection of construction of the replacement facilities. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(d) CONSTRUCTION SCHEDULE.—The Port District shall construct the replacement facilitates pursuant to such schedule and in such a manner so as to not interrupt or adversely affect the capability of the Marine Corps Recruit Depot to accomplish its mission.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Port District.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2850. LEASE OF PROPERTY, NAVAL AIR STATION, PENSACOLA, FLORIDA.

(a) AUTHORITY TO LEASE.—The Secretary of the Navy may lease, without consideration, to the Naval Aviation Museum Foundation (in this section referred to as the ''Foundation'') real property improvements constructed by the Foundation at the National Museum of Naval Aviation at Naval Air Station, Pensacola, Florida, for the purpose of permitting the Foundation to operate a National Flight Academy to encourage and assist American young people to develop an interest in naval aviation and to preserve and enhance the image and heritage of naval aviation.

(b) CONSTRUCTION.—The Foundation shall be solely responsible for the design and construction of the real property improvements referred to in subsection (a). Upon completion, the improvements shall be donated to and become the property of the United States, subject to the terms of the lease under subsection (a).

(c) TERM OF LEASE.—(1) The lease authorized by subsection (a) may be for a term of up to 50 years, with an option to renew for an additional 50 years.

(2) In the event that the National Flight Academy ceases operation for a period in excess of 1 year during the leasehold period, or any extension thereof, the lease shall immediately terminate without cost or future liability to the United States.

(d) USE BY NAVY.—The Secretary may use all or a portion of the leased property when the National Flight Academy is not in session or whenever the use of the property would not conflict with operation of the Academy. The Foundation shall permit such use at no cost to the Navy.

(e) MAINTENANCE AND REPAIR.—The Foundation shall be solely responsible during the leasehold period, and any extension thereof, for the operation, maintenance, and repair or replacement of the real property improvements authorized for lease under this section.

(f) ASSISTANCE.—(1) Subject to subsection (e), the Secretary may assist the Foundation in implementing the National Flight Academy by furnishing facilities, utilities, maintenance, and other services within the boundaries of Naval Air Station, Pensacola. The Secretary may require the Foundation to reimburse the Secretary for the facilities, utilities, maintenance, or other services so provided or may provide the facilities, utilities, maintenance, or other services without reimbursement by the Foundation.

(2) Any assistance provided the Foundation pursuant to paragraph (1) may be terminated by the Secretary without notice, cause, or liability to the United States.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2851. LAND CONVEYANCE, NAVAL RESERVE CENTER, TAMPA, FLORIDA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the Tampa Port Authority of Tampa, Florida (in this section referred to as the ''Port Authority''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 2.18 acres and comprising the Naval Reserve Center, Tampa, Florida, for the purpose of permitting the Port Authority to use the parcel to facilitate the expansion of the Port of Tampa.

(b) CONDITIONS OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the following conditions:

(1) The Port Authority will accept the Naval Reserve Center as is.

(2) The Port Authority will provide a replacement facility for the Naval Reserve Center on a site of comparable size and consisting of comparable improvements on port property or other public land acceptable to the Secretary. In the event that a federally owned site acceptable to the Secretary is not available for the construction of the replacement facility, the Port Authority will provide a site for the replacement facility acceptable to the Secretary and convey it in fee title to the United States.

(3) The Port Authority will procure all necessary funding and the planning and design necessary to construct a replacement facility that is fully operational and satisfies the Base Facilities Requirements plan, as provided by the Naval Reserve.

(4) The Port Authority will bear all reasonable costs that the Navy may incur in the relocating to the replacement facility.

(c) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance authorized under subsection (a) until all of the conditions specified in subsection (b) have been met to the satisfaction of the Secretary.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Port Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2852. MODIFICATION OF LAND CONVEYANCE, DEFENSE FUEL SUPPLY POINT, CASCO BAY, MAINE.

Section 2839 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3065) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) REPLACEMENT OF REMOVED ELECTRIC UTILITY SERVICE.—(1) The Secretary of Defense shall replace the electric utility service removed during the course of environmental remediation carried out with respect to the property to be conveyed under subsection (a), including the procurement and installation of electrical cables, switch cabinets, and transformers associated with the service.

''(2) As part of the replacement of the electric utility service under paragraph (1), the Secretary of Defense may, at the request of the Town, improve the electric utility service and install telecommunications service. The Secretary shall determine, in consultation with the Town, the additional costs that would be associated with the improvement of the electric utility service and the installation of telecommunications service under this paragraph, and the Town shall be responsible for the payment of such costs.''.

SEC. 2853. LAND CONVEYANCE, NAVAL COMPUTER AND TELECOMMUNICATIONS STATION, CUTLER, MAINE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine, all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 263 acres located in Washington County, Maine, and known as the Naval Computer and Telecommunications Station, Cutler, Maine.

(b) REIMBURSEMENT FOR ENVIRONMENTAL AND OTHER ASSESSMENTS.—(1) The Secretary may require the recipient of the property conveyed under this section to reimburse the Secretary for the costs incurred by the Secretary for any environmental assessments and other studies and analyses carried out by the Secretary with respect to the property to be conveyed under this section before the conveyance of the property under this section.

(2) The amount of any reimbursement required under paragraph (1) shall be determined by the Secretary and may not exceed the cost of the assessments, studies, and analyses for which reimbursement is required under that paragraph.

(3) Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(c) LEASE OF PROPERTY PENDING CONVEYANCE.—(1) Pending the conveyance by deed of the property authorized to be conveyed by subsection (a), the Secretary may enter into one or more leases of the property.

(2) The Secretary shall deposit any amounts paid under a lease under paragraph (1) in the appropriation or account providing funds for the protection, maintenance, or repair of the property, or for the provision of utility services for the property. Amounts so deposited shall be merged with funds in the appropriation or account in which deposited, and shall be available for the same purposes, and subject to the same conditions and limitations, as the funds with which merged.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the property.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2854. MODIFICATION OF LAND CONVEYANCE AUTHORITY, FORMER NAVAL TRAINING CENTER, BAINBRIDGE, CECIL COUNTY, MARYLAND.

Section 1 of Public Law 99–596 (100 Stat. 3349) is amended—

(1) in subsection (a), by striking ''subsections (b) through (f)'' and inserting ''subsections (b) through (e)'';

(2) by striking subsection (b) and inserting the following new subsection:

''(b) CONSIDERATION.—(1) In the event of the transfer of the property under subsection (a) to the State of Maryland, the transfer shall be with consideration or without consideration from the State of Maryland, at the election of the Secretary.

''(2) If the Secretary elects to receive consideration from the State of Maryland under paragraph (1), the Secretary may reduce the amount of consideration to be received from the State of Maryland under that paragraph by an amount equal to the cost, estimated as of the time of the transfer of the property under this section, of the restoration of the historic buildings on the property. The total amount of the reduction of consideration under this paragraph may not exceed $500,000.'';

(3) by striking subsection (d); and

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

SEC. 2855. LAND CONVEYANCE, MARINE CORPS BASE, CAMP LEJEUNE, NORTH CAROLINA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Jacksonville, North Carolina (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, that is currently leased to Norfolk Southern Corporation and consists of approximately 50 acres, known as the railroad right-of-way, lying within the City between Highway 24 and Highway 17, at the Marine Corps Base, Camp Lejeune, North Carolina, for the purpose of permitting the City to develop the parcel for initial use as a bike/green way trail.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall reimburse the Secretary (in such amounts as the Secretary may determine) for the expenses incurred by the Secretary in making the conveyance, including costs related to planning, design, surveys, environmental assessment and compliance, supervision and inspection of construction, severing and realigning utility systems, and other prudent and necessary actions. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(c) CONDITION OF CONVEYANCE.—The Secretary may retain such easements, rights-of-way, and other interests in the property to be conveyed under subsection (a) and impose such restrictions on the use of the conveyed property as the Secretary considers necessary to ensure the effective security, maintenance, and operations of the Marine Corps Base, Camp Lejeune, North Carolina, and to protect human health and the environment.

(d) 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.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2856. LAND EXCHANGE, NAVAL AIR RESERVE CENTER, COLUMBUS, OHIO.

(a) EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to the Rickenbacker Port Authority of Columbus, Ohio (in this section referred to as the ''Authority''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 24 acres comprising the civilian facilities of the Naval Air Reserve at Rickenbacker International Airport in Franklin County, Ohio, in exchange for the Authority's conveyance to the Secretary of all right, title, and interest of the Authority in and to a parcel of real property consisting of approximately 10 to 15 acres acceptable to the Secretary at Rickenbacker International Airport.

(b) USE OF ACQUIRED PROPERTY.—The Secretary shall use the real property acquired from the Authority in the exchange as the site for a replacement facility that will house both the Naval Air Reserve Center at Rickenbacker International Airport and the Naval and Marine Corps Reserve Center currently located in Columbus, Ohio.

(c) TIME FOR CONVEYANCE.—The Secretary may not make the conveyance to the Authority authorized by subsection (a) until the Secretary determines that the replacement facility described in subsection (b) has been constructed and is ready for occupancy.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcels of real property to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of the surveys shall be borne by the Authority.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2857. LAND CONVEYANCE, NAVAL STATION, BREMERTON, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey to the City of Bremerton, Washington (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 45.8 acres and comprising the former East Park Transient Family Accommodations, which was an off-site housing facility for Naval Station, Bremerton, Washington.

(b) CONSIDERATION.—(1) The conveyance under subsection (a) may be made without consideration to the extent the real property to be conveyed will be used by the City, directly or through an agreement with a public or private entity, for public health, public safety, education, affordable housing, or public recreation.

(2) If the City intends to use a portion of the conveyed property for a purpose not specified in paragraph (1), the City shall pay to the United States an amount equal to the fair market value of that portion of the property. The fair market value shall be determined by an appraisal acceptable to the Secretary.

(c) ADMINISTRATIVE EXPENSES.—The City shall reimburse the Secretary for administrative expenses incurred by the Secretary in carrying out the conveyance under subsection (a), including expenses related to planning, design, survey, environmental compliance, and other prudent and necessary actions. Section 2695(c) of title 10, United States Code, shall apply to the amounts received by the Secretary.

(d) 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.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

PART III—AIR FORCE CONVEYANCES

SEC. 2861. LAND CONVEYANCE, LOS ANGELES AIR FORCE BASE, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, by sale or lease upon such terms as the Secretary considers appropriate, all or any portion of the following parcels of real property, including any improvements thereon, at Los Angeles Air Force Base, California:

(1) Approximately 42 acres in El Segundo, California, commonly known as Area A.

(2) Approximately 52 acres in El Segundo, California, commonly known as Area B.

(3) Approximately 13 acres in Hawthorne, California, commonly known as the Lawndale Annex.

(4) Approximately 3.7 acres in Sun Valley, California, commonly known as the Armed Forces Radio and Television Service Broadcast Center.

(b) CONSIDERATION.—As consideration for the conveyance of real property under subsection (a), the recipient of the property shall provide for the design and construction on real property acceptable to the Secretary of one or more facilities to consolidate the mission and support functions at Los Angeles Air Force Base. Any such facility must comply with the seismic and safety design standards for Los Angeles County, California, in effect at the time the Secretary takes possession of the facility.

(c) LEASEBACK AUTHORITY.—If the fair market value of a facility to be provided as consideration for the conveyance of real property under subsection (a) exceeds the fair market value of the conveyed property, the Secretary may enter into a lease for the facility for a period not to exceed 10 years. Rental payments under the lease shall be established at the rate necessary to permit the lessor to recover, by the end of the lease term, the difference between the fair market value of a facility and the fair market value of the conveyed property. At the end of the lease, all right, title, and interest in the facility shall vest in the United States.

(d) APPRAISAL OF PROPERTY.—The Secretary shall obtain an appraisal of the fair market value of all property and facilities to be sold, leased, or acquired under this section. An appraisal shall be made by a qualified appraiser familiar with the type of property to be appraised. The Secretary shall consider the appraisals in determining whether a proposed conveyance accomplishes the purpose of this section and is in the interest of the United States. Appraisal reports shall not be released outside of the Federal Government, other than to the other party to a conveyance.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed under subsection (a) or acquired under subsection (b) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the property.

(f) EXEMPTION.—Section 2696 of title 10, United States Code, does not apply to the conveyance authorized by subsection (a).

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) or a lease under subsection (c) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2862. LAND CONVEYANCE, POINT ARENA AIR FORCE STATION, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to Mendocino County, California (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately

82 acres at the Point Arena Air Force Station, California, for the purpose of permitting the County to use the parcel for municipal and other public purposes.

(b) CONDITIONS OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the County—

(1) use the conveyed property, directly or through an agreement with a public or private entity, for municipal and other public purposes;

(2) convey the property to an appropriate public or private entity that will use the conveyed property for such purposes; or

(3) convey the property by sale or exchange and—

(A) if conveyed by exchange, use the property acquired in the exchange for such purposes; or

(B) if conveyed by sale, use the proceeds to acquire property that will be used for such purposes.

(c) CONSIDERATION.—If the Secretary determines at any time that the County, or a public or private entity to which the property is reconveyed as authorized by paragraph (2) of subsection (b), has failed to comply with the conditions specified in such subsection, the County shall pay the United States an amount equal to the fair market value of the property conveyed under subsection (a), as determined by an appraisal satisfactory to the Secretary.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the County.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2863. LAND CONVEYANCE, LOWRY AIR FORCE BASE, COLORADO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, or lease upon such terms as the Secretary considers appropriate, to the Lowry Redevelopment Authority (in this section referred to as the ''Authority'') all right, title, and interest of the United States in and to seven parcels of real property, including any improvements thereon, consisting of approximately 23 acres at the former Lowry Air Force Base, Colorado, for the purpose of permitting the Authority to use the property in furtherance of economic development and other public purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed or leased under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Authority.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance or lease under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2864. LAND CONVEYANCE, WRIGHT PATTERSON AIR FORCE BASE, OHIO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to Greene County, Ohio (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 92 acres comprising the communications test annex at Wright Patterson Air Force Base, Ohio, for the purpose of permitting the County to use the parcel for recreational purposes.

(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. The cost of the survey shall be borne by the County.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2865. MODIFICATION OF LAND CONVEYANCE, ELLSWORTH AIR FORCE BASE, SOUTH DAKOTA.

(a) CHANGE IN RECIPIENT.—Subsection (a) of section 2863 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85; 111 Stat. 2010) is amended by striking ''Greater Box Elder Area Economic Development Corporation, Box Elder, South Dakota (in this section referred to as the 'Corporation')'' and inserting ''West River Foundation for Economic and Community Development, Sturgis, South Dakota (in this section referred to as the 'Foundation')''.

(b) CONFORMING AMENDMENTS.—Such section is further amended by striking ''Corporation'' each place it appears in subsections (c) and (e) and inserting ''Foundation''.

SEC. 2866. LAND CONVEYANCE, MUKILTEO TANK FARM, EVERETT, WASHINGTON.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Port of Everett, Washington (in this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 22 acres and known as the Mukilteo Tank Farm for the purpose of permitting the Port to use the parcel for the development and operation of a port facility and for other public purposes.

(b) PERSONAL PROPERTY.—The Secretary of the Air Force may include as part of the conveyance authorized by subsection (a) any personal property at the Mukilteo Tank Farm that is excess to the needs of the Air Force if the Secretary of Transportation determines that such personal property is appropriate for the development or operation of the Mukilteo Tank Farm as a port facility.

(c) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary of the Air Force may lease all or part of the real property to the Port if the Secretary determines that the real property is suitable for lease and the lease of the property under this subsection will not interfere with any environmental remediation activities or schedules under applicable law or agreements.

(2) The determination under paragraph (1) whether the lease of the real property will interfere with environmental remediation activities or schedules referred to in that paragraph shall be based upon an environmental baseline survey conducted in accordance with applicable Air Force regulations and policy.

(3) Except as provided by paragraph (4), as consideration for the lease under this subsection, the Port shall pay the Secretary an amount equal to the fair market of the lease, as determined by the Secretary.

(4) The amount of consideration paid by the Port for the lease under this subsection may be an amount, as determined by the Secretary, less than the fair market value of the lease if the Secretary determines that—

(A) the public interest will be served by an amount of consideration for the lease that is less than the fair market value of the lease; and

(B) payment of an amount equal to the fair market value of the lease is unobtainable.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Port.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Air Force, in consultation with the Secretary of Transportation, may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary of the Air Force considers appropriate to protect the interests of the United States.

PART IV—OTHER CONVEYANCES

SEC. 2871. LAND CONVEYANCE, ARMY AND AIR FORCE EXCHANGE SERVICE PROPERTY, FARMERS BRANCH, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Defense may authorize the Army and Air Force Exchange Service, which is a nonappropriated fund instrumentality of the United States, to sell all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 2727 LBJ Freeway in Farmers Branch, Texas.

(b) CONSIDERATION.—As consideration for conveyance under subsection (a), the purchaser shall pay, in a single lump sum payment, an amount equal to the fair market value of the real property conveyed, as determined by the Secretary. The payment shall be handled in the manner provided in section 204(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(c)).

(c) CONGRESSIONAL REPORT.—Within 30 days after the sale of the property under subsection (a), the Secretary shall submit to Congress a report detailing the particulars of the sale.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the purchaser.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2872. LAND CONVEYANCE, FORMER NATIONAL GROUND INTELLIGENCE CENTER, CHARLOTTESVILLE, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Administrator of General Services may convey, without consideration, to the City of Charlottesville, Virginia (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, formerly occupied by the National Ground Intelligence Center and known as the Jefferson Street Property, for the purpose of permitting the City to use the parcel, directly or through an agreement with a public or private entity, for economic development purposes.

(b) AUTHORITY TO CONVEY WITHOUT CONSIDERATION.—The conveyance authorized by subsection (a) may be made without consideration if the Administrator determines that conveyance on that basis would be in the best interests of the United States.

(c) REVERSIONARY INTEREST.—During the five-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), if the Administrator determines that the conveyed real property is not being used in accordance with the purpose specified in such subsection, all right, title, and interest in and to the property, including any improvements thereon, may upon the election of the Administrator revert to the United States, and upon such reversion the United States shall have the right of immediate entry onto the property.

(d) LIMITATION ON CERTAIN SUBSEQUENT CONVEYANCES.—(1) Subject to paragraph (2), if at any time after the Administrator makes the conveyance authorized by subsection (a) the City conveys any portion of the parcel conveyed under that subsection to a private entity, the City shall pay to the United States an amount equal to—

(A) the fair market value (as determined by the Administrator) of the portion conveyed at the time of the conveyance; less

(B) the cost of any improvements to the property made by the City.

(2) Paragraph (1) applies to a conveyance described in such paragraph only if the Administrator makes the conveyance authorized by subsection (a) without consideration.

(3) The Administrator shall deposit any amounts paid the United States under this subsection into the fund established by section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)). Any amounts so deposited shall be available to the Administrator for real property management and related activities as provided for under paragraph (2) of such section.

(e) 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 Administrator. The cost of the survey shall be borne by the City.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2881. RELATION OF EASEMENT AUTHORITY TO LEASED PARKLAND, MARINE CORPS BASE, CAMP PENDLETON, CALIFORNIA.

Section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2219) is amended by adding at the end the following new subsection:

''(f) EXEMPTION FOR CERTAIN LEASED LANDS.—(1) Section 303 of title 49, and section 138 of title 23, United States Code, shall not apply to any approval by the Secretary of Transportation of the use by State Route 241 of parkland within Camp Pendleton that is leased by the State of California, where the lease reserved to the United States the right to establish rights-of-way.

''(2) The Agency shall be responsible for the implementation of any measures required by the Secretary of Transportation to mitigate the impact of the Agency's use of parkland within Camp Pendleton for State Route 241. With the exception of those mitigation measures directly related to park functions, the measures shall be located outside the boundaries of Camp Pendleton. The required mitigation measures related to park functions shall be implemented in accordance with the terms of the lease referred to in paragraph (1).''.

SEC. 2882. EXTENSION OF DEMONSTRATION PROJECT FOR PURCHASE OF FIRE, SECURITY, POLICE, PUBLIC WORKS, AND UTILITY SERVICES FROM LOCAL GOVERNMENT AGENCIES.

Section 816(c) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2820), as added by section 2873 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2225), is amended by striking ''2000'' and inserting ''2001''.

SEC. 2883. ACCEPTANCE AND USE OF GIFTS FOR CONSTRUCTION OF THIRD BUILDING AT UNITED STATES AIR FORCE MUSEUM, WRIGHT-PATTERSON AIR FORCE BASE, OHIO.

(a) ACCEPTANCE AUTHORIZED.—The Secretary of the Air Force may accept from the Air Force Museum Foundation, a private nonprofit foundation, gifts in the form of cash, Treasury instruments, or comparable United States Government securities for the purpose of paying the costs of design and construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio. The terms of the gift may specify that all or a part of the amount of the gift be utilized solely for purposes of the design and construction of a particular portion of the building.

(b) DEPOSIT IN ESCROW ACCOUNT.—The Secretary, acting through the Comptroller of the Air Force Materiel Command, shall deposit the amount of any cash, instruments, or securities accepted as a gift under subsection (a) in an escrow account established for that purpose.

(c) INVESTMENT.—Amounts in the escrow account under subsection (b) not required to meet current requirements of the account shall be invested in public debt securities with maturities suitable to the needs of the account, as determined by the Comptroller of the Air Force Materiel Command, and bearing interest at rates that take into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to and form a part of the account.

(d) UTILIZATION.—(1) Amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to a particular portion of the building described in subsection (a) shall be utilized by the Comptroller of the Air Force Materiel Command to pay the costs of the design and construction of such portion of the building, including progress payments for such design and construction.

(2) Subject to paragraph (3), amounts shall be payable under paragraph (1) upon receipt by the Comptroller of the Air Force Materiel Command of a notification from an appropriate officer or employee of the Corps of Engineers that such amounts are required for the timely payment of an invoice or claim for the performance of design or construction activities for which such amounts are payable under paragraph (1).

(3) The Comptroller of the Air Force Materiel Command shall, to the maximum extent practicable consistent with good business practice, limit payment of amounts from the account in order to maximize the return on investment of amounts in the account.

(e) LIMITATION ON CONTRACTS.—The Corps of Engineers may not enter into a contract for the design or construction of a particular portion of the building described in subsection (a) until amounts in the escrow account under subsection (b), including any income on investments of such amounts under subsection (c), that are attributable to such portion of the building are sufficient to cover the amount of such contract.

(f) LIQUIDATION OF ESCROW ACCOUNT.—Upon final payment of all invoices and claims associated with the design and construction of the building described in subsection (a), the Secretary of the Air Force shall terminate the escrow account under subsection (b). Any amounts in the account upon final payment of invoices and claims shall be available to the Secretary for such purposes as the Secretary considers appropriate.

SEC. 2884. DEVELOPMENT OF MARINE CORPS HERITAGE CENTER AT MARINE CORPS BASE, QUANTICO, VIRGINIA.

(a) AUTHORITY TO ENTER INTO JOINT VENTURE FOR DEVELOPMENT.—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation, a not-for-profit entity, for the design and construction of a multipurpose facility to be used for historical displays for public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities consistent with the mission of the Marine Corps University. The facility shall be known as the Marine Corps Heritage Center.

(b) AUTHORITY TO ACCEPT CERTAIN LAND.—(1) The Secretary may, if the Secretary determines it to be necessary for the facility described in subsection (a), accept without compensation any portion of the land known as Locust Shade Park which is now offered by the Park Authority of the County of Prince William, Virginia, as a potential site for the facility.

(2) The Park Authority may convey the land described in paragraph (1) to the Secretary under this section without regard to any limitation on its use, or requirement for its replacement upon conveyance, under section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8(f)(3)) or under any other provision of law.

(c) DESIGN AND CONSTRUCTION.—For each phase of development of the facility described in subsection (a), the Secretary may—

(1) permit the Marine Corps Heritage Foundation to contract for the design, construction, or both of such phase of development; or

(2) accept funds from the Marine Corps Heritage Foundation for the design, construction, or both of such phase of development.

(d) ACCEPTANCE AUTHORITY.—Upon completion of construction of any phase of development of the facility described in subsection (a) by the Marine Corps Heritage Foundation to the satisfaction of the Secretary, and the satisfaction of any financial obligations incident thereto by the Marine Corps Heritage Foundation, the facility shall become the property of the Department of the Navy with all right, title, and interest in and to facility being in the United States.

(e) LEASE OF FACILITY.—(1) The Secretary may lease, under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility.

(2) The amount of consideration paid the Secretary by the Marine Corps Heritage Foundation for the lease under paragraph (1) may not exceed an amount equal to the actual cost (as determined by the Secretary) of the operation of the facility.

(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the facility.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2885. ACTIVITIES RELATING TO THE GREENBELT AT FALLON NAVAL AIR STATION, NEVADA.

(a) IN GENERAL.—The Secretary of the Navy shall, in consultation with the Secretary of the Army acting through the Chief of Engineers, carry out appropriate activities after examination of the potential environmental and flight safety ramifications for irrigation that has been eliminated, or will be eliminated, for the greenbelt at Fallon Naval Air Station, Nevada. Any activities carried out under the preceding sentence shall be consistent with aircrew safety at Fallon Naval Air Station.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for operation and maintenance for the Navy such sums as may be necessary to carry out the activities required by subsection (a).

SEC. 2886. ESTABLISHMENT OF WORLD WAR II MEMORIAL ON GUAM.

(a) ESTABLISHMENT REQUIRED.—The Secretary of Defense shall establish on Federal lands near the Fena Caves in Guam a suitable memorial intended to honor those Guamanian civilians who were killed during the occupation of Guam during World War II and to commemorate the liberation of Guam by the United States Armed Forces in 1944.

(b) MAINTENANCE OF MEMORIAL.—The Secretary of Defense shall be responsible for the maintenance of the memorial established pursuant to subsection (a).

(c) CONSULTATION.—In designing and building the memorial and selecting the specific location for the memorial, the Secretary of Defense shall consult with the American Battle Monuments Commission established under chapter 21 of title 36, United States Code.

SEC. 2887. NAMING OF ARMY MISSILE TESTING RANGE AT KWAJALEIN ATOLL AS THE RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE AT KWAJALEIN ATOLL.

The United States Army missile testing range located at Kwajalein Atoll in the Marshall Islands shall after the date of the enactment of this Act be known and designated as the ''Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll''. Any reference to that range in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll.

SEC. 2888. DESIGNATION OF BUILDING AT FORT BELVOIR, VIRGINIA, IN HONOR OF ANDREW T. MCNAMARA.

The building at 8725 John J. Kingman Road, Fort Belvoir, Virginia, shall be known and designated as the ''Andrew T. McNamara Building''. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Andrew T. McNamara Building.

SEC. 2889. DESIGNATION OF BALBOA NAVAL HOSPITAL, SAN DIEGO, CALIFORNIA, IN HONOR OF BOB WILSON, A FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES.

The Balboa Naval Hospital in San Diego, California, shall be known and designated as the ''Bob Wilson Naval Hospital''. Any reference to the Balboa Naval Hospital in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Bob Wilson Naval Hospital.

SEC. 2890. SENSE OF CONGRESS REGARDING IMPORTANCE OF EXPANSION OF NATIONAL TRAINING CENTER, FORT IRWIN, CALIFORNIA.

(a) FINDINGS.—Congress makes the following findings:

(1) The National Training Center at Fort Irwin, California, is the Army's premier warfare training center.

(2) The National Training Center was cited by General Norman Schwarzkopf as being instrumental to the success of the allied victory in the Persian Gulf conflict.

(3) The National Training Center gives a military unit the opportunity to use high-tech equipment and confront realistic opposing forces in order to accurately discover the unit's strengths and weaknesses.

(4) The current size of the National Training Center is insufficient in light of the advanced equipment and technology required for modern warfare training.

(5) The expansion of the National Training Center to include additional lands would permit military units and members of the Armed Forces to adequately prepare for future conflicts and various warfare scenarios they may encounter throughout the world.

(6) Additional lands for the expansion of the National Training Center are presently available in the California desert.

(7) The expansion of the National Training Center is a top priority of the Army and the Office of the Secretary of Defense.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the prompt expansion of the National Training Center is vital to the national security interests of the United States.

SEC. 2891. SENSE OF CONGRESS REGARDING LAND TRANSFERS AT MELROSE RANGE, NEW MEXICO, AND YAKIMA TRAINING CENTER, WASHINGTON.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of the Air Force seeks the transfer of 6,713 acres of public domain land within the Melrose Range, New Mexico, from the Department of the Interior to the Department of the Air Force for the continued use of these lands as a military range.

(2) The Secretary of the Army seeks the transfer of 6,640 acres of public domain land within the Yakima Training Center, Washington, from the Department of the Interior to the Department of the Army for military training purposes.

(3) The transfers provide the Department of the Air Force and the Department of the Army with complete land management control of these public domain lands to allow for effective land management, minimize safety concerns, and ensure meaningful training.

(4) The Department of the Interior concurs with the land transfers at Melrose Range and Yakima Training Center.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental restoration and waste management.
Sec. 3103. Other defense activities.
Sec. 3104. Defense environmental management privatization.
Sec. 3105. Defense nuclear waste disposal.

Subtitle B—Recurring General Provisions

Sec. 3121. Reprogramming.
Sec. 3122. Limits on general plant projects.
Sec. 3123. Limits on construction projects.
Sec. 3124. Fund transfer authority.
Sec. 3125. Authority for conceptual and construction design.
Sec. 3126. Authority for emergency planning, design, and construction activities.
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Subtitle C—Program Authorizations, Restrictions, and Limitations

Sec. 3131. Funding for termination costs of River Protection Project, Richland, Washington.
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Sec. 3134. Adjustment of composite theoretical performance levels for post-shipment verification reports on advanced supercomputer sales to certain foreign nations.
Sec. 3135. Modification of counterintelligence polygraph program.
Sec. 3136. Employee incentives for employees at closure project facilities.
Sec. 3137. Continuation of processing, treatment, and disposition of legacy nuclear materials.
Sec. 3138. Contingent limitation on use of certain funds pending certifications of compliance with Formerly Utilized Sites Remedial Action Program funding prohibition.
Sec. 3139. Conceptual design for Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.
Sec. 3140. Report on National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California.
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Sec. 3142. Report on tank waste remediation system, Hanford Reservation, Richland, Washington.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

Sec. 3151. Term of office of person first appointed as Under Secretary for Nuclear Security of the Department of Energy.
Sec. 3152. Membership of Under Secretary for Nuclear Security on the Joint Nuclear Weapons Council.
Sec. 3153. Organization plan for field offices of the National Nuclear Security Administration.
Sec. 3154. Required contents of future-years nuclear security program.
Sec. 3155. Future-years nuclear security program for fiscal year 2001.
Sec. 3156. Engineering and manufacturing research, development, and demonstration by plant managers of certain nuclear weapons production plants.
Sec. 3157. Prohibition on individuals engaging in concurrent service or duties within National Nuclear Security Administration and outside that Administration but within Department of Energy.
Sec. 3158. Annual plan for obligation of funds of the National Nuclear Security Administration.
Sec. 3159. Authority to reorganize National Nuclear Security Administration.

Subtitle E—National Laboratories Partnership Improvement

Sec. 3161. Technology Infrastructure Pilot Program.
Sec. 3162. Report on small business participation in National Nuclear Security Administration activities.
Sec. 3163. Study and report related to improving mission effectiveness, partnerships, and technology transfer at national security laboratories and nuclear weapons production facilities.

Sec. 3164. Report on effectiveness of National Nuclear Security Administration technology development partnerships with non-Federal entities.
Sec. 3165. Definitions.

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

Sec. 3171. Annual report on status of Nuclear Materials Protection, Control, and Accounting Program.
Sec. 3172. Nuclear Cities Initiative.
Sec. 3173. Department of Energy nonproliferation monitoring.
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Subtitle G—Other Matters

Sec. 3191. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
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Sec. 3193. Frequency of reports on inadvertent releases of Restricted Data and Formerly Restricted Data.
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Sec. 3195. Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security.
Sec. 3196. Cooperative research and development agreements for government-owned, contractor-operated laboratories.
Sec. 3197. Office of Arctic Energy.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $6,422,356,000, to be allocated as follows:

(1) WEAPONS ACTIVITIES.—For weapons activities, $4,840,289,000, to be allocated as follows:

(A) For stewardship, $4,505,545,000, to be allocated as follows:

(i) For directed stockpile work, $862,603,000.

(ii) For campaigns, $2,054,014,000, to be allocated as follows:

(I) For operation and maintenance, $1,639,682,000.

(II) For construction, $414,332,000, to be allocated as follows:

Project 01–D–101, distributed information systems laboratory, Sandia National Laboratories, Livermore, California, $2,300,000.

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $5,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $56,000,000.

Project 00–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $6,700,000.

Project 98–D–125, tritium extraction facility, Savannah River Plant, Aiken, South Carolina, $75,000,000.

Project 98–D–126, accelerator production of tritium, various locations, $25,000,000.

Project 97–D–102, dual-axis radiographic hydrotest facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $35,232,000.

Project 96–D–111, national ignition facility (NIF), Lawrence Livermore National Laboratory, Livermore, California, $209,100,000.

(iii) For readiness in technical base and facilities, $1,588,928,000, to be allocated as follows:

(I) For operation and maintenance, $1,429,087,000.

(II) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $159,841,000, to be allocated as follows:

Project 01–D–103, preliminary project design and engineering, various locations, $14,500,000.

Project 01–D–124, highly enriched uranium (HEU) materials storage facility, Y–12 Plant, Oak Ridge, Tennessee, $17,800,000.

Project 01–D–126, weapons evaluation test laboratory, Pantex Plant, Amarillo, Texas, $3,000,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $5,000,000.

Project 99–D–104, protection of real property (roof reconstruction, phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–106, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $5,200,000.

Project 99–D–108, renovate existing roadways, Nevada Test Site, Nevada, $2,000,000.

Project 99–D–125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $13,000,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City plant, Kansas City, Missouri, $23,765,000.

Project 99–D–128, stockpile management restructuring initiative, Pantex Plant, Amarillo, Texas, $4,998,000.

Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $18,043,000.

Project 98–D–123, stockpile management restructuring initiative, tritium facility modernization and consolidation, Savannah River Plant, Aiken, South Carolina, $30,767,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $2,918,000.

Project 95–D–102, chemistry and metallurgy research (CMR) upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $13,337,000.

Project 88–D–123, security enhancements, Pantex Plant, Amarillo, Texas, $2,713,000.

(B) For secure transportation asset, $115,673,000, to be allocated as follows:

(i) For operation and maintenance, $79,357,000.

(ii) For program direction, $36,316,000.

(C) For program direction, $219,071,000.

(2) DEFENSE NUCLEAR NONPROLIFERATION.—For other nuclear security activities, $877,467,000, to be allocated as follows:

(A) For nonproliferation and verification research and development, $252,990,000, to be allocated as follows:

(i) For operation and maintenance, $245,990,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $7,000,000, to be allocated as follows:

Project 00–D–192, nonproliferation and international security center (NISC), Los Alamos National Laboratory, Los Alamos, New Mexico, $7,000,000.

(B) For arms control, $320,560,000, to be allocated as follows:

(i) For arms control operations, $285,370,000.

(ii) For highly enriched uranium transparency implementation, $15,190,000.

(iii) For international nuclear safety, $20,000,000.

(C) For fissile materials control and disposition, $252,449,000, to be allocated as follows:

(i) For operation and maintenance, $175,517,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $76,932,000, to be allocated as follows:

Project 01–D–407, highly enriched uranium blend-down, Savannah River Site, Aiken, South Carolina, $27,932,000.

Project 00–D–142, immobilization and associated processing facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $3,000,000.

Project 99–D–141, pit disassembly and conversion facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $20,000,000.

Project 99–D–143, mixed oxide fuel fabrication facility (Title I and II design), Savannah River Site, Aiken, South Carolina, $26,000,000.

(D) For program direction, $51,468,000.

(3) NAVAL REACTORS.—For naval reactors, $694,600,000, to be allocated as follows:

(A) For naval reactors development, $673,200,000, to be allocated as follows:

(i) For operation and maintenance, $644,500,000.

(ii) For general plant projects, $11,400,000.

(iii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $17,300,000, to be allocated as follows:

Project 01–D–200, major office replacement building, Schenectady, New York, $1,300,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $16,000,000.

(B) For program direction, $21,400,000.

(4) OFFICE OF ADMINISTRATOR FOR NUCLEAR SECURITY.—For the Office of the Administrator for Nuclear Security, for program direction, $10,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(a) IN GENERAL.—Subject to subsection (b), funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for environmental restoration and waste management activities in carrying out programs necessary for national security in the amount of $6,058,009,000, to be allocated as follows:

(1) CLOSURE PROJECTS.—For closure projects carried out in accordance with section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2836; 42 U.S.C. 7277n), $1,082,297,000

(2) SITE/PROJECT COMPLETION.—For site completion and project completion in carrying out environmental management activities necessary for national security programs, $941,719,000, to be allocated as follows:

(A) For operation and maintenance, $900,175,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $41,544,000, to be allocated as follows:

Project 01–D–402, Intec cathodic protection system expansion, Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho, $500,000.

Project 99–D–402, tank farm support services, F&H areas, Savannah River Site, Aiken, South Carolina, $7,714,000.

Project 99–D–404, health physics instrumentation laboratory, Idaho National Engineering

and Environmental Laboratory, Idaho Falls, Idaho, $4,300,000.

Project 98–D–453, plutonium stabilization and handling system for plutonium finishing plant, Richland, Washington, $1,690,000.

Project 97–D–470, regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, South Carolina, $3,949,000.

Project 96–D–471, chlorofluorocarbon heating, ventilation, and air conditioning and chiller retrofit, Savannah River Site, Aiken, South Carolina, $12,512,000.

Project 92–D–140, F&H canyon exhaust upgrades, Savannah River Site, Aiken, South Carolina, $8,879,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

(3) POST-2006 COMPLETION.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $3,432,457,000, to be allocated as follows:

(A) For operation and maintenance, $2,691,106,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $27,212,000, to be allocated as follows:I26 Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River Site, Aiken, South Carolina, $27,212,000.

(C) For the Office of River Protection in carrying out environmental restoration and waste management activities necessary for national security programs, $714,139,000, to be allocated as follows:

(i) For operation and maintenance, $309,619,000.

(ii) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $404,520,000, to be allocated as follows:

Project 01–D–416, Tank Waste Remediation System privatization phase I, Richland, Washington, $332,000,000.

Project 01–D–403, immobilized high-level waste interim storage facility, Richland, Washington, $1,300,000.

Project 99–D–403, privatization phase I infrastructure support, Richland, Washington, $7,812,000.

Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $46,023,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $17,385,000.

(4) SCIENCE AND TECHNOLOGY DEVELOPMENT.—For science and technology development in carrying out environmental restoration and waste management activities necessary for national security programs, $246,548,000.

(5) PROGRAM DIRECTION.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs, $354,988,000.

(b) ADJUSTMENT.—The total amount authorized to be appropriated by subsection (a) is the sum of the amounts authorized to be appropriated by paragraphs (1) through (5) of that subsection, reduced by $84,317,000, to be derived from offsets and use of prior year balances.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for other defense activities in carrying out programs necessary for national security in the amount of $543,822,000, to be allocated as follows:

(1) INTELLIGENCE.—For intelligence, $38,059,000, to be allocated as follows:

(A) For operation and maintenance, $36,059,000.

(B) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto), $2,000,000, to be allocated as follows:

Project 01–D–800, Sensitive compartmented information facility, Lawrence Livermore National Laboratory, Livermore, California, $2,000,000.

(2) COUNTERINTELLIGENCE.—For counterintelligence, $45,200,000.

(3) SECURITY AND EMERGENCY OPERATIONS.—For security and emergency operations, $284,076,000, to be allocated as follows:

(A) For nuclear safeguards and security, $124,409,000.

(B) For security investigations, $33,000,000.

(C) For emergency management, $37,300,000.

(D) For program direction, $89,367,000.

(4) INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE.—For independent oversight and performance assurance, $14,937,000.

(5) ENVIRONMENT, SAFETY, AND HEALTH.—For the Office of Environment, Safety, and Health, $134,050,000, to be allocated as follows:

(A) For environment, safety, and health (defense), $86,446,000.

(B) For the Energy Employees Occupational Illness Compensation initiative, $25,000,000.

(C) For program direction, $22,604,000.

(6) WORKER AND COMMUNITY TRANSITION ASSISTANCE.—For worker and community transition assistance, $24,500,000, to be allocated as follows:

(A) For worker and community transition, $21,500,000.

(B) For program direction, $3,000,000.

(7) OFFICE OF HEARINGS AND APPEALS.—For the Office of Hearings and Appeals, $3,000,000.

(b) ADJUSTMENTS.—The amount authorized to be appropriated pursuant to subsection (a)(3)(B) is reduced by $20,000,000 to reflect an offset provided by user organizations for security investigations.

SEC. 3104. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $90,092,000, to be allocated as follows:

Project 98–PVT–2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $25,092,000.

Project 97–PVT–2, advanced mixed waste treatment project Idaho Falls, Idaho, $65,000,000.

(b) EXPLANATION OF ADJUSTMENT.—The amount authorized to be appropriated pursuant to subsection (a) is the sum of the amounts authorized to be appropriated for the projects in that subsection reduced by $90,092,000 for use of prior year balances of funds for defense environmental management privatization.

SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2001 for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $112,000,000.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) IN GENERAL.—Until the Secretary of Energy submits to the congressional defense committees the report referred to in subsection (b) and a period of 30 days has elapsed after the date on which such committees receive the report, the Secretary may not use amounts appropriated pursuant to this title for any program—

(1) in amounts that exceed, in a fiscal year—

(A) 110 percent of the amount authorized for that program by this title; or

(B) $ 1,000,000 more than the amount authorized for that program by this title; or

(2) which has not been presented to, or requested of, Congress.

(b) REPORT.—(1) The report referred to in subsection (a) is a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of the proposed action.

(2) In the computation of the 30-day period under subsection (a), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(c) LIMITATIONS.—(1) In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

(2) Funds appropriated pursuant to this title may not be used for an item for which Congress has specifically denied funds.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects authorized by this title if the total estimated cost of the construction project does not exceed $5,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $5,000,000, the Secretary shall immediately furnish a report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, authorized by 3101, 3102, or 3103, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such action necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain.

(b) EXCEPTION.—Subsection (a) does not apply to a construction project with a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

(a) TRANSFER TO OTHER FEDERAL AGENCIES.—The Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title to other Federal agencies for the performance of work for which the funds were authorized. Funds so transferred may be merged with and be available for the same purposes and for the same time period as the authorizations of the Federal agency to which the amounts are transferred.

(b) TRANSFER WITHIN DEPARTMENT OF ENERGY.—(1) Subject to paragraph (2), the Secretary of Energy may transfer funds authorized to be appropriated to the Department of Energy pursuant to this title between any such authorizations. Amounts of authorizations so transferred may be merged with and be available for the same purposes and for the same period as the authorization to which the amounts are transferred.

(2) Not more than 5 percent of any such authorization may be transferred between authorizations under paragraph (1). No such authorization may be increased or decreased by more than 5 percent by a transfer under such paragraph.

(c) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may be used only to provide funds for items relating to activities necessary for national security programs that have a higher priority than the items from which the funds are transferred; and

(2) may not be used to provide funds for an item for which Congress has specifically denied funds.

(d) NOTICE TO CONGRESS.—The Secretary of Energy shall promptly notify the Committees on Armed Services of the Senate and House of Representatives of any transfer of funds to or from authorizations under this title.

SEC. 3125. AUTHORITY FOR CONCEPTUAL AND CONSTRUCTION DESIGN.

(a) REQUIREMENT OF CONCEPTUAL DESIGN.—(1) Subject to paragraph (2) and except as provided in paragraph (3), before submitting to Congress a request for funds for a construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a conceptual design for that project.

(2) If the estimated cost of completing a conceptual design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the conceptual design before submitting a request for funds for the construction project.

(3) The requirement in paragraph (1) does not apply to a request for funds—

(A) for a construction project the total estimated cost of which is less than $5,000,000; or

(B) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) Within the amounts authorized by this title, the Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such design does not exceed $600,000.

(2) If the total estimated cost for construction design in connection with any construction project exceeds $600,000, funds for that design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy pursuant to an authorization in this title, including funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, and 3103, to perform planning, design, and construction activities for any Department of Energy national security program construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health and safety, to meet the needs of national defense, or to protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making those activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b)(2) does not apply to emergency planning, design, and construction activities conducted under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Except as provided in subsection (b), when so specified in an appropriations Act, amounts appropriated for operation and maintenance or for plant projects may remain available until expended.

(b) EXCEPTION FOR PROGRAM DIRECTION FUNDS.—Amounts appropriated for program direction pursuant to an authorization of appropriations in subtitle A shall remain available to be expended only until the end of fiscal year 2002.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.

(a) TRANSFER AUTHORITY FOR DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS.—The Secretary of Energy shall provide the manager of each field office of the Department of Energy with the authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

(b) LIMITATIONS.—(1) Only one transfer may be made to or from any program or project under subsection (a) in a fiscal year.

(2) The amount transferred to or from a program or project under subsection (a) may not exceed $5,000,000 in a fiscal year.

(3) A transfer may not be carried out by a manager of a field office under subsection (a) unless the manager determines that the transfer is necessary to address a risk to health, safety, or the environment or to assure the most efficient use of defense environmental management funds at the field office.

(4) Funds transferred pursuant to subsection (a) 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.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3121 shall not apply to transfers of funds pursuant to subsection (a).

(d) NOTIFICATION.—The Secretary, acting through the Assistant Secretary of Energy for Environmental Management, shall notify Congress of any transfer of funds pursuant to subsection (a) not later than 30 days after such transfer occurs.

(e) DEFINITIONS.—In this section:

(1) The term ''program or project'' means, with respect to a field office of the Department of Energy, any of the following:

(A) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(B) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary for national security programs of the Department, that is being carried out by the office, and for which defense environmental management funds have been authorized and appropriated before the date of the enactment of this Act.

(2) The term ''defense environmental management funds'' means funds appropriated to the Department of Energy pursuant to an authorization for carrying out environmental restoration and waste management activities necessary for national security programs.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during the period beginning on October 1, 2000, and ending on September 30, 2001.

Subtitle C—Program Authorizations, Restrictions, and Limitations

SEC. 3131. FUNDING FOR TERMINATION COSTS OF RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

The Secretary of Energy may not use appropriated funds to establish a reserve for the payment of any costs of termination of any contract relating to the River Protection Project, Richland, Washington (as designated by section 3141), that is terminated after the date of the enactment of this Act. Such costs may be paid from—

(1) appropriations originally available for the performance of the contract concerned;

(2) appropriations currently available for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs, and not otherwise obligated; or

(3) funds appropriated specifically for the payment of such costs.

SEC. 3132. ENHANCED COOPERATION BETWEEN NATIONAL NUCLEAR SECURITY ADMINISTRATION AND BALLISTIC MISSILE DEFENSE ORGANIZATION.

(a) JOINTLY FUNDED PROJECTS.—The Secretary of Energy and the Secretary of Defense shall modify the memorandum of understanding for the use of the national laboratories for ballistic missile defense programs, entered into under section 3131 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 2034; 10 U.S.C. 2431 note), to provide for jointly funded projects.

(b) REQUIREMENTS FOR PROJECTS.—The projects referred to in subsection (a) shall—

(1) be carried out by the National Nuclear Security Administration and the Ballistic Missile Defense Organization; and

(2) contribute to sustaining—

(A) the expertise necessary for the viability of such laboratories; and

(B) the capabilities required to sustain the nuclear stockpile.

(c) PARTICIPATION BY NNSA IN CERTAIN BMDO ACTIVITIES.—The Administrator for Nuclear Security and the Director of the Ballistic Missile Defense Organization shall implement mechanisms that increase the cooperative relationship between those organizations. Those mechanisms may include participation by personnel of the National Nuclear Security Administration in the following activities of the Ballistic Missile Defense Organization:

(1) Peer reviews of technical efforts.

(2) Activities of so-called ''red teams''.

SEC. 3133. REPROGRAMMING OF FUNDS AVAILABLE FOR INFRASTRUCTURE UPGRADES OR MAINTENANCE IN CERTAIN ACCOUNTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) LIMITATION.—(1) Except as provided in paragraph (2), the Secretary of Energy may not use amounts appropriated or otherwise made available to the Secretary for fiscal year 2001 for the purpose of infrastructure upgrades or maintenance in an account specified in subsection (b) for any other purpose.

(2) Paragraph (1) does not apply to a particular amount for the purpose of a particular infrastructure upgrade or maintenance project if the Secretary—

(A) determines that that project is not needed by reason of a change to, or cancellation of, a

program for which that project was intended to be used; and

(B) submits to the congressional defense committees the report referred to in subsection (c) and a period of 45 days elapses after the date on which such committees receive such report.

(b) COVERED ACCOUNTS.—An account referred to in subsection (a) is any Construction account or Readiness in Technical Base and Facilities account within any National Nuclear Security Administration budget account.

(c) REPORT.—(1) The report referred to in subsection (a)(2)(B) is a report containing a full and complete statement of—

(A) the determination of the Secretary under subsection (a)(2)(A); and

(B) the action proposed to be taken with the particular amount concerned and the facts and circumstances relied upon in support of such proposed action.

(2) In the computation of the 45-day period under subsection (a)(2)(B), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than three days to a day certain.

(d) COORDINATION WITH GENERAL REPROGRAMMING REPORT.—If the Secretary, in accordance with this section, submits a report referred to in subsection (c) for the use of a particular amount, that report shall be treated, for purposes of section 3121, as the report referred to in subsection (b) of that section for that use of that amount.

SEC. 3134. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS FOR POST-SHIPMENT VERIFICATION REPORTS ON ADVANCED SUPERCOMPUTER SALES TO CERTAIN FOREIGN NATIONS.

Section 3157 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended by adding at the end the following new subsection:

''(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for the purposes of subsection (a) of this section in lieu of the level set forth in subsection (a).''.

SEC. 3135. MODIFICATION OF COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

(a) COVERED PERSONS.—Subsection (b) of section 3154 of the Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999 (subtitle D of title XXXI of Public Law 106–65; 113 Stat. 941; 42 U.S.C. 7383h) is amended to read as follows:

''(b) COVERED PERSONS.—(1) Subject to paragraph (2), for purposes of this section, a covered person is one of the following:

''(A) An officer or employee of the Department.

''(B) An expert or consultant under contract to the Department.

''(C) An officer or employee of a contractor of the Department.

''(D) An individual assigned or detailed to the Department.

''(E) An applicant for a position in the Department.

''(2) A person described in paragraph (1) is a covered person for purposes of this section only if the position of the person, or for which the person is applying, under that paragraph is a position in one of the categories of positions listed in section 709.4(a) of title 10, Code of Federal Regulations.''.

(b) HIGH-RISK PROGRAMS.—Subsection (c) of that section is amended to read as follows:

''(c) HIGH-RISK PROGRAMS.—For purposes of this section, high-risk programs are the following:

''(1) Programs using information known as Sensitive Compartmented Information.

''(2) The programs known as Special Access Programs and Personnel Security and Assurance Programs.

''(3) Any other program or position category specified in section 709.4(a) of title 10, Code of Federal Regulations.''.

(c) AUTHORITY TO WAIVE EXAMINATION REQUIREMENT.—Subsection (d) of that section is amended—

(1) by inserting ''(1)'' before ''The Secretary''; and

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

''(2) Subject to paragraph (3), the Secretary may, after consultation with appropriate security personnel, waive the applicability of paragraph (1) to a covered person—

''(A) if—

''(i) the Secretary determines that the waiver is important to the national security interests of the United States;

''(ii) the covered person has an active security clearance; and

''(iii) the covered person acknowledges in a signed writing that the capacity of the covered person to perform duties under a high-risk program after the expiration of the waiver is conditional upon meeting the requirements of paragraph (1) within the effective period of the waiver;

''(B) if another Federal agency certifies to the Secretary that the covered person has completed successfully a full-scope or counterintelligence-scope polygraph examination during the 5-year period ending on the date of the certification; or

''(C) if the Secretary determines, after consultation with the covered person and appropriate medical personnel, that the treatment of a medical or psychological condition of the covered person should preclude the administration of the examination.

''(3)(A) The Secretary may not commence the exercise of the authority under paragraph (2) to waive the applicability of paragraph (1) to any covered persons until 15 days after the date on which the Secretary submits to the appropriate committees of Congress a report setting forth the criteria to be used by the Secretary for determining when a waiver under paragraph (2)(A) is important to the national security interests of the United States. The criteria shall not include the need to maintain the scientific vitality of the laboratory. The criteria shall include an assessment of counterintelligence risks and programmatic impacts.

''(B) Any waiver under paragraph (2)(A) shall be effective for not more than 120 days, and a person who is subject to a waiver under paragraph (2)(A) may not ever be subject to another waiver under paragraph (2)(A).

''(C) Any waiver under paragraph (2)(C) shall be effective for the duration of the treatment on which such waiver is based.

''(4) The Secretary shall submit to the appropriate committees of Congress on a semi-annual basis a report on any determinations made under paragraph (2)(A) during the 6-month period ending on the date of such report. The report shall include a national security justification for each waiver resulting from such determinations.

''(5) In this subsection, the term 'appropriate committees of Congress' means the following:

''(A) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

''(B) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

''(6) It is the sense of Congress that the waiver authority in paragraph (2) not be used by the Secretary to exempt from the applicability of paragraph (1) any covered persons in the highest risk categories, such as persons who have access to the most sensitive weapons design information and other highly sensitive programs, including special access programs.

''(7) The authority under paragraph (2) to waive the applicability of paragraph (1) to a covered person shall expire on September 30, 2002.''.

(d) SCOPE OF COUNTERINTELLIGENCE POLYGRAPH EXAMINATION.—Subsection (f) of that section is amended—

(1) by inserting ''terrorism,'' after ''sabotage,''; and

(2) by inserting ''deliberate damage to or malicious misuse of a United States Government information or defense system,'' before ''and''.

SEC. 3136. EMPLOYEE INCENTIVES FOR EMPLOYEES AT CLOSURE PROJECT FACILITIES.

(a) AUTHORITY TO PROVIDE INCENTIVES.—Notwithstanding any other provision of law, the Secretary of Energy may provide to any eligible employee of the Department of Energy one or more of the incentives described in subsection (d).

(b) ELIGIBLE EMPLOYEES.—An individual is an eligible employee of the Department of Energy for purposes of this section if the individual—

(1) has worked continuously at a closure facility for at least two years;

(2) is an employee (as that term is defined in section 2105(a) of title 5, United States Code);

(3) has a fully satisfactory or equivalent performance rating during the most recent performance period and is not subject to an adverse notice regarding conduct; and

(4) meets any other requirement or condition under subsection (d) for the incentive which is provided the employee under this section.

(c) CLOSURE FACILITY DEFINED.—For purposes of this section, the term ''closure facility'' means a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n).

(d) INCENTIVES.—The incentives that the Secretary may provide under this section are the following:

(1) The right to accumulate annual leave provided by section 6303 of title 5, United States Code, for use in succeeding years until it totals not more than 90 days, or not more than 720 hours based on a standard work week, at the beginning of the first full biweekly pay period, or corresponding period for an employee who is not paid on the basis of biweekly pay periods, occurring in a year, except that—

(A) any annual leave that remains unused when an employee transfers to a position in a department or agency of the Federal Government shall be liquidated upon the transfer by payment to the employee of a lump sum for leave in excess of 30 days, or in excess of 240 hours based on a standard work week; and

(B) upon separation from service, annual leave accumulated under this paragraph shall be treated as any other accumulated annual leave is treated.

(2) The right to be paid a retention allowance in a lump sum in compliance with paragraphs (1) and (2) of section 5754(b) of title 5, United States Code, if the employee meets the requirements of section 5754(a) of that title, except that the retention allowance may exceed 25 percent, but may not be more than 30 percent, of the employee's rate of basic pay.

(e) AGREEMENT.—An eligible employee of the Department of Energy provided an incentive under this section shall enter into an agreement with the Secretary to remain employed at the closure facility at which the employee is employed as of the date of the agreement until a specific date or for a specific period of time.

(f) VIOLATION OF AGREEMENT.—(1) Except as provided under paragraph (3), an eligible employee of the Department of Energy who violates an agreement under subsection (e), or is

dismissed for cause, shall forfeit eligibility for any incentives under this section as of the date of the violation or dismissal, as the case may be.

(2) Except as provided under paragraph (3), an eligible employee of the Department of Energy who is paid a retention allowance under subsection (d)(2) and who violates an agreement under subsection (e), or is dismissed for cause, before the end of the period or date of employment agreed upon under such agreement shall refund to the United States an amount that bears the same ratio to the aggregate amount so paid to or received by the employee as the unserved part of such employment bears to the total period of employment agreed upon under such agreement.

(3) The Secretary may waive the applicability of paragraph (1) or (2) to an employee otherwise covered by such paragraph if the Secretary determines that there is good and sufficient reason for the waiver.

(g) REPORT.—The Secretary shall include in each report on a closure project under section 3143(h) of the National Defense Authorization Act for Fiscal Year 1997 a report on the incentives, if any, provided under this section with respect to the project for the period covered by such report.

(h) AUTHORITY WITH RESPECT TO HEALTH COVERAGE.—Section 8905a(d)(5)(A) of title 5, United States Code (as added by section 1106 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 113 Stat. 1598)), is amended by inserting after ''readjustment'' the following: '', or a voluntary or involuntary separation from a Department of Energy position at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n)''.

(i) AUTHORITY WITH RESPECT TO VOLUNTARY SEPARATIONS.—(1) The Secretary may—

(A) separate from service any employee at a Department of Energy facility at which the Secretary is carrying out a closure project selected under section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (42 U.S.C. 7274n) who volunteers to be separated under this subparagraph even though the employee is not otherwise subject to separation due to a reduction in force; and

(B) for each employee voluntarily separated under subparagraph (A), retain an employee in a similar position who would otherwise be separated due to a reduction in force.

(2) The separation of an employee under paragraph (1)(A) shall be treated as an involuntary separation due to a reduction in force.

(3) An employee with critical knowledge and skills (as defined by the Secretary) may not participate in a voluntary separation under paragraph (1)(A) if the Secretary determines that such participation would impair the performance of the mission of the Department of Energy.

(j) TERMINATION.—The authority to provide incentives under this section terminates on March 31, 2007.

SEC. 3137. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.

(a) CONTINUATION.—The Secretary of Energy shall continue operations and maintain a high state of readiness at the F–canyon and H–canyon facilities at the Savannah River Site, Aiken, South Carolina, and shall provide technical staff necessary to operate and so maintain such facilities.

(b) LIMITATION ON USE OF FUNDS FOR DECOMMISSIONING OF F–CANYON FACILITY.—No amounts authorized to be appropriated or otherwise made available for the Department of Energy by this or any other Act may be obligated or expended for purposes of commencing the decommissioning of the F–canyon facility at the Savannah River Site until the Secretary and the Defense Nuclear Facilities Safety Board jointly submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the following:

(1) A certification that all materials present in the F–canyon facility as of the date of the certification are safely stabilized.

(2) A certification whether or not the requirements applicable to the F–canyon facility to meet the future needs of the United States for fissile materials disposition can be met through full use of the H–canyon facility at the Savannah River Site.

(3) If the certification required by paragraph (2) is that such requirements cannot be met through such use of the H–canyon facility—

(A) an identification by the Secretary of each such requirement that cannot be met through such use of the H–canyon facility; and

(B) for each requirement identified in subparagraph (A), the reasons why that requirement cannot be met through such use of the H–canyon facility and a description of the alternative capability for fissile materials disposition that is needed to meet that requirement.

(c) PLAN FOR TRANSFER OF LONG-TERM CHEMICAL SEPARATION ACTIVITIES.—Not later than February 15, 2001, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a plan for the transfer of all long-term chemical separation activities at the Savannah River Site from the F–canyon facility to the H–canyon facility commencing in fiscal year 2002.

SEC. 3138. CONTINGENT LIMITATION ON USE OF CERTAIN FUNDS PENDING CERTIFICATIONS OF COMPLIANCE WITH FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM FUNDING PROHIBITION.

(a) CONTINGENT LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN TRAVEL EXPENSES.—Effective November 1, 2001, but subject to subsection (b), no funds authorized to be appropriated or otherwise made available by this or any other Act for the Department of Energy or the Department of the Army may be obligated or expended for travel by—

(1) the Secretary of Energy or any officer or employee of the Office of the Secretary of Energy; or

(2) the Chief of Engineers.

(b) EFFECTIVE DATE.—The limitation in subsection (a) shall not take effect if before November 1, 2001, both of the following certifications are submitted to the congressional defense committees:

(1) A certification by the Secretary of Energy that the Department of Energy is in compliance with the requirements of section 3131 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 925; 10 U.S.C. 2701 note).

(2) A certification by the Chief of Engineers that the Corps of Engineers is in compliance with the requirements of that section.

(c) TERMINATION.—If the limitation in subsection (a) takes effect, the limitation shall cease to be in effect when both certifications referred to in subsection (b) have been submitted to the congressional defense committees.

SEC. 3139. CONCEPTUAL DESIGN FOR SUBSURFACE GEOSCIENCES LABORATORY AT IDAHO NATIONAL ENGINEERING AND ENVIRONMENTAL LABORATORY, IDAHO FALLS, IDAHO.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by paragraphs (2) and (3) of section 3102(a), not more than $400,000 may be available to the Secretary of Energy for purposes of carrying out a conceptual design for a Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho.

(b) LIMITATION.—None of the funds authorized to be appropriated by subsection (a) may be obligated until 60 days after the date on which the Secretary submits the report required by subsection (c).

(c) REPORT.—The Secretary of Energy shall submit to the congressional defense committees a report on the proposed Subsurface Geosciences Laboratory. The report shall include the following:

(1) Whether there is a need to conduct mesoscale experiments to meet long-term cleanup requirements at Department of Energy sites.

(2) The possibility of using or modifying an existing structure or facility to house a new capability for conducting mesoscale experiments.

(3) The estimated construction cost of the facility.

(4) The estimated annual operating cost of the facility.

(5) How the facility will use, integrate, and support the technical expertise, capabilities, and requirements at other Department of Energy and non-Department of Energy facilities.

(6) An analysis of costs, savings, and benefits which are unique to the Idaho National Engineering and Environmental Laboratory.

SEC. 3140. REPORT ON NATIONAL IGNITION FACILITY, LAWRENCE LIVERMORE NATIONAL LABORATORY, LIVERMORE, CALIFORNIA.

(a) NEW BASELINE.—(1) Not more than 50 percent of the funds available for the national ignition facility (Project 96–D–111) may be obligated or expended until the Administrator for Nuclear Security submits to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a new baseline plan for the completion of the national ignition facility.

(2) The report shall include—

(A) the funding required for completion of the facility, set forth in detail, year by year; and

(B) projected dates for the completion of program milestones, including the date on which the first laser beams are expected to become operational.

(b) COMPTROLLER GENERAL REVIEW OF NIF PROGRAM.—(1) The Comptroller General shall conduct a thorough review of the national ignition facility program.

(2) Not later than March 31, 2001, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the review conducted under paragraph (1). The report shall include the following:

(A) An analysis of—

(i) the role of the national ignition facility in ensuring the safety and reliability of the nuclear stockpile of the United States;

(ii) the relationship of the national ignition facility program to other significant programs to sustain the nuclear stockpile of the United States; and

(iii) the potential effect of delays in the national ignition facility program, and of a failure to complete significant program objectives of the program, on the other significant programs to sustain the nuclear stockpile of the United States, such as the Accelerated Strategic Computing Initiative Program.

(B) A detailed description and analysis of the funds spent as of the date of the report on the national ignition facility program.

(C) An assessment whether the new baseline plan for the national ignition facility program submitted under subsection (a) includes clear goals for that program, adequate and sustainable funding, and achievable milestones for that program.

SEC. 3141. RIVER PROTECTION PROJECT, RICHLAND, WASHINGTON.

(a) REDESIGNATION OF PROJECT.—The tank waste remediation system environmental project, Richland, Washington, including all programs relating to the retrieval and treatment of tank waste at the site at Hanford, Washington, under the management of the Office of River Protection, shall be known and designated as the ''River Protection Project''. Any reference to that project in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the River Protection Project.

(b) MANAGEMENT AND RESPONSIBILITY OF OFFICE OF RIVER PROTECTION.—Subsection (b) of section 3139 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2250) is amended—

(1) in paragraph (2), by striking ''managing all aspects of the'' and all that follows through the period and inserting ''managing, consistent with the policy direction established by the Department, all aspects of the River Protection Project, Richland, Washington.''; and

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

''(3)(A) The Assistant Secretary of Energy for Environmental Management shall delegate in writing responsibility for the management of the River Protection Project, Richland, Washington, to the head of the Office.

''(B) Such delegation shall include, at a minimum, authorities for contracting, financial management, safety, and general program management that are equivalent to the authorities of managers of other operations offices of the Department of Energy.

''(C) The head of the Office shall, to the maximum extent possible, coordinate all activities of the Office with the manager of the Richland Operations Office of the Department of Energy.''.

(c) DEPARTMENT RESPONSIBILITIES.—Subsection (c) of such section is amended—

(1) by striking ''manager'' and inserting ''head''; and

(2) by striking ''to manage'' and all that follows through the period and inserting ''to carry out the responsibilities specified in subsection (b)(2).''.

(d) REPORTING TO CONGRESS.—Subsection (d) of such section is amended to read as follows:

''(d) REPORT.—The Assistant Secretary of Energy for Environmental Management shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than 30 days after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, a copy of the delegation of authority required by subsection (b)(3).''.

SEC. 3142. REPORT ON TANK WASTE REMEDIATION SYSTEM, HANFORD RESERVATION, RICHLAND, WASHINGTON.

Not later than December 15, 2000, the Secretary of Energy shall submit to Congress a report on the Tank Waste Remediation System project, Hanford Reservation, Richland, Washington. The report shall include the following:

(1) A proposed plan for processing and stabilizing all nuclear waste located in the Hanford Tank Farm.

(2) A proposed schedule for carrying out that proposed plan.

(3) The total estimated cost of carrying out that proposed plan.

(4) A description of any alternative options to that proposed plan and a description of the costs and benefits of each such option.

(5) A description of the volumes and characteristics of any wastes or materials that are not to be treated during phase 1(B) of the project.

(6) A plan for developing, demonstrating, and implementing advanced vitrification system technologies that can be used to treat and stabilize any out-of-specification wastes or materials (such as polychlorinated biphenyls) that cannot be treated and stabilized with the technologies that are to be used during phase 1(B) of the project.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

SEC. 3151. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY.

(a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the person first appointed to that position shall be three years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 954).

SEC. 3152. MEMBERSHIP OF UNDER SECRETARY FOR NUCLEAR SECURITY ON THE JOINT NUCLEAR WEAPONS COUNCIL.

(a) MEMBERSHIP.—Section 179 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) The Under Secretary for Nuclear Security of the Department of Energy.''; and

(2) in subsection (b)(2), by striking ''the representative designated under subsection (a)(3)'' and inserting ''the Under Secretary for Nuclear Security of the Department of Energy''.

(b) CONFORMING AMENDMENT.—Section 3212 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) is amended by adding at the end the following new subsection:

''(e) MEMBERSHIP ON JOINT NUCLEAR WEAPONS COUNCIL.—The Administrator serves as a member of the Joint Nuclear Weapons Council under section 179 of title 10, United States Code.''.

SEC. 3153. ORGANIZATION PLAN FOR FIELD OFFICES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Not later than May 1, 2001, the Administrator for Nuclear Security shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a plan for assigning roles and responsibilities to and among the headquarters and field organizational units of the National Nuclear Security Administration.

(b) PLAN ELEMENTS.—The plan shall include the following:

(1) A general description of the organizational structure of the administrative functions of the National Nuclear Security Administration under the plan, including the authorities and responsibilities to be vested in the units of the headquarters, operations offices, and area offices of the Administration.

(2) A description of any downsizing, elimination, or consolidation of units of the headquarters, operations offices, and area offices of the Administration that may be necessary to enhance the efficiency of the Administration.

(3) A description of the modifications of staffing levels of the headquarters, operations offices, and area offices of the Administration, including any reductions in force, employment of additional personnel, or realignments of personnel, that are necessary to implement the plan.

(4) A schedule for the implementation of the plan.

(c) INCLUDED FACILITIES.—The plan shall address any administrative units in the National Nuclear Security Administration, including units in and under the following:

(1) The Department of Energy Headquarters, Washington, District of Columbia, metropolitan area.

(2) The Albuquerque Operations Office, Albuquerque, New Mexico.

(3) The Nevada Operations Office, Las Vegas, Nevada.

(4) The Oak Ridge Operations Office, Oak Ridge, Tennessee.

(5) The Oakland Operations Office, Oakland, California.

(6) The Savannah River Operations Office, Aiken, South Carolina.

(7) The Los Alamos Area Office, Los Alamos, New Mexico.

(8) The Kirtland Area Office, Albuquerque, New Mexico.

(9) The Amarillo Area Office, Amarillo, Texas.

(10) The Kansas City Area Office, Kansas City, Missouri.

SEC. 3154. REQUIRED CONTENTS OF FUTURE-YEARS NUCLEAR SECURITY PROGRAM.

(a) CONTENTS REQUIRED.—Subsection (b) of section 3253 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 966; 50 U.S.C. 2453) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting before paragraph (4) (as redesignated by paragraph (2)) the following new paragraphs:

''(1) A detailed description of the program elements (and the projects, activities, and construction projects associated with each such program element) during the applicable five-fiscal year period for at least each of the following:

''(A) For defense programs—

''(i) directed stockpile work;

''(ii) campaigns;

''(iii) readiness in technical base and facilities; and

''(iv) secure transportation asset.

''(B) For defense nuclear nonproliferation—

''(i) nonproliferation and verification, research, and development;

''(ii) arms control; and

''(iii) fissile materials disposition.

''(C) For naval reactors, naval reactors operations and maintenance.

''(2) A statement of proposed budget authority, estimated expenditures, and proposed appropriations necessary to support each program element specified pursuant to paragraph (1).

''(3) A detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal year period will help ensure that the nuclear weapons stockpile is safe and reliable, as determined in accordance with the criteria established under section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (42 U.S.C. 2121 note).''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(3) in subsection (d), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (c)''.

SEC. 3155. FUTURE-YEARS NUCLEAR SECURITY PROGRAM FOR FISCAL YEAR 2001.

(a) PROGRAM REQUIRED.—(1) Without regard to any future-years nuclear security program submitted before the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a future-years nuclear security program (including associated annexes) for fiscal year 2001 and the five succeeding fiscal years.

(2) The program shall reflect the estimated expenditures and proposed appropriations included in the budget for fiscal year 2001 that was submitted to Congress under section 1105(a) of title 31, United States Code.

(b) PROGRAM DETAIL.—The level of detail of the program submitted under subsection (a) shall be equivalent to the level of detail in the Project Baseline Summary system of the Department of Energy, if practicable, but in no event below the following:

(1) In the case of directed stockpile work, detail as follows:

(A) Stockpile research and development.

(B) Stockpile maintenance.

(C) Stockpile evaluation.

(D) Dismantlement and disposal.

(E) Production support.

(F) Field engineering, training, and manuals.

(2) In the case of campaigns, detail as follows:

(A) Primary certification.

(B) Dynamic materials properties.

(C) Advanced radiography.

(D) Secondary certification and nuclear system margins.

(E) Enhanced surety.

(F) Weapons system engineering certification.

(G) Certification in hostile environments.

(H) Enhanced surveillance.

(I) Advanced design and production technologies.

(J) Inertial confinement fusion (ICF) ignition and high yield.

(K) Defense computing and modeling.

(L) Pit manufacturing readiness.

(M) Secondary readiness.

(N) High explosive readiness.

(O) Nonnuclear readiness.

(P) Materials readiness.

(Q) Tritium readiness.

(3) In the case of readiness in technical base and facilities, detail as follows:

(A) Operation of facilities.

(B) Program readiness.

(C) Special projects.

(D) Materials recycle and recovery.

(E) Containers.

(F) Storage.

(4) In the case of secure transportation assets, detail as follows:

(A) Operation and maintenance.

(B) Program direction relating to transportation.

(5) Program direction.

(6) Construction (listed by project number).

(7) In the case of safeguards and security, detail as follows:

(A) Operation and maintenance.

(B) Construction.

(c) DEADLINE FOR SUBMITTAL.—The future-years nuclear security program required by subsection (a) shall be submitted not later than November 1, 2000.

(d) LIMITATION ON USE OF FUNDS PENDING SUBMITTAL.—Not more than 65 percent of the funds appropriated pursuant to the authorization of appropriations in section 3101(a)(1)(C) or otherwise made available made available to the Department of Energy for fiscal year 2001 for program direction in carrying out weapons activities may be obligated or expended until 45 days after the date on which the Administrator for Nuclear Security submits to the congressional defense committees the program required by subsection (a).

SEC. 3156. ENGINEERING AND MANUFACTURING RESEARCH, DEVELOPMENT, AND DEMONSTRATION BY PLANT MANAGERS OF CERTAIN NUCLEAR WEAPONS PRODUCTION PLANTS.

(a) AUTHORITY FOR PROGRAMS AT NUCLEAR WEAPONS PRODUCTIONS FACILITIES.—The Administrator for Nuclear Security shall authorize the head of each nuclear weapons production facility to establish an Engineering and Manufacturing Research, Development, and Demonstration Program under this section.

(b) PROJECTS AND ACTIVITIES.—The projects and activities carried out through the program at a nuclear weapons production facility under this section shall support innovative or high-risk design and manufacturing concepts and technologies with potentially high payoff for the nuclear weapons complex. Those projects and activities may include—

(1) replacement of obsolete or aging design and manufacturing technologies;

(2) development of innovative agile manufacturing techniques and processes; and

(3) training, recruitment, or retention of essential personnel in critical engineering and manufacturing disciplines.

(c) FUNDING.—The Administrator may authorize the head of each nuclear weapons production facility to obligate up to $3,000,000 of funds within the Advanced Design and Production Technologies Campaign available for such facility during fiscal year 2001 to carry out projects and activities of the program under this section at that facility.

(d) REPORT.—The Administrator for Nuclear Security shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, not later than September 15, 2001, a report describing, for each nuclear weapons production facility, each project or activity for which funds were obligated under the program, the criteria used in the selection of each such project or activity, the potential benefits of each such project or activity, and the Administrator's recommendation concerning whether the program should be continued.

(e) DEFINITION.—For purposes of this section, the term ''nuclear weapons production facility'' has the meaning given that term in section 3281(2) of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 968; 50 U.S.C. 2471(2)).

SEC. 3157. PROHIBITION ON INDIVIDUALS ENGAGING IN CONCURRENT SERVICE OR DUTIES WITHIN NATIONAL NUCLEAR SECURITY ADMINISTRATION AND OUTSIDE THAT ADMINISTRATION BUT WITHIN DEPARTMENT OF ENERGY.

Section 3213 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 958; 50 U.S.C. 2403) is amended—

(1) in subsection (a), by striking ''Administration,'' and all that follows through ''function of the'';

(2) in subsection (b), by striking '', in carrying out any function of the Administration,''; and

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

''(d) PROHIBITION ON DUAL OFFICE HOLDING.—Except in accordance with sections 3212(a)(2) and 3216(a)(1):

''(1) An individual may not concurrently hold or carry out the responsibilities of—

''(A) a position within the Administration; and

''(B) a position within the Department of Energy not within the Administration.

''(2) No funds appropriated or otherwise made available for any fiscal year may be used to pay, to an individual who concurrently holds or carries out the responsibilities of a position specified in paragraph (1)(A) and a position specified in paragraph (1)(B), the basic pay, salary, or other compensation relating to any such position.''.

SEC. 3158. ANNUAL PLAN FOR OBLIGATION OF FUNDS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) PLAN REQUIRED.—Section 3252 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 966; 50 U.S.C. 2452) is amended—

(1) by inserting ''(a) PROCEDURES REQUIRED.—'' before ''The Administrator shall''; and

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

''(b) ANNUAL PLAN FOR OBLIGATION OF FUNDS.—(1) Each year, the Administrator shall prepare a plan for the obligation of the amounts that, in the President's budget submitted to Congress that year under section 1105(a) of title 31, United States Code, are proposed to be appropriated for the Administration for the fiscal year that begins in that year (in this section referred to as the 'budget year') and the two succeeding fiscal years.

''(2) For each program element and construction line item of the Administration, the plan shall provide the goal of the Administration for the obligation of those amounts for that element or item for each fiscal year of the plan, expressed as a percentage of the total amount proposed to be appropriated in that budget for that element or item.

''(c) SUBMISSION OF PLAN AND REPORT.—The Administrator shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress under section 1105(a) of title 31, United States Code, each of the following:

''(1) The plan required by subsection (b) prepared with respect to that budget.

''(2) A report on the plans prepared with respect to the preceding years' budgets, which shall include, for each goal provided in those plans—

''(A) the assessment of the Administrator as to whether or not that goal was met; and

''(B) if that assessment is that the goal was not met—

''(i) the reasons why that goal was not met; and

''(ii) the plan of the Administrator for meeting or, if necessary, adjusting that goal.''.

(b) EFFECTIVE DATE OF REQUIREMENT TO ASSESS PRIOR PLAN.—The first report submitted under paragraph (2) of subsection (c) of such section (as added by subsection (a)) shall be the report on the plan prepared with respect to the budget submitted in calendar year 2001.

(c) GAO REPORT.—Not later than March 15, 2001, the Comptroller General shall submit to the congressional defense committees an assessment of the adequacy of the planning, programming, and budgeting processes of the National Nuclear Security Administration.

SEC. 3159. AUTHORITY TO REORGANIZE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) REORGANIZATION AUTHORITY.—Section 3212 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) is amended by adding at the end the following new subsection:

''(e) REORGANIZATION AUTHORITY.—Except as provided by subsections (b) and (c) of section 3291:

''(1) The Administrator may establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the Administration, or transfer any function of the Administration.

''(2) Such authority does not apply to the abolition of organizational units or components established by law or the transfer of functions

vested by law in any organizational unit or component.''.

(b) CONFORMING AMENDMENTS.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) Except as provided in subsection (b), the Secretary''; and

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

''(b) The authority of the Secretary under subsection (a) does not apply to the National Nuclear Security Administration. The corresponding authority that applies to the Administration is set forth in section 3212(e) of the National Nuclear Security Administration Act.''.

Subtitle E—National Laboratories Partnership Improvement

SEC. 3161. TECHNOLOGY INFRASTRUCTURE PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator for Nuclear Security shall establish a Technology Infrastructure Pilot Program in accordance with this section.

(b) PURPOSE.—The purpose of the program shall be to explore new methods of collaboration and improvements in the management and effectiveness of collaborative programs carried out by the national security laboratories and nuclear weapons production facilities in partnership with private industry and institutions of higher education and to improve the ability of those laboratories and facilities to support missions of the Administration.

(c) FUNDING.—(1) Except as provided in paragraph (2), funding shall be available for the pilot program only to the extent of specific authorizations and appropriations enacted after the date of the enactment of this Act.

(2) From amounts available in fiscal years 2001 and 2002 for technology partnership programs of the Administration, the Administrator may allocate to carry out the pilot program not more than $5,000,000.

(d) PROJECT REQUIREMENTS.—A project may not be approved for the pilot program unless the project meets the following requirements:

(1) The participants in the project include—

(A) a national security laboratory or nuclear weapons production facility; and

(B) one or more of the following:

(i) A business.

(ii) An institution of higher education.

(iii) A nonprofit institution.

(iv) An agency of a State, local, or tribal government.

(2)(A) Not less than 50 percent of the costs of the project are to be provided by non-Federal sources.

(B)(i) The calculation of the amount of the costs of the project provided by non-Federal sources shall include cash, personnel, services, equipment, and other resources expended on the project.

(ii) No funds or other resources expended before the start of the project or outside the project's scope of work may be credited toward the costs provided by non-Federal sources to the project.

(3) The project (other than in the case of a project under which the participating laboratory or facility receives funding under this section) shall be competitively selected by that laboratory or facility using procedures determined to be appropriate by the Administrator.

(4) No Federal funds shall be made available under this section for—

(A) construction; or

(B) any project for more than five years.

(e) SELECTION CRITERIA.—(1) The projects selected for the pilot program shall—

(A) stimulate the development of technology expertise and capabilities in private industry and institutions of higher education that can support the nuclear weapons and nuclear nonproliferation missions of the national security laboratories and nuclear weapons production facilities on a continuing basis;

(B) improve the ability of those laboratories and facilities benefit from commercial research, technology, products, processes, and services that can support the nuclear weapons and nuclear nonproliferation missions of those laboratories and facilities on a continuing basis; and

(C) encourage the exchange of scientific and technological expertise between those laboratories and facilities and—

(i) institutions of higher education;

(ii) technology-related business concerns;

(iii) nonprofit institutions; and

(iv) agencies of State, tribal, or local governments;

that can support the missions of those laboratories and facilities.

(2) The Administrator may authorize the provision of Federal funds for a project under this section only if the director of the laboratory or facility managing the project determines that the project is likely to improve the ability of that laboratory or facility to achieve technical success in meeting nuclear weapons and nuclear nonproliferation missions of the Administration.

(3) The Administrator shall require the director of the laboratory or facility to consider the following criteria in selecting a project to receive Federal funds:

(A) The potential of the project to succeed, based on its technical merit, team members, management approach, resources, and project plan.

(B) The potential of the project to promote the development of a commercially sustainable technology, determined by considering whether the project will derive sufficient demand for its products or services from the private sector to support the nuclear weapons and nuclear nonproliferation missions of the participating laboratory or facility on a continuing basis.

(C) The potential of the project to promote the use of commercial research, technology, products, processes, and services by the participating laboratory or facility to achieve its nuclear weapons and nuclear nonproliferation missions.

(D) The commitment shown by non-Federal organizations to the project, based primarily on the nature and amount of the financial and other resources they will risk on the project.

(E) The extent to which the project involves a wide variety and number of institutions of higher education, nonprofit institutions, and technology-related business concerns that can support the nuclear weapons and nuclear nonproliferation missions of the participating laboratory or facility on a continuing basis and that will make substantive contributions to achieving the goals of the project.

(F) The extent of participation in the project by agencies of State, tribal, or local governments that will make substantive contributions to achieving the goals of the project.

(G) The extent to which the project focuses on promoting the development of technology-related business concerns that are small business concerns or involves small business concerns substantively in the project.

(f) IMPLEMENTATION PLAN.—No funds may be allocated for the pilot program until 30 days after the date on which the Administrator submits to the congressional defense committees a plan for the implementation of the pilot program. The plan shall, at a minimum—

(1) identify the national security laboratories and nuclear weapons production facilities that have been designated by the Administrator to participate in the pilot program; and

(2) with respect to each laboratory or facility identified under paragraph (1)—

(A) identify the businesses, institutions of higher education, nonprofit institutions, and agencies of State, local, or tribal government that are expected to participate in the pilot program at that laboratory or facility;

(B) identify the technology areas to be addressed by the pilot program at that laboratory or facility and the manner in which the pilot program will support high-priority missions of that laboratory or facility on a continuing basis; and

(C) describe the management controls that have been put into place to ensure that the pilot program as conducted at that laboratory or facility is conducted in a cost-effective manner consistent with the objectives of the pilot program.

(g) REPORT ON IMPLEMENTATION.—(1) Not later than February 1, 2002, the Administrator shall submit to the congressional defense committees a report on the implementation and management of the pilot program. The report shall take into consideration the results of the pilot program to date and the views of the directors of the participating laboratories and facilities. The report shall include any recommendations the Administrator may have concerning the future of the pilot program.

(2) Not later than 30 days after the date on which the Administrator submits the report required by paragraph (1), the Comptroller General shall submit to the congressional defense committees a report containing the Comptroller General's assessment of that report.

SEC. 3162. REPORT ON SMALL BUSINESS PARTICIPATION IN NATIONAL NUCLEAR SECURITY ADMINISTRATION ACTIVITIES.

(a) REPORT REQUIRED.—Not later than February 15, 2001, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on small business participation in the activities of the National Nuclear Security Administration.

(b) CONTENTS OF REPORT.—The report shall include the following:

(1) A description of the scope and nature of the efforts of the National Nuclear Security Administration as of the date of the enactment of this Act to encourage or increase participation of small business concerns in procurements, collaborative research, technology licensing, and technology transfer activities carried out by the national security laboratories or nuclear weapons production facilities.

(2) An assessment of the effectiveness of those efforts in securing products and services of value to those laboratories and facilities.

(3) Recommendations on how to improve those efforts.

(4) An identification of legislative changes required to implement those recommendations.

SEC. 3163. STUDY AND REPORT RELATED TO IMPROVING MISSION EFFECTIVENESS, PARTNERSHIPS, AND TECHNOLOGY TRANSFER AT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES.

(a) STUDY AND REPORT REQUIRED.—The Secretary of Energy shall direct the Secretary of Energy Advisory Board to study and to submit to the Secretary not later than one year after the date of the enactment of this Act a report regarding the following topics:

(1) The advantages and disadvantages of providing the Administrator for Nuclear Security with authority, notwithstanding the limitations otherwise imposed by the Federal Acquisition Regulation, to enter into transactions with public agencies, private organizations, or individuals on terms the Administrator considers appropriate to the furtherance of basic, applied, and advanced research functions. The Advisory Board shall consider, in its assessment of this

authority, the management history of the Department of Energy and the effect of this authority on the National Nuclear Security Administration's use of contractors to operate the national security laboratories.

(2) The advantages and disadvantages of establishing and implementing policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among national security laboratories and nuclear weapons production facilities.

(3) The advantages and disadvantages of making changes in—

(A) the indemnification requirements for patents or other intellectual property licensed from a national security laboratory or nuclear weapons production facility;

(B) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a national security laboratory or nuclear weapons production facility;

(C) the licensing procedures and requirements for patents and other intellectual property;

(D) the rights given to a small business concern that has licensed a patent or other intellectual property from a national security laboratory or nuclear weapons production facility to bring suit against third parties infringing such intellectual property;

(E) the advance funding requirements for a small business concern funding a project at a national security laboratory or nuclear weapons production facility through a funds-in agreement;

(F) the intellectual property rights allocated to a business when it is funding a project at a national security laboratory or nuclear weapons production facility through a funds-in agreement; and

(G) policies on royalty payments to inventors employed by a contractor operating a national security laboratory or nuclear weapons production facility, including those for inventions made under a funds-in agreement.

(b) DEFINITION OF FUNDS-IN AGREEMENT.—For the purposes of this section, the term ''funds-in agreement'' means a contract between the Department and a non-Federal organization under which that organization pays the Department to provide a service or material not otherwise available in the domestic private sector.

(c) SUBMISSION TO CONGRESS.—Not later than one month after receiving the report under subsection (a), the Secretary shall submit to Congress that report, along with the Secretary's recommendations for action and proposals for legislation to implement the recommendations.

SEC. 3164. REPORT ON EFFECTIVENESS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION TECHNOLOGY DEVELOPMENT PARTNERSHIPS WITH NON-FEDERAL ENTITIES.

(a) REPORT REQUIRED.—The Administrator for Nuclear Security shall submit to Congress, not later than March 1, 2001, a report on the efficiency and effectiveness with which the National Nuclear Security Administration and its laboratories and facilities carry out technology development activities in partnership with non-Federal entities, including cooperative research and development agreements. The report shall include an examination of the following matters with respect to the carrying out of those activities:

(1) Funding sources available to and used by the Administration.

(2) Types of legal instruments used by the Administration, and the extent to which they are used.

(3) Procedures used for selection of participants.

(4) Intellectual property licensing and royalty provisions.

(5) New technologies developed.

(6) The extent to which those new technologies have—

(A) commercial utility; and

(B) utility to the nuclear weapons and nuclear nonproliferation missions of the Administration.

(b) ADDITIONAL REQUIREMENTS FOR COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—(1) The report required by subsection (a) shall include a section providing the following with respect to cooperative research and development agreements:

(A) An assessment of the advantages and disadvantages of such agreements.

(B) Any recommendations of the Administrator regarding the use of such agreements by the Administration in the future, including any appropriate funding levels.

(C) Any recommendations of the Administrator regarding legislation to make such agreements more effective in supporting the Administration's core nuclear weapons and nuclear non-proliferation missions.

(2) In this subsection, the term ''cooperative research and development agreement'' has the meaning given such term in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)).

(c) GAO REVIEW.—The Comptroller General shall submit to Congress, within 30 days after the submission of the report required by subsection (a), a report containing the Comptroller General's assessment of that report.

SEC. 3165. DEFINITIONS.

For purposes of this subtitle, the terms ''national security laboratory'' and ''nuclear weapons production facility'' have the meanings given such terms in section 3281 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 968; 50 U.S.C. 2471).

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

SEC. 3171. ANNUAL REPORT ON STATUS OF NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.

(a) REPORT REQUIRED.—Not later than January 1 of each year, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the status of efforts during the preceding fiscal year under the Nuclear Materials Protection, Control, and Accounting Program of the Department of Energy to secure weapons-usable nuclear materials in Russia that have been identified as being at risk for theft or diversion.

(b) CONTENTS.—Each report under subsection (a) shall include the following:

(1) The number of buildings, including building locations, that received complete and integrated materials protection, control, and accounting systems for nuclear materials described in subsection (a) during the year covered by such report.

(2) The amounts of highly enriched uranium and plutonium in Russia that have been secured under systems described in paragraph (1) as of the date of such report.

(3) The amount of nuclear materials described in subsection (a) that continues to require securing under systems described in paragraph (1) as of the date of such report.

(4) A plan for actions to secure the nuclear materials identified in paragraph (3) under systems described in paragraph (1), including an estimate of the cost of such actions.

(5) The amounts expended through the fiscal year preceding the date of such report to secure nuclear materials described in subsection (a) under systems described in paragraph (1), set forth by total amount and by amount per fiscal year.

(c) LIMITATION ON USE OF CERTAIN FUNDS.—(1) No amounts authorized to be appropriated for the Department of Energy by this Act or any other Act for purposes of the Nuclear Materials Protection, Control, and Accounting Program may be obligated or expended after September 30, 2000, for any project under the program at a site controlled by the Russian Ministry of Atomic Energy (MINATOM) in Russia until the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the access policy established with respect to such project, including a certification that the access policy has been implemented.

(2) The access policy with respect to a project under this subsection shall—

(A) permit appropriate determinations by United States officials regarding security requirements, including security upgrades, for the project; and

(B) ensure verification by United States officials that Department of Energy assistance at the project is being used for the purposes intended.

SEC. 3172. NUCLEAR CITIES INITIATIVE.

(a) IN GENERAL.—(1) The Secretary of Energy may, in accordance with the provisions of this section, expand and enhance the activities of the Department of Energy under the Nuclear Cities Initiative.

(2) In this section, the term ''Nuclear Cities Initiative'' means the initiative arising pursuant to the joint statement dated July 24, 1998, signed by the Vice President of the United States and the Prime Minister of the Russian Federation and the agreement dated September 22, 1998, between the United States and the Russian Federation.

(b) FUNDING FOR FISCAL YEAR 2001.—There is hereby authorized to be appropriated for the Department of Energy for fiscal year 2001 $30,000,000 for purposes of the Nuclear Cities Initiative.

(c) LIMITATION PENDING SUBMISSION OF AGREEMENT.—No amount authorized to be appropriated or otherwise made available for the Department of Energy for fiscal year 2001 for the Nuclear Cities Initiative may be obligated or expended to provide assistance under the Initiative for more than three nuclear cities in Russia and two serial production facilities in Russia until 30 days after the date on which the Secretary of Energy submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a copy of a written agreement between the United States Government and the Government of the Russian Federation which provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work.

(d) LIMITATION PENDING IMPLEMENTATION OF PROJECT REVIEW PROCEDURES.—(1) Not more than $8,750,000 of the amounts referred to in subsection (b) may be obligated or expended for purposes of the Initiative until the Secretary of Energy establishes and implements project review procedures for projects under the Initiative and submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the project review procedures so established and implemented.

(2) The project review procedures established under paragraph (1) shall ensure that any scientific, technical, or commercial project initiated under the Initiative—

(A) will not enhance the military or weapons of mass destruction capabilities of Russia;

(B) will not result in the inadvertent transfer or utilization of products or activities under such project for military purposes;

(C) will be commercially viable; and

(D) will be carried out in conjunction with an appropriate commercial, industrial, or nonprofit entity as partner.

(e) LIMITATION PENDING CERTIFICATION AND REPORT.—No amount in excess of $17,500,000 authorized to be appropriated for the Department of Energy for fiscal year 2001 for the Nuclear Cities Initiative may be obligated or expended for purposes of providing assistance under the Initiative until 30 days after the date on which the Secretary of Energy submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives the following:

(1) A copy of the written agreement between the United States and the Russian Federation which provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years of the date of the agreement in exchange for receiving assistance through the Initiative.

(2) A certification by the Secretary—

(A) that project review procedures for all projects under the Initiative have been established and are being implemented; and

(B) that those procedures will ensure that any scientific, technical, or commercial project initiated under the Initiative—

(i) will not enhance the military or weapons of mass destruction capabilities of Russia;

(ii) will not result in the inadvertent transfer or utilization of products or activities under such project for military purposes;

(iii) will be commercially viable within three years after the date of the initiation of the project; and

(iv) will be carried out in conjunction with an appropriate commercial, industrial, or other nonprofit entity as partner.

(3) A report setting forth the following:

(A) A description of the project review procedures process.

(B) A list of the projects under the Initiative that have been reviewed under such project review procedures.

(C) A description for each project listed under subparagraph (B) of the purpose, expected lifecycle costs, out-year budget costs, participants, commercial viability, expected time for income generation, and number of Russian jobs created.

(f) PLAN FOR RESTRUCTURING THE RUSSIAN NUCLEAR COMPLEX.—(1) The President, acting through the Secretary of Energy, is urged to enter into discussions with the Russian Federation for purposes of the development by the Russian Federation of a plan to restructure the Russian nuclear complex in order to meet changes in the national security requirements of Russia by 2010.

(2) The plan under paragraph (1) should include the following:

(A) Mechanisms to consolidate the nuclear weapons production capacity in Russia to a capacity that is consistent with the obligations of Russia under current and future arms control agreements.

(B) Mechanisms to increase transparency regarding the restructuring of the Russian nuclear complex and weapons-surplus nuclear materials inventories in Russia to the levels of transparency for such matters in the United States, including the participation of Department of Energy officials with expertise in transparency of such matters.

(C) Measurable milestones that will permit the United States and the Russian Federation to monitor progress under the plan.

(g) ENCOURAGEMENT OF CAREERS IN NONPROLIFERATION.—(1) In carrying out actions under this section, the Secretary of Energy may carry out a program to encourage students in the United States and in the Russian Federation to pursue careers in areas relating to nonproliferation.

(2) Of the amounts made available under the Initiative for fiscal year 2001 in excess of $17,500,000, up to $2,000,000 shall be available for purposes of the program under paragraph (1).

(3) The Administrator for Nuclear Security shall notify the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives before any funds are expended pursuant to paragraph (2). Any such notification shall include—

(A) an identification of the amount to be expended under paragraph (2) during fiscal year 2001;

(B) the recipients of the funds; and

(C) specific information on the activities that will be conducted using those funds.

(h) DEFINITIONS.—In this section:

(1) The term ''nuclear city'' means any of the closed nuclear cities within the complex of the Russian Ministry of Atomic Energy as follows:

(A) Sarov (Arzamas–16).

(B) Zarechnyy (Penza–19).

(C) Novoural'sk (Sverdlovsk–44).

(D) Lesnoy (Sverdlovsk–45).

(E) Ozersk (Chelyabinsk–65).

(F) Snezhinsk (Chelyabinsk–70).

(G) Trechgornyy (Zlatoust–36).

(H) Seversk (Tomsk–7).

(I) Zheleznogorsk (Krasnoyarsk–26).

(J) Zelenogorsk (Krasnoyarsk–45).

(2) The term ''Russian nuclear complex'' means all of the nuclear cities.

(3) The term ''serial production facilities'' means the facilities in Russia that are located at the following cities:

(A) Avangard.

(B) Lesnoy (Sverdlovsk–45).

(C) Trechgornyy (Zlatoust–36).

(D) Zarechnyy (Penza–19).

SEC. 3173. DEPARTMENT OF ENERGY NONPROLIFERATION MONITORING.

(a) REPORT REQUIRED.—Not later than March 1, 2001, the Secretary of Energy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the efforts of the Department of Energy to ensure adequate oversight and accountability of the Department's nonproliferation programs in Russia and the potential costs and effects of the use of on-the-ground monitoring for the Department's significant nonproliferation programs in Russia. The report shall include the following:

(1) A detailed discussion of the current management and oversight mechanisms used to ensure that Federal funds are expended for the intended purposes of those programs and that the projects are achieving their intended objectives.

(2) An evaluation of whether those mechanisms are adequate.

(3) A discussion of whether there is a need for additional employees of the Department, or of contractors of the Department, to be stationed in Russia, or to visit nonproliferation project sites in Russia on a regular basis, to monitor the programs carried out at those sites, and an estimate of the practical considerations and costs of such monitoring.

(4) An identification of each nonproliferation program and each site at which an employee referred to in paragraph (3) would be placed to monitor that program.

(5) A description of the costs associated with continued on-the-ground monitoring of those programs, including the costs associated with placing those employees in Russia.

(6) Recommendations regarding the most cost-effective option for the Department to pursue to ensure that Federal funds for those programs are expended for the intended purposes of those programs.

(7) Any recommendations of the Secretary for further improvements in the oversight and accountability of those programs, including any proposed legislation.

(b) GAO REPORT.—Not later than April 15, 2001, the Comptroller General shall submit to the committees referred to in subsection (a) a report setting forth the assessment of the Comptroller General concerning the information contained in the report required by that subsection.

SEC. 3174. SENSE OF CONGRESS ON THE NEED FOR COORDINATION OF NONPROLIFERATION PROGRAMS.

It is the sense of Congress that there should be clear and effective coordination among—

(1) the Nuclear Cities Initiative;

(2) the Initiatives for Proliferation Prevention program;

(3) the Cooperative Threat Reduction programs;

(4) the Nuclear Materials Protection, Control, and Accounting Program; and

(5) the International Science and Technology Center program.

SEC. 3175. LIMITATION ON USE OF FUNDS FOR INTERNATIONAL NUCLEAR SAFETY PROGRAM.

Amounts authorized to be appropriated or otherwise made available by this title for the Department of Energy for fiscal year 2001 for the International Nuclear Safety Program in the former Soviet Union and Eastern Europe shall be available only for purposes of reactor safety upgrades and training relating to nuclear operator and reactor safety.

Subtitle G—Other Matters

SEC. 3191. EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 3161(c)(1) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 42 U.S.C. 7231 note) is amended by striking ''September 30, 2000'' and inserting ''September 30, 2002''.

SEC. 3192. BIENNIAL REPORT CONTAINING UPDATE ON NUCLEAR TEST READINESS POSTURES.

Section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 623) is amended—

(1) by inserting ''(a) REPORT.—'' before ''Not later than February 15, 1996,''; and

(2) by adding at the end the following:

''(b) BIENNIAL UPDATE REPORT.—(1) Not later than February 15 of each odd-numbered year, the Secretary shall submit to the congressional defense committees a report containing an update of the report required under subsection (a), as updated by any report previously submitted under this paragraph.

''(2) Each report under paragraph (1) shall include, as of the date of such report, the following:

''(A) A list and description of the workforce skills and capabilities that are essential to carry out underground nuclear tests at the Nevada Test Site.

''(B) A list and description of the infrastructure and physical plant that are essential to carry out underground nuclear tests at the Nevada Test Site.

''(C) A description of the readiness status of the skills and capabilities described in subparagraph (A) and of the infrastructure and physical plant described in subparagraph (B).

''(3) Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.''.

SEC. 3193. FREQUENCY OF REPORTS ON INADVERTENT RELEASES OF RESTRICTED DATA AND FORMERLY RESTRICTED DATA.

(a) FREQUENCY OF REPORTS.—Section 3161(f)(2) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999

(Public Law 105–261; 112 Stat. 2261; 50 U.S.C. 435 note) is amended to read as follows:

''(2) The Secretary of Energy shall, on a quarterly basis, submit a report to the committees and Assistant to the President specified in subsection (d). The report shall state whether any inadvertent releases described in paragraph (1) occurred during the immediately preceding quarter and, if so, shall identify each such release.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) apply with respect to inadvertent releases of Restricted Data and Formerly Restricted Data that are discovered on or after the date of the enactment of this Act.

SEC. 3194. FORM OF CERTIFICATIONS REGARDING THE SAFETY OR RELIABILITY OF THE NUCLEAR WEAPONS STOCKPILE.

Any certification submitted to the President by the Secretary of Defense or the Secretary of Energy regarding confidence in the safety or reliability of a nuclear weapon type in the United States nuclear weapons stockpile shall be submitted in classified form only.

SEC. 3195. AUTHORITY TO PROVIDE CERTIFICATE OF COMMENDATION TO DEPARTMENT OF ENERGY AND CONTRACTOR EMPLOYEES FOR EXEMPLARY SERVICE IN STOCKPILE STEWARDSHIP AND SECURITY.

(a) AUTHORITY TO PRESENT CERTIFICATE OF COMMENDATION.—The Secretary of Energy may present a certificate of commendation to any current or former employee of the Department of Energy, and any current or former employee of a Department contractor, whose service to the Department in matters relating to stockpile stewardship and security assisted the Department in furthering the national security interests of the United States.

(b) CERTIFICATE.—The certificate of commendation presented to a current or former employee under subsection (a) shall include an appropriate citation of the service of the current or former employee described in that subsection, including a citation for dedication, intellect, and sacrifice in furthering the national security interests of the United States by maintaining a strong, safe, and viable United States nuclear deterrent during the Cold War or thereafter.

(c) DEPARTMENT OF ENERGY DEFINED.—For purposes of this section, the term ''Department of Energy'' includes any predecessor agency of the Department of Energy.

SEC. 3196. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS FOR GOVERNMENT-OWNED, CONTRACTOR-OPERATED LABORATORIES.

(a) STRATEGIC PLANS.—Subsection (a) of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) is amended by striking ''joint work statement,'' and inserting ''joint work statement or, if permitted by the agency, in an agency-approved annual strategic plan,''.

(b) EXPERIMENTAL FEDERAL WAIVERS.—Subsection (b) of that section is amended by adding at the end the following new paragraph:

''(6)(A) In the case of a laboratory that is part of the National Nuclear Security Administration, a designated official of that Administration may waive any license retained by the Government under paragraph (1)(A), (2), or (3)(D), in whole or in part and according to negotiated terms and conditions, if the designated official finds that the retention of the license by the Government would substantially inhibit the commercialization of an invention that would otherwise serve an important national security mission.

''(B) The authority to grant a waiver under subparagraph (A) shall expire on the date that is five years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001. The expiration under the preceding sentence of authority to grant a waiver under subparagraph (A) shall not affect any waiver granted under that subparagraph before the expiration of such authority.

''(C) Not later than February 15 of each year, the Administrator for Nuclear Security shall submit to Congress a report on any waivers granted under this paragraph during the preceding year.''.

(c) TIME REQUIRED FOR APPROVAL.—Subsection (c)(5) of that section is amended—

(1) by striking subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (C); and

(3) in subparagraph (C), as so redesignated—

(A) in clause (i)—

(i) by striking ''with a small business firm''; and

(ii) by inserting ''if'' after ''statement''; and

(B) by adding at the end the following new clauses:

''(iv) Any agency that has contracted with a non-Federal entity to operate a laboratory may develop and provide to such laboratory one or more model cooperative research and development agreements for purposes of standardizing practices and procedures, resolving common legal issues, and enabling review of cooperative research and development agreements to be carried out in a routine and prompt manner.

''(v) A Federal agency may waive the requirements of clause (i) or (ii) under such circumstances as the agency considers appropriate.''.

SEC. 3197. OFFICE OF ARCTIC ENERGY.

(a) ESTABLISHMENT.—The Secretary of Energy may establish within the Department of Energy an Office of Arctic Energy.

(b) PURPOSES.—The purposes of such office shall be as follows:

(1) To promote research, development, and deployment of electric power technology that is cost-effective and especially well suited to meet the needs of rural and remote regions of the United States, especially where permafrost is present or located nearby.

(2) To promote research, development, and deployment in such regions of—

(A) enhanced oil recovery technology, including heavy oil recovery, reinjection of carbon, and extended reach drilling technologies;

(B) gas-to-liquids technology and liquified natural gas (including associated transportation systems);

(C) small hydroelectric facilities, river turbines, and tidal power;

(D) natural gas hydrates, coal bed methane, and shallow bed natural gas; and

(E) alternative energy, including wind, geothermal, and fuel cells.

(c) LOCATION.—The Secretary shall locate such office at a university with expertise and experience in the matters specified in subsection (b).

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2001, $18,500,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of stockpile funds.
Sec. 3302. Increased receipts under prior disposal authority.
Sec. 3303. Disposal of titanium.

SEC. 3301. AUTHORIZED USES OF STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2001, the National Defense Stockpile Manager may obligate up to $71,000,000 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. INCREASED RECEIPTS UNDER PRIOR DISPOSAL AUTHORITY.

Section 3303(a)(4) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2263; 50 U.S.C. 98d note) is amended by striking ''$590,000,000'' and inserting ''$720,000,000''.

SEC. 3303. DISPOSAL OF TITANIUM.

(a) DISPOSAL REQUIRED.—Notwithstanding any other provision of law, the President shall, by September 30, 2010, dispose of 30,000 short tons of titanium contained in the National Defense Stockpile.

(b) TREATMENT OF RECEIPTS.—Notwithstanding section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h), of the funds received as a result of the disposal of titanium under subsection (a), $6,000,000 shall be transferred to the American Battle Monuments Commission for deposit in the fund established under section 2113 of title 36, United States Code, for the World War II memorial authorized by section 1 of Public Law 103–32 (107 Stat. 90), and the remainder shall be deposited into the Treasury as miscellaneous receipts.

(c) WORLD WAR II MEMORIAL.—(1) The amount transferred to the American Battle Monuments Commission under subsection (b) shall be used to complete all necessary requirements for the design of, ground breaking for, construction of, maintenance of, and dedication of the World War II memorial. The Commission shall determine how the amount shall be apportioned among such purposes.

(2) Any funds not necessary for the purposes set forth in paragraph (1) shall be transferred to and deposited in the general fund of the Treasury.

(d) RELATIONSHIP TO OTHER DISPOSAL AUTHORITY.—The disposal authority provided in subsection (a) is new disposal authority and is in addition to, and shall not affect, any other disposal authority provided by law regarding materials in the National Defense Stockpile.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Minimum price of petroleum sold from certain naval petroleum reserves.
Sec. 3402. Repeal of authority to contract for cooperative or unit plans affecting naval petroleum reserve numbered 1.
Sec. 3403. Disposal of Oil Shale Reserve Numbered 2.

SEC. 3401. MINIMUM PRICE OF PETROLEUM SOLD FROM CERTAIN NAVAL PETROLEUM RESERVES.

Section 7430(b)(2) of title 10, United States Code, is amended—

(1) in the matter before subparagraph (A), by striking ''Naval Petroleum Reserves Numbered 1,

2, and 3'' and inserting ''Naval Petroleum Reserves Numbered 2 and 3''; and

(2) in subparagraph (A), by striking ''90 percent of''.

SEC. 3402. REPEAL OF AUTHORITY TO CONTRACT FOR COOPERATIVE OR UNIT PLANS AFFECTING NAVAL PETROLEUM RESERVE NUMBERED 1.

(a) REPEAL.—Section 7426 of title 10, United States Code, is repealed.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) Section 7425 of such title is amended by striking ''for—'' and all that follows through ''he may acquire'' and inserting ''for exchanges of land or agreements for conservation authorized by section 7424 of this title, the Secretary may acquire''.

(2) Section 7428 of such title is amended by striking '', except a plan authorized by section 7426 of this title,''.

(3) The table of sections at the beginning of chapter 641 of such title is amended by striking the item relating to section 7426.

(c) SAVINGS PROVISION.—The repeal of section 7426 of title 10, United States Code, shall not affect the validity of contracts that are in effect under such section on the day before the date of the enactment of this Act. No such contract may be extended or renewed on or after the date of the enactment of this Act.

SEC. 3403. DISPOSAL OF OIL SHALE RESERVE NUMBERED 2.

(a) TRANSFER TO INDIAN TRIBE.—Section 3405 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261) is amended to read as follows:

"SEC. 3405. DISPOSAL OF OIL SHALE RESERVE NUMBERED 2.

''(a) DEFINITIONS.—In this section:

''(1) NOSR–2.—The term 'NOSR–2' means Oil Shale Reserve Numbered 2, as identified on a map on file in the Office of the Secretary of the Interior.

''(2) MOAB SITE.—The term 'Moab site' means the Moab uranium milling site located approximately three miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996 in conjunction with Source Materials License No. SUA–917.

''(3) MAP.—The term ''map'' means the map depicting the boundaries of NOSR–2, to be kept on file and available for public inspection in the offices of the Department of the Interior.

''(4) TRIBE.—The term 'Tribe' means the Ute Indian Tribe of the Uintah and Ouray Indian Reservation.

''(5) TRUSTEE.—The term 'Trustee' means the Trustee of the Moab Mill Reclamation Trust.

''(b) CONVEYANCE.—(1) Except as provided in paragraph (2) and subsection (e), all right, title, and interest of the United States in and to all Federal lands within the exterior boundaries of NOSR–2 (including surface and mineral rights) are hereby conveyed to the Tribe in fee simple. The Secretary of Energy shall execute and file in the appropriate office a deed or other instrument effectuating the conveyance made by this section.

''(2) The conveyance under paragraph (1) does not include the following:

''(A) The portion of the bed of Green River contained entirely within NOSR–2, as depicted on the map.

''(B) The land (including surface and mineral rights) to the west of the Green River within NOSR–2, as depicted on the map.

''(C) A ¼ mile scenic easement on the east side of the Green River within NOSR–2.

''(c) CONDITIONS ON CONVEYANCE.—(1) The conveyance under subsection (b) is subject to valid existing rights in effect on the day before the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(2) On completion of the conveyance under subsection (b), the United States relinquishes all management authority over the conveyed land, including tribal activities conducted on the land.

''(3) The land conveyed to the Tribe under subsection (b) shall not revert to the United States for management in trust status.

''(4) The reservation of the easement under subsection (b)(2)(C) shall not affect the right of the Tribe to use and maintain access to the Green River through the use of the road within the easement, as depicted on the map.

''(5) Each withdrawal that applies to NOSR–2 and that is in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 is revoked to the extent that the withdrawal applies to NOSR–2.

''(6) Notwithstanding that the land conveyed to the Tribe under subsection (b) shall not be part of the reservation of the Tribe, such land shall be deemed to be part of the reservation of the Tribe for the purposes of criminal and civil jurisdiction.

''(d) ADMINISTRATION OF UNCONVEYED LAND AND INTERESTS IN LAND.—(1) The land and interests in land excluded by subparagraphs (A) and (B) of subsection (b)(2) from conveyance under subsection (b) shall be administered by the Secretary of the Interior in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

''(2) Not later than three years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Secretary of the Interior shall submit to Congress a land use plan for the management of the land and interests in land referred to in paragraph (1).

''(3) There are authorized to be appropriated to the Secretary of the Interior such sums as are necessary to carry out this subsection.

''(e) ROYALTY.—(1) Notwithstanding the conveyance under subsection (b), the United States retains a nine percent royalty interest in the value of any oil, gas, other hydrocarbons, and all other minerals that are produced, saved, and sold from the conveyed land during the period beginning on the date of the conveyance and ending on the date the Secretary of Energy releases the royalty interest under subsection (i).

''(2) The royalty payments shall be made by the Tribe or its designee to the Secretary of Energy during the period that the oil, gas, hydrocarbons, or minerals are being produced, saved, sold, or extracted. The Secretary of Energy shall retain and use the payments in the manner provided in subsection (i)(3).

''(3) The royalty interest retained by the United States under this subsection does not include any development, production, marketing, and operating expenses.

''(4) The Tribe shall submit to the Secretary of Energy and to Congress an annual report on resource development and other activities of the Tribe concerning the conveyance under subsection (b).

''(5) Not later than five years after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and every five years thereafter, the Tribe shall obtain an audit of all resource development activities of the Tribe concerning the conveyance under subsection (b), as provided under chapter 75 of title 31, United States Code. The results of each audit under this paragraph shall be included in the next annual report submitted under paragraph (4).

''(f) RIVER MANAGEMENT.—(1) The Tribe shall manage, under Tribal jurisdiction and in accordance with ordinances adopted by the Tribe, land of the Tribe that is adjacent to, and within ¼ mile of, the Green River in a manner that—

''(A) maintains the protected status of the land; and

''(B) is consistent with the government-to-government agreement and in the memorandum of understanding dated February 11, 2000, as agreed to by the Tribe and the Secretary of the Interior.

''(2) An ordinance referred to in paragraph (1) shall not impair, limit, or otherwise restrict the management and use of any land that is not owned, controlled, or subject to the jurisdiction of the Tribe.

''(3) An ordinance adopted by the Tribe and referenced in the government-to-government agreement may not be repealed or amended without the written approval of both the Tribe and the Secretary of the Interior.

''(g) PLANT SPECIES.—(1) In accordance with a government-to-government agreement between the Tribe and the Secretary of the Interior, in a manner consistent with levels of legal protection in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, the Tribe shall protect, under ordinances adopted by the Tribe, any plant species that is—

''(A) listed as an endangered species or threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); and

''(B) located or found on the NOSR–2 land conveyed to the Tribe.

''(2) The protection described in paragraph (1) shall be performed solely under tribal jurisdiction.

''(h) HORSES.—(1) The Tribe shall manage, protect, and assert control over any horse not owned by the Tribe or tribal members that is located or found on the NOSR–2 land conveyed to the Tribe in a manner that is consistent with Federal law governing the management, protection, and control of horses in effect on the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001.

''(2) The management, control, and protection of horses described in paragraph (1) shall be performed solely—

''(A) under tribal jurisdiction; and

''(B) in accordance with a government-to-government agreement between the Tribe and the Secretary of the Interior.

''(i) REMEDIAL ACTION AT MOAB SITE.—(1)(A) The Secretary of Energy shall prepare a plan for remediation, including ground water restoration, of the Moab site in accordance with title I of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7911 et seq.). The Secretary of Energy shall enter into arrangements with the National Academy of Sciences to obtain the technical advice, assistance, and recommendations of the National Academy of Sciences in objectively evaluating the costs, benefits, and risks associated with various remediation alternatives, including removal or treatment of radioactive or other hazardous materials at the site, ground water restoration, and long-term management of residual contaminants. If the Secretary prepares a remediation plan that is not consistent with the recommendations of the National Academy of Sciences, the Secretary shall submit to Congress a report explaining the reasons for deviation from the National Academy of Sciences' recommendations.

''(B) The remediation plan required by subparagraph (A) shall be completed not later than one year after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and the Secretary of Energy shall commence remedial action at the Moab site as soon as practicable after the completion of the plan.

''(C) The license for the materials at the Moab site issued by the Nuclear Regulatory Commission shall terminate one year after the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, unless the Secretary of Energy determines that the license may be terminated earlier. Until the license is terminated, the Trustee, subject to the availability of funds appropriated specifically for a purpose described in clauses (i) through (iii) or made available by the Trustee from the Moab Mill Reclamation Trust, may carry out—

''(i) interim measures to reduce or eliminate localized high ammonia concentrations in the Colorado River, identified by the United States Geological Survey in a report dated March 27, 2000;

''(ii) activities to dewater the mill tailings at the Moab site; and

''(iii) other activities related to the Moab site, subject to the authority of the Nuclear Regulatory Commission and in consultation with the Secretary of Energy.

''(D) As part of the remediation plan for the Moab site required by subparagraph (A), the Secretary of Energy shall develop, in consultation with the Trustee, the Nuclear Regulatory Commission, and the State of Utah, an efficient and legal means for transferring all responsibilities and title to the Moab site and all the materials therein from the Trustee to the Department of Energy.

''(2) The Secretary of Energy shall limit the amounts expended in carrying out the remedial action under paragraph (1) to—

''(A) amounts specifically appropriated for the remedial action in an appropriation Act; and

''(B) other amounts made available for the remedial action under this subsection.

''(3)(A) The royalty payments received by the Secretary of Energy under subsection (e) shall be available to the Secretary, without further appropriation, to carry out the remedial action under paragraph (1) until such time as the Secretary determines that all costs incurred by the United States to carry out the remedial action (other than costs associated with long-term monitoring) have been paid.

''(B) Upon making the determination referred to in subparagraph (A), the Secretary of Energy shall transfer all remaining royalty amounts to the general fund of the Treasury and release to the Tribe the royalty interest retained by the United States under subsection (e).

''(4)(A) Funds made available to the Department of Energy for national security activities shall not be used to carry out the remedial action under paragraph (1), except that the Secretary of Energy may use such funds for program direction directly related to the remedial action.

''(B) There are authorized to be appropriated to the Secretary of Energy to carry out the remedial action under paragraph (1) such sums as are necessary.

''(5) If the Moab site is sold after the date on which the Secretary of Energy completes the remedial action under paragraph (1), the seller shall pay to the Secretary of Energy, for deposit in the general fund of the Treasury, the portion of the sale price that the Secretary determines resulted from the enhancement of the value of the Moab site as a result of the remedial action. The enhanced value of the Moab site shall be equal to the difference between—

''(A) the fair market value of the Moab site on the date of enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, based on information available on that date; and

''(B) the fair market value of the Moab site, as appraised on completion of the remedial action.''.

(b) URANIUM MILL TAILINGS.—Section 102 of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7912) is amended by adding at the end the following new subsection:

''(f) DESIGNATION OF MOAB SITE AS PROCESSING SITE.—

''(1) DESIGNATION.—Notwithstanding any other provision of law, the Moab uranium milling site (referred to in this subsection as the 'Moab site') located approximately three miles northwest of Moab, Utah, and identified in the Final Environmental Impact Statement issued by the Nuclear Regulatory Commission in March 1996 in conjunction with Source Materials License No. SUA–917, is designated as a processing site.

''(2) APPLICABILITY.—This title applies to the Moab site in the same manner and to the same extent as to other processing sites designated under subsection (a), except that—

''(A) sections 103, 104(b), 107(a), 112(a), and 115(a) of this title shall not apply; and

''(B) a reference in this title to the date of the enactment of this Act shall be treated as a reference to the date of the enactment of this subsection.

''(3) REMEDIATION.—Subject to the availability of appropriations for this purpose, the Secretary shall conduct remediation at the Moab site in a safe and environmentally sound manner that takes into consideration the remedial action plan prepared pursuant to section 3405(i) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261), including—

''(A) ground water restoration; and

''(B) the removal, to a site in the State of Utah, for permanent disposition and any necessary stabilization, of residual radioactive material and other contaminated material from the Moab site and the floodplain of the Colorado River.''.

(c) CONFORMING AMENDMENT.—Section 3406 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 7420 note; Public Law 105–261) is amended by adding at the end the following new subsection:

''(f) OIL SHALE RESERVE NUMBERED 2.—This section does not apply to the transfer of Oil Shale Reserve Numbered 2 under section 3405.''.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of appropriations for fiscal year 2001.
Sec. 3502. Scrapping of National Defense Reserve Fleet vessels.
Sec. 3503. Authority to convey National Defense Reserve Fleet vessel, GLACIER.
Sec. 3504. Maritime intermodal research.
Sec. 3505. Maritime research and technology development.
Sec. 3506. Reporting of administered and oversight funds.

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2001.

Funds are hereby authorized to be appropriated for fiscal year 2001, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $94,260,000.

(2) For expenses under the loan guarantee program authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $54,179,000, of which—

(A) $50,000,000 is for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $4,179,000 is for administrative expenses related to loan guarantee commitments under the program.

SEC. 3502. SCRAPPING OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

(a) EXTENSION OF SCRAPPING AUTHORITY UNDER NATIONAL MARITIME HERITAGE ACT OF 1994.—Section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) is amended—

(1) in subparagraph (A) by striking ''2001'' and inserting ''2006''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) in the manner that provides the best value to the Government, except in any case in which obtaining the best value would require towing a vessel and such towing poses a serious threat to the environment; and''.

(b) SELECTION OF SCRAPPING FACILITIES.—The Secretary of Transportation may scrap obsolete vessels pursuant to section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)) through qualified scrapping facilities, using the most expeditious scrapping methodology and location practicable. Scrapping facilities shall be selected under that section on a best value basis consistent with the Federal Acquisition Regulation, as in effect on the date of the enactment of this Act, without any predisposition toward foreign or domestic facilities taking into consideration, among other things, the ability of facilities to scrap vessels—

(1) at least cost to the Government;

(2) in a timely manner;

(3) giving consideration to worker safety and the environment; and

(4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment.

(c) LIMITATION ON SCRAPPING BEFORE PROGRAM.—

(1) IN GENERAL.—Until the report required by subsection (d)(1) is transmitted to the congressional committees referred to in that subsection, the Secretary may not proceed with the scrapping of any vessel in the National Defense Reserve Fleet except the following:

(A) DONNER.
(B) EXPORT COMMERCE.
(C) BUILDER.
(D) ALBERT E. WATTS.
(E) WAYNE VICTORY.
(F) MORMACDAWN.
(G) MORMACMOON.
(H) SANTA ELENA.
(I) SANTA ISABEL.
(J) SANTA CRUZ.
(K) PROTECTOR.
(L) LAUDERDALE.
(N) PVT. FRED C. MURPHY.
(M) BEAUJOLAIS.
(O) MEACHAM.
(P) NEACO.
(Q) WABASH.
(R) NEMASKET.
(S) MIRFAK.
(T) GEN. ALEX M. PATCH.
(U) ARTHUR M. HUDDELL.
(V) WASHINGTON.
(W) SUFFOLK COUNTY.
(X) CRANDALL.
(Y) CRILLEY.
(Z) RIGEL.
(AA) VEGA.
(BB) COMPASS ISLAND.
(CC) EXPORT CHALLENGER.
(DD) PRESERVER.
(EE) MARINE FIDDLER.
(FF) WOOD COUNTY.
(GG) CATAWBA VICTORY.
(HH) GEN. NELSON M. WALKER.
(II) LORAIN COUNTY.
(JJ) LYNCH.
(KK) MISSION SANTA YNEZ.
(LL) CALOOSAHATCHEE.
(MM) CANISTEO.

(2) PRIORITIZATION.—The Secretary shall exercise discretion to prioritize for scrapping those vessels identified in paragraph (1) that pose the most immediate threat to the environment.

(d) SCRAPPING PROGRAM FOR OBSOLETE NATIONAL DEFENSE RESERVE FLEET VESSELS.—

(1) DEVELOPMENT OF PROGRAM; REPORT.—The Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall within 6 months after the date of the enactment of this Act—

(A) develop a program for the scrapping of obsolete National Defense Reserve Fleet vessels; and

(B) submit a report on the program to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate.

(2) CONTENTS OF REPORT.—The report shall include information concerning the initial determination of scrapping capacity, both domestically and abroad, appropriate proposed regulations to implement the program, funding and staffing requirements, milestone dates for the disposal of each obsolete vessel, and longterm cost estimates for the program.

(3) ALTERNATIVES.—In developing the program, the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, shall consider all alternatives and available information, including—

(A) alternative scrapping sites;

(B) vessel donations;

(C) sinking of vessels in deep water;

(D) sinking vessels for development of artificial reefs;

(E) sales of vessels before they become obsolete;

(F) results from the Navy Ship Disposal Program under section 8124 of the Department of Defense Appropriations Act, 1999; and

(G) the Report of the Department of Defense's Interagency Panel on Ship Scrapping issued in April 1998.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, and every 6 months thereafter, the Secretary of Transportation, in coordination with the Secretary of the Navy, shall report to the Committee on Transportation and Infrastructure and the Committee on Resources of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the House of Representatives and the Senate on the progress of the vessel scrapping program developed under subsection (d)(1) and on the progress of any other scrapping of obsolete Government-owned vessels.

(f) PRESIDENTIAL RECOMMENDATION.—The President shall transmit with the report required by subsection (d)(1) a recommendation on—

(1) whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirements relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) by September 30, 2006; and

(2) any proposed changes to those requirements to carry out such disposals.

SEC. 3503. AUTHORITY TO CONVEY NATIONAL DEFENSE RESERVE FLEET VESSEL, GLACIER.

(a) AUTHORITY TO CONVEY.—The Secretary of Transportation (in this section referred to as ''the Secretary'') may, subject to subsection (b), convey all right, title, and interest of the United States Government in and to the vessel in the National Defense Reserve Fleet that was formerly the U.S.S. GLACIER (United States official number AGB–4) to the Glacier Society, Inc., a corporation established under the laws of the State of Connecticut that is located in Bridgeport, Connecticut (in this section referred to as the ''recipient'').

(b) TERMS OF CONVEYANCE.—

(1) REQUIRED CONDITIONS.—The Secretary may not convey a vessel under this section unless the recipient—

(A) agrees to use the vessel for the purpose of a monument to the accomplishments of members of the Armed Forces of the United States, civilians, scientists, and diplomats in exploration of the Arctic and the Antarctic;

(B) agrees that the vessel will not be used for commercial purposes;

(C) agrees to make the vessel available to the Government if the Secretary requires use of the vessel by the Government for war or national emergency;

(D) agrees to hold the Government harmless for any claims arising from exposure to asbestos, polychlorinated biphenyls, or lead paint after the conveyance of the vessel, except for claims arising from use of the vessel by the Government pursuant to the agreement under subparagraph (C); and

(E) provides sufficient evidence to the Secretary that it has available for use to restore the vessel, in the form of cash, liquid assets, or a written loan commitment, financial resources of at least $100,000.

(2) DELIVERY OF VESSEL.—If the Secretary conveys the vessel under this section, the Secretary shall deliver the vessel—

(A) at the place where the vessel is located on the date of conveyance;

(B) in its condition on that date; and

(C) at no cost to the United States Government.

(3) ADDITIONAL TERMS.—The Secretary may require such additional terms in connection with the conveyance authorized by this section as the Secretary considers appropriate.

(c) OTHER UNNEEDED EQUIPMENT.—If the Secretary conveys the vessel under this section, the Secretary may also convey to the recipient any unneeded equipment from other vessels in the National Defense Reserve Fleet or Government storage facilities for use to restore the vessel to museum quality or to its original configuration (or both).

(d) RETENTION OF VESSEL IN NDRF.—The Secretary shall retain in the National Defense Reserve Fleet the vessel authorized to be conveyed under this section until the earlier of—

(1) 2 years after the date of the enactment of this Act; or

(2) the date of the conveyance of the vessel under this section.

SEC. 3504. MARITIME INTERMODAL RESEARCH.

Section 8 of Public Law 101–115 (46 U.S.C. App. 1121–2) is amended by adding at the end thereof the following:

''(f) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

''(1) IN GENERAL.—The Secretary may make a grant under section 5505 of title 49, United States Code, to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center.

''(2) ADVICE AND CONSULTATION OF MARAD.—In making a grant under the authority of paragraph (1), the Secretary, through the Research and Special Programs Administration, shall advise the Maritime Administration concerning the availability of funds for the grants, and consult with the Administration on the making of the grants.''.

SEC. 3505. MARITIME RESEARCH AND TECHNOLOGY DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Transportation shall conduct a study of maritime research and technology development, and report its findings and conclusions, together with any recommendations it finds appropriate, to the Congress within 9 months after the date of enactment of this Act.

(b) REQUIRED AREAS OF STUDY.—The Secretary shall include the following items in the report required by subsection (a):

(1) The approximate dollar values appropriated by the Congress for each of the 5 fiscal years ending before the study is commenced for each of the following modes of transportation:

(A) Highway.

(B) Rail.

(C) Aviation.

(D) Public transit.

(E) Maritime.

(2) A description of how Federal funds appropriated for research in the different transportation modes are utilized.

(3) A summary and description of current research and technology development funds appropriated for each of those fiscal years for maritime research initiatives, with separate categories for funds provided to the Coast Guard for marine safety research purposes.

(4) A description of cooperative mechanisms that could be used to attract and leverage nonfederal investments in United States maritime research and technology development and application programs, including the potential for the creation of maritime transportation research centers and the benefits of cooperating with existing surface transportation research centers.

(5) Proposals for research and technology development funding to facilitate the evolution of Maritime Transportation System.

(c) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 3401 for operations and training, $100,000 is authorized to carry out this section.

SEC. 3506. REPORTING OF ADMINISTERED AND OVERSIGHT FUNDS.

The Maritime Administration, in its annual report to the Congress under section 208 of the Merchant Marine Act, 1936 (46 U.S.C. App. 1118), and in its annual budget estimate submitted to the Congress, shall state separately the amount, source, intended use, and nature of any funds (other than funds appropriated to the Administration or to the Secretary of Transportation for use by the Administration) administered, or subject to oversight, by the Administration.

TITLE XXXVI—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

Sec. 3601. Short title.
Sec. 3602. Findings; sense of Congress.

Subtitle A—Establishment of Compensation Program and Compensation Fund

Sec. 3611. Establishment of Energy Employees Occupational Illness Compensation Program.
Sec. 3612. Establishment of Energy Employees Occupational Illness Compensation Fund.
Sec. 3613. Legislative proposal.
Sec. 3614. Authorization of appropriations.

Subtitle B—Program Administration

Sec. 3621. Definitions for program administration.
Sec. 3622. Expansion of list of beryllium vendors.
Sec. 3623. Exposure in the performance of duty.
Sec. 3624. Advisory Board on Radiation and Worker Health.
Sec. 3625. Responsibilities of Secretary of Health and Human Services.
Sec. 3626. Designation of additional members of Special Exposure Cohort.
Sec. 3627. Separate treatment of chronic silicosis.
Sec. 3628. Compensation and benefits to be provided.

Sec. 3629. Medical benefits.
Sec. 3630. Separate treatment of certain uranium employees.
Sec. 3631. Assistance for claimants and potential claimants.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

Sec. 3641. Offset for certain payments.
Sec. 3642. Subrogation of the United States.
Sec. 3643. Payment in full settlement of claims.
Sec. 3644. Exclusivity of remedy against the United States and against contractors and subcontractors.
Sec. 3645. Election of remedy for beryllium employees and atomic weapons employees.
Sec. 3646. Certification of treatment of payments under other laws.
Sec. 3647. Claims not assignable or transferable; choice of remedies.
Sec. 3648. Attorney fees.
Sec. 3649. Certain claims not affected by awards of damages.
Sec. 3650. Forfeiture of benefits by convicted felons.
Sec. 3651. Coordination with other Federal radiation compensation laws.

Subtitle D—Assistance in State Workers' Compensation Proceedings

Sec. 3661. Agreements with States.

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Energy Employees Occupational Illness Compensation Program Act of 2000''.

SEC. 3602. FINDINGS; SENSE OF CONGRESS.

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

(1) Since World War II, Federal nuclear activities have been explicitly recognized under Federal law as activities that are ultra-hazardous. Nuclear weapons production and testing have involved unique dangers, including potential catastrophic nuclear accidents that private insurance carriers have not covered and recurring exposures to radioactive substances and beryllium that, even in small amounts, can cause medical harm.

(2) Since the inception of the nuclear weapons program and for several decades afterwards, a large number of nuclear weapons workers at sites of the Department of Energy and at sites of vendors who supplied the Cold War effort were put at risk without their knowledge and consent for reasons that, documents reveal, were driven by fears of adverse publicity, liability, and employee demands for hazardous duty pay.

(3) Many previously secret records have documented unmonitored exposures to radiation and beryllium and continuing problems at these sites across the Nation, at which the Department of Energy and its predecessor agencies have been, since World War II, self-regulating with respect to nuclear safety and occupational safety and health. No other hazardous Federal activity has been permitted to be carried out under such sweeping powers of self-regulation.

(4) The policy of the Department of Energy has been to litigate occupational illness claims, which has deterred workers from filing workers' compensation claims and has imposed major financial burdens for such employees who have sought compensation. Contractors of the Department have been held harmless and the employees have been denied workers' compensation coverage for occupational disease.

(5) Over the past 20 years, more than two dozen scientific findings have emerged that indicate that certain of such employees are experiencing increased risks of dying from cancer and non-malignant diseases. Several of these studies have also established a correlation between excess diseases and exposure to radiation and beryllium.

(6) While linking exposure to occupational hazards with the development of occupational disease is sometimes difficult, scientific evidence supports the conclusion that occupational exposure to dust particles or vapor of beryllium can cause beryllium sensitivity and chronic beryllium disease. Furthermore, studies indicate than 98 percent of radiation-induced cancers within the nuclear weapons complex have occurred at dose levels below existing maximum safe thresholds.

(7) Existing information indicates that State workers' compensation programs do not provide a uniform means of ensuring adequate compensation for the types of occupational illnesses and diseases that relate to the employees at those sites.

(8) To ensure fairness and equity, the civilian men and women who, over the past 50 years, have performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy and its predecessor agencies should have efficient, uniform, and adequate compensation for beryllium-related health conditions and radiation-related health conditions.

(9) On April 12, 2000, the Secretary of Energy announced that the Administration intended to seek compensation for individuals with a broad range of work-related illnesses throughout the Department of Energy's nuclear weapons complex.

(10) However, as of October 2, 2000, the Administration has failed to provide Congress with the necessary legislative and budget proposals to enact the promised compensation program.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a program should be established to provide compensation to covered employees;

(2) a fund for payment of such compensation should be established on the books of the Treasury;

(3) payments from that fund should be made only after—

(A) the identification of employees of the Department of Energy (including its predecessor agencies), and of contractors of the Department, who may be members of the group of covered employees;

(B) the establishment of a process to receive and administer claims for compensation for disability or death of covered employees;

(C) the submittal by the President of a legislative proposal for compensation of such employees that includes the estimated annual budget resources for that compensation; and

(D) consideration by the Congress of the legislative proposal submitted by the President; and

(4) payments from that fund should commence not later than fiscal year 2002.

Subtitle A—Establishment of Compensation Program and Compensation Fund

SEC. 3611. ESTABLISHMENT OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) PROGRAM ESTABLISHED.—There is hereby established a program to be known as the ''Energy Employees Occupational Illness Compensation Program'' (in this title referred to as the ''compensation program''). The President shall carry out the compensation program through one or more Federal agencies or officials, as designated by the President.

(b) PURPOSE OF PROGRAM.—The purpose of the compensation program is to provide for timely, uniform, and adequate compensation of covered employees and, where applicable, survivors of such employees, suffering from illnesses incurred by such employees in the performance of duty for the Department of Energy and certain of its contractors and subcontractors.

(c) ELIGIBILITY FOR COMPENSATION.—The eligibility of covered employees for compensation under the compensation program shall be determined in accordance with the provisions of subtitle B as may be modified by a law enacted after the date of the submittal of the proposal for legislation required by section 3613.

SEC. 3612. ESTABLISHMENT OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury a fund to be known as the ''Energy Employees Occupational Illness Compensation Fund'' (in this title referred to as the ''compensation fund'').

(b) AMOUNTS IN COMPENSATION FUND.—The compensation fund shall consist of the following amounts:

(1) Amounts appropriated to the compensation fund pursuant to the authorization of appropriations in section 3614(b).

(2) Amounts transferred to the compensation fund under subsection (c).

(c) FINANCING OF COMPENSATION FUND.—Upon the exhaustion of amounts in the compensation fund attributable to the authorization of appropriations in section 3614(b), the Secretary of the Treasury shall transfer directly to the compensation fund from the General Fund of the Treasury, without further appropriation, such amounts as are further necessary to carry out the compensation program.

(d) USE OF COMPENSATION FUND.—Subject to subsection (e), amounts in the compensation fund shall be used to carry out the compensation program.

(e) ADMINISTRATIVE COSTS NOT PAID FROM COMPENSATION FUND.—No cost incurred in carrying out the compensation program, or in administering the compensation fund, shall be paid from the compensation fund or set off against or otherwise deducted from any payment to any individual under the compensation program.

(f) INVESTMENT OF AMOUNTS IN COMPENSATION FUND.—Amounts in the compensation fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be credited to and become a part of the compensation fund.

SEC. 3613. LEGISLATIVE PROPOSAL.

(a) LEGISLATIVE PROPOSAL REQUIRED.—Not later than March 15, 2001, the President shall submit to Congress a proposal for legislation to implement the compensation program. The proposal for legislation shall include, at a minimum, the specific recommendations (including draft legislation) of the President for the following:

(1) The types of compensation and benefits, including lost wages, medical benefits, and any lump-sum settlement payments, to be provided under the compensation program.

(2) Any adjustments or modifications necessary to appropriately administer the compensation program under subtitle B.

(3) Whether to expand the compensation program to include other illnesses associated with exposure to toxic substances.

(4) Whether to expand the class of individuals who are members of the Special Exposure Cohort (as defined in section 3621(14)).

(b) ASSESSMENT OF POTENTIAL COVERED EMPLOYEES AND REQUIRED AMOUNTS.—The President shall include with the proposal for legislation under subsection (a) the following:

(1) An estimate of the number of covered employees that the President determines were exposed in the performance of duty.

(2) An estimate, for each fiscal year of the compensation program, of the amounts to be required for compensation and benefits anticipated to be provided in such fiscal year under the compensation program.

SEC. 3614. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Pursuant to the authorization of appropriations in section 3103(a),

$25,000,000 may be used for purposes of carrying out this title.

(b) COMPENSATION FUND.—There is hereby authorized to be appropriated $250,000,000 to the Energy Employees Occupational Illness Compensation Fund established by section 3612.

Subtitle B—Program Administration

SEC. 3621. DEFINITIONS FOR PROGRAM ADMINISTRATION.

In this title:

(1) The term ''covered employee'' means any of the following:

(A) A covered beryllium employee.

(B) A covered employee with cancer.

(C) To the extent provided in section 3627, a covered employee with chronic silicosis (as defined in that section).

(2) The term ''atomic weapon'' has the meaning given that term in section 11 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(d)).

(3) The term ''atomic weapons employee'' means an individual employed by an atomic weapons employer during a period when the employer was processing or producing, for the use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling.

(4) The term ''atomic weapons employer'' means an entity, other than the United States, that—

(A) processed or produced, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining and milling; and

(B) is designated by the Secretary of Energy as an atomic weapons employer for purposes of the compensation program.

(5) The term ''atomic weapons employer facility'' means a facility, owned by an atomic weapons employer, that is or was used to process or produce, for use by the United States, material that emitted radiation and was used in the production of an atomic weapon, excluding uranium mining or milling.

(6) The term ''beryllium vendor'' means any of the following:

(A) Atomics International.

(B) Brush Wellman, Incorporated, and its predecessor, Brush Beryllium Company.

(C) General Atomics.

(D) General Electric Company.

(E) NGK Metals Corporation and its predecessors, Kawecki-Berylco, Cabot Corporation, BerylCo, and Beryllium Corporation of America.

(F) Nuclear Materials and Equipment Corporation.

(G) StarMet Corporation and its predecessor, Nuclear Metals, Incorporated.

(H) Wyman Gordan, Incorporated.

(I) Any other vendor, processor, or producer of beryllium or related products designated as a beryllium vendor for purposes of the compensation program under section 3622.

(7) The term ''covered beryllium employee'' means the following, if and only if the employee is determined to have been exposed to beryllium in the performance of duty in accordance with section 3623(a):

(A) A current or former employee (as that term is defined in section 8101(1) of title 5, United States Code) who may have been exposed to beryllium at a Department of Energy facility or at a facility owned, operated, or occupied by a beryllium vendor.

(B) A current or former employee of—

(i) any entity that contracted with the Department of Energy to provide management and operation, management and integration, or environmental remediation of a Department of Energy facility; or

(ii) any contractor or subcontractor that provided services, including construction and maintenance, at such a facility.

(C) A current or former employee of a beryllium vendor, or of a contractor or subcontractor of a beryllium vendor, during a period when the vendor was engaged in activities related to the production or processing of beryllium for sale to, or use by, the Department of Energy.

(8) The term ''covered beryllium illness'' means any of the following:

(A) Beryllium sensitivity as established by an abnormal beryllium lymphocyte proliferation test performed on either blood or lung lavage cells.

(B) Established chronic beryllium disease.

(C) Any injury, illness, impairment, or disability sustained as a consequence of a covered beryllium illness referred to in subparagraph (A) or (B).

(9) The term ''covered employee with cancer'' means any of the following:

(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee).

(B)(i) An individual with cancer specified in subclause (I), (II), or (III) of clause (ii), if and only if that individual is determined to have sustained that cancer in the performance of duty in accordance with section 3623(b).

(ii) Clause (i) applies to any of the following:

(I) A Department of Energy employee who contracted that cancer after beginning employment at a Department of Energy facility.

(II) A Department of Energy contractor employee who contracted that cancer after beginning employment at a Department of Energy facility.

(III) An atomic weapons employee who contracted that cancer after beginning employment at an atomic weapons employer facility.

(10) The term ''Department of Energy'' includes the predecessor agencies of the Department of Energy, including the Manhattan Engineering District.

(11) The term ''Department of Energy contractor employee'' means any of the following:

(A) An individual who is or was in residence at a Department of Energy facility as a researcher for one or more periods aggregating at least 24 months.

(B) An individual who is or was employed at a Department of Energy facility by—

(i) an entity that contracted with the Department of Energy to provide management and operating, management and integration, or environmental remediation at the facility; or

(ii) a contractor or subcontractor that provided services, including construction and maintenance, at the facility.

(12) The term ''Department of Energy facility'' means any building, structure, or premise, including the grounds upon which such building, structure, or premise is located—

(A) in which operations are, or have been, conducted by, or on behalf of, the Department of Energy (except for buildings, structures, premises, grounds, or operations covered by Executive Order No. 12344, dated February 1, 1982 (42 U.S.C. 7158 note), pertaining to the Naval Nuclear Propulsion Program); and

(B) with regard to which the Department of Energy has or had—

(i) a proprietary interest; or

(ii) entered into a contract with an entity to provide management and operation, management and integration, environmental remediation services, construction, or maintenance services.

(13) The term ''established chronic beryllium disease'' means chronic beryllium disease as established by the following:

(A) For diagnoses on or after January 1, 1993, beryllium sensitivity (as established in accordance with paragraph (8)(A)), together with lung pathology consistent with chronic beryllium disease, including—

(i) a lung biopsy showing granulomas or a lymphocytic process consistent with chronic beryllium disease;

(ii) a computerized axial tomography scan showing changes consistent with chronic beryllium disease; or

(iii) pulmonary function or exercise testing showing pulmonary deficits consistent with chronic beryllium disease.

(B) For diagnoses before January 1, 1993, the presence of—

(i) occupational or environmental history, or epidemiologic evidence of beryllium exposure; and

(ii) any three of the following criteria:

(I) Characteristic chest radiographic (or computed tomography (CT)) abnormalities.

(II) Restrictive or obstructive lung physiology testing or diffusing lung capacity defect.

(III) Lung pathology consistent with chronic beryllium disease.

(IV) Clinical course consistent with a chronic respiratory disorder.

(V) Immunologic tests showing beryllium sensitivity (skin patch test or beryllium blood test preferred).

(14) The term ''member of the Special Exposure Cohort'' means a Department of Energy employee, Department of Energy contractor employee, or atomic weapons employee who meets any of the following requirements:

(A) The employee was so employed for a number of work days aggregating at least 250 work days before February 1, 1992, at a gaseous diffusion plant located in Paducah, Kentucky, Portsmouth, Ohio, or Oak Ridge, Tennessee, and, during such employment—

(i) was monitored through the use of dosimetry badges for exposure at the plant of the external parts of employee's body to radiation; or

(ii) worked in a job that had exposures comparable to a job that is or was monitored through the use of dosimetry badges.

(B) The employee was so employed before January 1, 1974, by the Department of Energy or a Department of Energy contractor or subcontractor on Amchitka Island, Alaska, and was exposed to ionizing radiation in the performance of duty related to the Long Shot, Milrow, or Cannikin underground nuclear tests.

(C)(i) Subject to clause (ii), the employee is an individual designated as a member of the Special Exposure Cohort by the President for purposes of the compensation program under section 3626.

(ii) A designation under clause (i) shall, unless Congress otherwise provides, take effect on the date that is 180 days after the date on which the President submits to Congress a report identifying the individuals covered by the designation and describing the criteria used in designating those individuals.

(15) The term ''occupational illness'' means a covered beryllium illness, cancer referred to in section 3621(9)(B), specified cancer, or chronic silicosis, as the case may be.

(16) The term ''radiation'' means ionizing radiation in the form of—

(A) alpha particles;

(B) beta particles;

(C) neutrons;

(D) gamma rays; or

(E) accelerated ions or subatomic particles from accelerator machines.

(17) The term ''specified cancer'' means any of the following:

(A) A specified disease, as that term is defined in section 4(b)(2) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note).

(B) Bone cancer.

(18) The term ''survivor'' means any individual or individuals eligible to receive compensation pursuant to section 8133 of title 5, United States Code.

SEC. 3622. EXPANSION OF LIST OF BERYLLIUM VENDORS.

Not later than December 31, 2002, the President may, in consultation with the Secretary of Energy, designate as a beryllium vendor for purposes of section 3621(6) any vendor, processor, or producer of beryllium or related products not previously listed under or designated for purposes of such section 3621(6) if the President finds that such vendor, processor, or producer has been engaged in activities related to the production or processing of beryllium for sale to, or use by, the Department of Energy in a manner similar to the entities listed in such section 3621(6).

SEC. 3623. EXPOSURE IN THE PERFORMANCE OF DUTY.

(a) BERYLLIUM.—A covered beryllium employee shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to beryllium in the performance of duty for the purposes of the compensation program if, and only if, the covered beryllium employee was—

(1) employed at a Department of Energy facility; or

(2) present at a Department of Energy facility, or a facility owned and operated by a beryllium vendor, because of employment by the United States, a beryllium vendor, or a contractor or subcontractor of the Department of Energy;

during a period when beryllium dust, particles, or vapor may have been present at such facility.

(b) CANCER.—An individual with cancer specified in subclause (I), (II), or (III) of section 3621(9)(B)(ii) shall be determined to have sustained that cancer in the performance of duty for purposes of the compensation program if, and only if, the cancer specified in that subclause was at least as likely as not related to employment at the facility specified in that subclause, as determined in accordance with the guidelines established under subsection (c).

(c) GUIDELINES.—(1) For purposes of the compensation program, the President shall by regulation establish guidelines for making the determinations required by subsection (b).

(2) The President shall establish such guidelines after technical review by the Advisory Board on Radiation and Worker Health under section 3624.

(3) Such guidelines shall—

(A) be based on the radiation dose received by the employee (or a group of employees performing similar work) at such facility and the upper 99 percent confidence interval of the probability of causation in the radioepidemiological tables published under section 7(b) of the Orphan Drug Act (42 U.S.C. 241 note), as such tables may be updated under section 7(b)(3) of such Act from time to time;

(B) incorporate the methods established under subsection (d); and

(C) take into consideration the type of cancer, past health-related activities (such as smoking), information on the risk of developing a radiation-related cancer from workplace exposure, and other relevant factors.

(d) METHODS FOR RADIATION DOSE RECONSTRUCTIONS.—(1) The President shall, through any Federal agency (other than the Department of Energy) or official (other than the Secretary of Energy or any other official within the Department of Energy) that the President may designate, establish by regulation methods for arriving at reasonable estimates of the radiation doses received by an individual specified in subparagraph (B) of section 3621(9) at a facility specified in that subparagraph by each of the following employees:

(A) An employee who was not monitored for exposure to radiation at such facility.

(B) An employee who was monitored inadequately for exposure to radiation at such facility.

(C) An employee whose records of exposure to radiation at such facility are missing or incomplete.

(2) The President shall establish an independent review process using the Advisory Board on Radiation and Worker Health to—

(A) assess the methods established under paragraph (1); and

(B) verify a reasonable sample of the doses established under paragraph (1).

(e) INFORMATION ON RADIATION DOSES.—(1) The Secretary of Energy shall provide, to each covered employee with cancer specified in section 3621(9)(B), information specifying the estimated radiation dose of that employee during each employment specified in section 3621(9)(B), whether established by a dosimetry reading, by a method established under subsection (d), or by both a dosimetry reading and such method.

(2) The Secretary of Health and Human Services and the Secretary of Energy shall each make available to researchers and the general public information on the assumptions, methodology, and data used in establishing radiation doses under subsection (d). The actions taken under this paragraph shall be consistent with the protection of private medical records.

SEC. 3624. ADVISORY BOARD ON RADIATION AND WORKER HEALTH.

(a) ESTABLISHMENT.—(1) Not later than 120 days after the date of the enactment of this Act, the President shall establish and appoint an Advisory Board on Radiation and Worker Health (in this section referred to as the ''Board'').

(2) The President shall make appointments to the Board in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a balance of scientific, medical, and worker perspectives.

(3) The President shall designate a Chair for the Board from among its members.

(b) DUTIES.—The Board shall advise the President on—

(1) the development of guidelines under section 3623(c);

(2) the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program; and

(3) such other matters related to radiation and worker health in Department of Energy facilities as the President considers appropriate.

(c) STAFF.—(1) The President shall appoint a staff to facilitate the work of the Board. The staff shall be headed by a Director who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

(2) The President may accept as staff of the Board personnel on detail from other Federal agencies. The detail of personnel under this paragraph may be on a nonreimbursable basis.

(d) EXPENSES.—Members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, while serving away from their homes or regular places of business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay.

SEC. 3625. RESPONSIBILITIES OF SECRETARY OF HEALTH AND HUMAN SERVICES.

The Secretary of Health and Human Services shall carry out that Secretary's responsibilities with respect to the compensation program with the assistance of the Director of the National Institute for Occupational Safety and Health.

SEC. 3626. DESIGNATION OF ADDITIONAL MEMBERS OF SPECIAL EXPOSURE COHORT.

(a) ADVICE ON ADDITIONAL MEMBERS.—(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.

(2) The advice of the Advisory Board on Radiation and Worker Health under paragraph (1) shall be based on exposure assessments by radiation health professionals, information provided by the Department of Energy, and such other information as the Advisory Board considers appropriate.

(3) The President shall request advice under paragraph (1) after consideration of petitions by classes of employees described in that paragraph for such advice. The President shall consider such petitions pursuant to procedures established by the President.

(b) DESIGNATION OF ADDITIONAL MEMBERS.—Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

(1) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

(2) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

(c) ACCESS TO INFORMATION.—The Secretary of Energy shall provide, in accordance with law, the Secretary of Health and Human Services and the members and staff of the Advisory Board on Radiation and Worker Health access to relevant information on worker exposures, including access to Restricted Data (as defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

SEC. 3627. SEPARATE TREATMENT OF CHRONIC SILICOSIS.

(a) SENSE OF CONGRESS.—The Congress finds that employees who worked in Department of Energy test sites and later contracted chronic silicosis should also be considered for inclusion in the compensation program. Recognizing that chronic silicosis resulting from exposure to silica is not a condition unique to the nuclear weapons industry, it is not the intent of Congress with this title to establish a precedent on the question of chronic silicosis as a compensable occupational disease. Consequently, it is the sense of Congress that a further determination by the President is appropriate before these workers are included in the compensation program.

(b) CERTIFICATION BY PRESIDENT.—A covered employee with chronic silicosis shall be treated as a covered employee (as defined in section 3621(1)) for the purposes of the compensation program required by section 3611 unless the President submits to Congress not later than 180 days after the date of the enactment of this Act the certification of the President that there is insufficient basis to include such employees. The President shall submit with the certification any recommendations about the compensation program with respect to covered employees with chronic silicosis as the President considers appropriate.

(c) EXPOSURE TO SILICA IN THE PERFORMANCE OF DUTY.—A covered employee shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to silica in the performance of duty for the purposes of the compensation program if, and only if, the employee was present for a number of work days

aggregating at least 250 work days during the mining of tunnels at a Department of Energy facility located in Nevada or Alaska for tests or experiments related to an atomic weapon.

(d) COVERED EMPLOYEE WITH CHRONIC SILICOSIS.—For purposes of this title, the term ''covered employee with chronic silicosis'' means a Department of Energy employee, or a Department of Energy contractor employee, with chronic silicosis who was exposed to silica in the performance of duty as determined under subsection (c).

(e) CHRONIC SILICOSIS.—For purposes of this title, the term ''chronic silicosis'' means a nonmalignant lung disease if—

(1) the initial occupational exposure to silica dust preceded the onset of silicosis by at least 10 years; and

(2) a written diagnosis of silicosis is made by a medical doctor and is accompanied by—

(A) a chest radiograph, interpreted by an individual certified by the National Institute for Occupational Safety and Health as a B reader, classifying the existence of pneumoconioses of category 1/1 or higher;

(B) results from a computer assisted tomograph or other imaging technique that are consistent with silicosis; or

(C) lung biopsy findings consistent with silicosis.

SEC. 3628. COMPENSATION AND BENEFITS TO BE PROVIDED.

(a) COMPENSATION PROVIDED.—(1) Except as provided in paragraph (2), a covered employee, or the survivor of that covered employee if the employee is deceased, shall receive compensation for the disability or death of that employee from that employee's occupational illness in the amount of $150,000.

(2) A covered employee shall, to the extent that employee's occupational illness is established beryllium sensitivity, receive beryllium sensitivity monitoring under subsection (c) in lieu of compensation under paragraph (1).

(b) MEDICAL BENEFITS.—A covered employee shall receive medical benefits under section 3629 for that employee's occupational illness.

(c) BERYLLIUM SENSITIVITY MONITORING.—An individual receiving beryllium sensitivity monitoring under this subsection shall receive the following:

(1) A thorough medical examination to confirm the nature and extent of the individual's established beryllium sensitivity.

(2) Regular medical examinations thereafter to determine whether that individual has developed established chronic beryllium disease.

(d) PAYMENT FROM COMPENSATION FUND.—The compensation provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(e) SURVIVORS.—(1) Subject to the provisions of this section, if a covered employee dies before the effective date specified in subsection (f), whether or not the death is a result of that employee's occupational illness, a survivor of that employee may, on behalf of that survivor and any other survivors of that employee, receive the compensation provided for under this section.

(2) The right to receive compensation under this section shall be afforded to survivors in the same order of precedence as that set forth in section 8109 of title 5, United States Code.

(f) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3629. MEDICAL BENEFITS.

(a) MEDICAL BENEFITS PROVIDED.—The United States shall furnish, to an individual receiving medical benefits under this section for an illness, the services, appliances, and supplies prescribed or recommended by a qualified physician for that illness, which the President considers likely to cure, give relief, or reduce the degree or the period of that illness.

(b) PERSONS FURNISHING BENEFITS.—(1) These services, appliances, and supplies shall be furnished by or on the order of United States medical officers and hospitals, or, at the individual's option, by or on the order of physicians and hospitals designated or approved by the President.

(2) The individual may initially select a physician to provide medical services, appliances, and supplies under this section in accordance with such regulations and instructions as the President considers necessary.

(c) TRANSPORTATION AND EXPENSES.—The individual may be furnished necessary and reasonable transportation and expenses incident to the securing of such services, appliances, and supplies.

(d) COMMENCEMENT OF BENEFITS.—An individual receiving benefits under this section shall be furnished those benefits as of the date on which that individual submitted the claim for those benefits in accordance with this title.

(e) PAYMENT FROM COMPENSATION FUND.—The benefits provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(f) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3630. SEPARATE TREATMENT OF CERTAIN URANIUM EMPLOYEES.

(a) COMPENSATION PROVIDED.—An individual who receives, or has received, $100,000 under section 5 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) for a claim made under that Act (hereinafter in this section referred to as a ''covered uranium employee''), or the survivor of that covered uranium employee if the employee is deceased, shall receive compensation under this section in the amount of $50,000.

(b) MEDICAL BENEFITS.—A covered uranium employee shall receive medical benefits under section 3629 for the illness for which that employee received $100,000 under section 5 of that Act.

(c) COORDINATION WITH RECA.—The compensation and benefits provided in subsections (a) and (b) are separate from any compensation or benefits provided under that Act.

(d) PAYMENT FROM COMPENSATION FUND.—The compensation provided under this section, when authorized or approved by the President, shall be paid from the compensation fund established under section 3612.

(e) SURVIVORS.—(1) Subject to the provisions of this section, if a covered uranium employee dies before the effective date specified in subsection (g), whether or not the death is a result of the illness specified in subsection (b), a survivor of that employee may, on behalf of that survivor and any other survivors of that employee, receive the compensation provided for under this section.

(2) The right to receive compensation under this section shall be afforded to survivors in the same order of precedence as that set forth in section 8109 of title 5, United States Code.

(f) PROCEDURES REQUIRED.—The President shall establish procedures to identify and notify each covered uranium employee, or the survivor of that covered uranium employee if that employee is deceased, of the availability of compensation and benefits under this section.

(g) EFFECTIVE DATE.—This section shall take effect on July 31, 2001, unless Congress otherwise provides in an Act enacted before that date.

SEC. 3631. ASSISTANCE FOR CLAIMANTS AND POTENTIAL CLAIMANTS.

(a) ASSISTANCE FOR CLAIMANTS.—The President shall, upon the receipt of a request for assistance from a claimant under the compensation program, provide assistance to the claimant in connection with the claim, including—

(1) assistance in securing medical testing and diagnostic services necessary to establish the existence of a covered beryllium illness, chronic silicosis, or cancer; and

(2) such other assistance as may be required to develop facts pertinent to the claim.

(b) ASSISTANCE FOR POTENTIAL CLAIMANTS.—The President shall take appropriate actions to inform and assist covered employees who are potential claimants under the compensation program, and other potential claimants under the compensation program, of the availability of compensation under the compensation program, including actions to—

(1) ensure the ready availability, in paper and electronic format, of forms necessary for making claims;

(2) provide such covered employees and other potential claimants with information and other support necessary for making claims, including—

(A) medical protocols for medical testing and diagnosis to establish the existence of a covered beryllium illness, chronic silicosis, or cancer; and

(B) lists of vendors approved for providing laboratory services related to such medical testing and diagnosis; and

(3) provide such additional assistance to such covered employees and other potential claimants as may be required for the development of facts pertinent to a claim.

(c) INFORMATION FROM BERYLLIUM VENDORS AND OTHER CONTRACTORS.—As part of the assistance program provided under subsections (a) and (b), and as permitted by law, the Secretary of Energy shall, upon the request of the President, require a beryllium vendor or other Department of Energy contractor or subcontractor to provide information relevant to a claim or potential claim under the compensation program to the President.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

SEC. 3641. OFFSET FOR CERTAIN PAYMENTS.

A payment of compensation to an individual, or to a survivor of that individual, under subtitle B shall be offset by the amount of any payment made pursuant to a final award or settlement on a claim (other than a claim for worker's compensation), against any person, that is based on injuries incurred by that individual on account of the exposure of a covered beryllium employee, covered employee with cancer, covered employee with chronic silicosis (as defined in section 3627), or covered uranium employee (as defined in section 3630), while so employed, to beryllium, radiation, silica, or radiation, respectively.

SEC. 3642. SUBROGATION OF THE UNITED STATES.

Upon payment of compensation under subtitle B, the United States is subrogated for the amount of the payment to a right or claim that the individual to whom the payment was made may have against any person on account of injuries referred to in section 3641.

SEC. 3643. PAYMENT IN FULL SETTLEMENT OF CLAIMS.

The acceptance by an individual of payment of compensation under subtitle B with respect to a covered employee shall be in full satisfaction of all claims of or on behalf of that individual against the United States, against a Department of Energy contractor or subcontractor, beryllium vendor, or atomic weapons employer, or against any person with respect to that person's performance of a contract with the United States,

that arise out of an exposure referred to in section 3641.

SEC. 3644. EXCLUSIVITY OF REMEDY AGAINST THE UNITED STATES AND AGAINST CONTRACTORS AND SUBCONTRACTORS.

(a) IN GENERAL.—The liability of the United States or an instrumentality of the United States under this title with respect to a cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death related thereto of a covered employee is exclusive and instead of all other liability—

(1) of—

(A) the United States;

(B) any instrumentality of the United States;

(C) a contractor that contracted with the Department of Energy to provide management and operation, management and integration, or environmental remediation of a Department of Energy facility (in its capacity as a contractor);

(D) a subcontractor that provided services, including construction, at a Department of Energy facility (in its capacity as a subcontractor); and

(E) an employee, agent, or assign of an entity specified in subparagraphs (A) through (D);

(2) to—

(A) the covered employee;

(B) the covered employee's legal representative, spouse, dependents, survivors and next of kin; and

(C) any other person, including any third party as to whom the covered employee, or the covered employee's legal representative, spouse, dependents, survivors, or next of kin, has a cause of action relating to the cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death, otherwise entitled to recover damages from the United States, the instrumentality, the contractor, the subcontractor, or the employee, agent, or assign of one of them;

because of the cancer (including a specified cancer), chronic silicosis, covered beryllium illness, or death in any proceeding or action including a direct judicial proceeding, a civil action, a proceeding in admiralty, or a proceeding under a tort liability statute or the common law.

(b) APPLICABILITY.—This section applies to all cases filed on or after the date of the enactment of this Act.

(c) WORKERS' COMPENSATION.—This section does not apply to an administrative or judicial proceeding under a State or Federal workers' compensation law.

SEC. 3645. ELECTION OF REMEDY FOR BERYLLIUM EMPLOYEES AND ATOMIC WEAPONS EMPLOYEES.

(a) ELECTION TO FILE SUIT.—If a tort case is filed after the date of the enactment of this Act, alleging a claim referred to in section 3643 against a beryllium vendor or atomic weapons employer, the plaintiff shall not be eligible for compensation or benefits under subtitle B unless the plaintiff files such case within the applicable time limits in subsection (b).

(b) APPLICABLE TIME LIMITS.—A case described in subsection (a) shall be filed not later than the later of—

(1) the date that is 30 months after the date of the enactment of this Act; or

(2) the date that is 30 months after the date the plaintiff first becomes aware that an illness covered by subtitle B of a covered employee may be connected to the exposure of the covered employee in the performance of duty.

(c) DISMISSAL OF CLAIMS.—Unless a case filed under subsection (a) is dismissed prior to the time limits in subsection (b), the plaintiff shall not be eligible for compensation under subtitle B.

(d) DISMISSAL OF PENDING SUIT.—If a tort case was filed on or before the date of the enactment of this Act, alleging a claim referred to in section 3643 against a beryllium vendor or atomic weapons employer, the plaintiff shall not be eligible for compensation or benefits under subtitle B unless the plaintiff dismisses such case not later than December 31, 2003.

(e) WORKERS' COMPENSATION.—This section does not apply to an administrative or judicial proceeding under a State or Federal workers' compensation law.

SEC. 3646. CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.

Compensation or benefits provided to an individual under subtitle B—

(1) shall be treated for purposes of the internal revenue laws of the United States as damages for human suffering; and

(2) shall not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

SEC. 3647. CLAIMS NOT ASSIGNABLE OR TRANSFERABLE; CHOICE OF REMEDIES.

(a) CLAIMS NOT ASSIGNABLE OR TRANSFERABLE.—No claim cognizable under subtitle B shall be assignable or transferable.

(b) CHOICE OF REMEDIES.—No individual may receive more than one payment of compensation under subtitle B.

SEC. 3648. ATTORNEY FEES.

(a) GENERAL RULE.—Notwithstanding any contract, the representative of an individual may not receive, for services rendered in connection with the claim of an individual under subtitle B, more than that percentage specified in subsection (b) of a payment made under subtitle B on such claim.

(b) APPLICABLE PERCENTAGE LIMITATIONS.—The percentage referred to in subsection (a) is—

(1) 2 percent for the filing of an initial claim; and

(2) 10 percent with respect to any claim with respect to which a representative has made a contract for services before the date of the enactment of this Act.

(c) PENALTY.—Any such representative who violates this section shall be fined not more than $5,000.

SEC. 3649. CERTAIN CLAIMS NOT AFFECTED BY AWARDS OF DAMAGES.

A payment under subtitle B shall not be considered as any form of compensation or reimbursement for a loss for purposes of imposing liability on any individual receiving such payment, on the basis of such receipt, to repay any insurance carrier for insurance payments, or to repay any person on account of worker's compensation payments; and a payment under subtitle B shall not affect any claim against an insurance carrier with respect to insurance or against any person with respect to worker's compensation.

SEC. 3650. FORFEITURE OF BENEFITS BY CONVICTED FELONS.

(a) FORFEITURE OF COMPENSATION.—Any individual convicted of a violation of section 1920 of title 18, United States Code, or any other Federal or State criminal statute relating to fraud in the application for or receipt of any benefit under subtitle B or under any other Federal or State workers' compensation law, shall forfeit (as of the date of such conviction) any entitlement to any compensation or benefit under subtitle B such individual would otherwise be awarded for any injury, illness or death covered by subtitle B for which the time of injury was on or before the date of the conviction.

(b) INFORMATION.—Notwithstanding section 552a of title 5, United States Code, or any other Federal or State law, an agency of the United States, a State, or a political subdivision of a State shall make available to the President, upon written request from the President and if the President requires the information to carry out this section, the names and Social Security account numbers of individuals confined, for conviction of a felony, in a jail, prison, or other penal institution or correctional facility under the jurisdiction of that agency.

SEC. 3651. COORDINATION WITH OTHER FEDERAL RADIATION COMPENSATION LAWS.

Except in accordance with section 3630, an individual may not receive compensation or benefits under the compensation program for cancer and also receive compensation under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) or section 1112(c) of title 38, United States Code.

Subtitle D—Assistance in State Workers' Compensation Proceedings

SEC. 3661. AGREEMENTS WITH STATES.

(a) AGREEMENTS AUTHORIZED.—The Secretary of Energy (hereinafter in this section referred to as the ''Secretary'') may enter into agreements with the chief executive officer of a State to provide assistance to a Department of Energy contractor employee in filing a claim under the appropriate State workers' compensation system.

(b) PROCEDURE.—Pursuant to agreements under subsection (a), the Secretary may—

(1) establish procedures under which an individual may submit an application for review and assistance under this section; and

(2) review an application submitted under this section and determine whether the applicant submitted reasonable evidence that—

(A) the application was filed by or on behalf of a Department of Energy contractor employee or employee's estate; and

(B) the illness or death of the Department of Energy contractor employee may have been related to employment at a Department of Energy facility.

(c) SUBMITTAL OF APPLICATIONS TO PANELS.—If provided in an agreement under subsection (a), and if the Secretary determines that the applicant submitted reasonable evidence under subsection (b)(2), the Secretary shall submit the application to a physicians panel established under subsection (d). The Secretary shall assist the employee in obtaining additional evidence within the control of the Department of Energy and relevant to the panel's deliberations.

(d) COMPOSITION AND OPERATION OF PANELS.—(1) The Secretary shall inform the Secretary of Health and Human Services of the number of physicians panels the Secretary has determined to be appropriate to administer this section, the number of physicians needed for each panel, and the area of jurisdiction of each panel. The Secretary may determine to have only one panel.

(2)(A) The Secretary of Health and Human Services shall appoint panel members with experience and competency in diagnosing occupational illnesses under section 3109 of title 5, United States Code.

(B) Each member of a panel shall be paid at the rate of pay payable for level III of the Executive Schedule for each day (including travel time) the member is engaged in the work of a panel.

(3) A panel shall review an application submitted to it by the Secretary and determine, under guidelines established by the Secretary, by regulation, whether the illness or death that is the subject of the application arose out of and in the course of employment by the Department of Energy and exposure to a toxic substance at a Department of Energy facility.

(4) At the request of a panel, the Secretary and a contractor who employed a Department of Energy contractor employee shall provide additional information relevant to the panel's deliberations. A panel may consult specialists in relevant fields as it determines necessary.

(5) Once a panel has made a determination under paragraph (3), it shall report to the Secretary its determination and the basis for the determination.

(6) A panel established under this subsection shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) ASSISTANCE.—If provided in an agreement under subsection (a)—

(1) the Secretary shall review a panel's determination made under subsection (d), information the panel considered in reaching its determination, any relevant new information not reasonably available at the time of the panel's deliberations, and the basis for the panel's determination;

(2) as a result of the review under paragraph (1), the Secretary shall accept the panel's determination in the absence of significant evidence to the contrary; and

(3) if the panel has made a positive determination under subsection (d) and the Secretary accepts the determination under paragraph (2), or the panel has made a negative determination under subsection (d) and the Secretary finds significant evidence to the contrary—

(A) the Secretary shall assist the applicant to file a claim under the appropriate State workers' compensation system based on the health condition that was the subject of the determination;

(B) the Secretary thereafter—

(i) may not contest such claim;

(ii) may not contest an award made regarding such claim; and

(iii) may, to the extent permitted by law, direct the Department of Energy contractor who employed the applicant not to contest such claim or such award,

unless the Secretary finds significant new evidence to justify such contest; and

(C) any costs of contesting a claim or an award regarding the claim incurred by the contractor who employed the Department of Energy contractor employee who is the subject of the claim shall not be an allowable cost under a Department of Energy contract.

(f) INFORMATION.—At the request of the Secretary, a contractor who employed a Department of Energy contractor employee shall make available to the Secretary and the employee information relevant to deliberations under this section.

(g) GAO REPORT.—Not later than February 1, 2002, the Comptroller General shall submit to Congress a report on the implementation by the Department of Energy of the provisions of this section and of the effectiveness of the program under this section in assisting Department of Energy contractor employees in obtaining compensation for occupational illness.

Following is explanatory language on H.R. 5408, as introduced on October 6, 2000.

References in the following to a provision of the conference agreement refer to that provision in H.R. 5408.

SUMMARY STATEMENT OF CONFERENCE ACTION

The conferees recommend authorization for the Department of Defense for procurement, research, and development, test and evaluation, operation and maintenance, working capital funds, military construction and family housing, weapons programs of the Department of Energy, and the civil defense that have budget authority implications of $309.9 billion.

SUMMARY TABLE OF AUTHORIZATIONS

The defense authorization act provides authorizations for appropriations but does not generally provide budget authority. Budget authority is provided in appropriations acts.

In order to relate the conference recommendations to the Budget Resolution, matter in addition to the dollar authorizations contained in this bill must be taken into account. A number of programs in the defense function are authorized permanently or, in certain instances, authorized in other annual legislation. In addition, this authorization bill would establish personnel levels and include a number of legislative provisions affecting military compensation.

The following table summarizes authorizations included in the bill for fiscal year 2001 and, in addition, summarizes the implications of the conference action for the budget totals for national defense (budget function 050).

Summary of
National Defense Authorization for FY 2001
(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications Request	House	Senate	Conference
DIVISION A									
TITLE I									
PROCUREMENT									
Aircraft Procurement, Army	1,323,262	1,542,762	1,749,662	226,750	1,550,012	1,323,262	1,542,762	1,749,662	1,550,012
Missile Procurement, Army	1,295,728	1,367,681	1,382,328	24,953	1,320,681	1,295,728	1,367,681	1,382,328	1,320,681
Procurement of Weapons and Tracked Combat Vehicles, Army	1,874,638	2,167,938	2,115,138	561,686	2,436,324	1,874,638	2,167,938	2,115,138	2,436,324
Procurement of Ammunition, Army	1,131,323	1,199,323	1,224,323	48,593	1,179,916	1,131,323	1,199,323	1,224,323	1,179,916
Other Procurement, Army	3,795,870	4,095,270	4,027,170	439,849	4,235,719	3,795,870	4,095,270	4,027,170	4,235,719
Chemical Agents and Munitions Destruction, Army									
Research, Development, Test & Evaluation	274,400	0	0	0	274,400	274,400	0	0	274,400
Procurement	121,900	0	0	(16,200)	105,700	121,900	0	0	105,700
Operation & Maintenance	607,200	0	0	(7,200)	600,000	607,200	0	0	600,000
Aircraft Procurement, Navy	7,963,858	8,205,758	8,685,958	430,480	8,394,338	7,963,858	8,205,758	8,685,958	8,394,338
Weapons Procurement, Navy	1,434,250	1,562,250	1,539,950	9,350	1,443,600	1,434,250	1,562,250	1,539,950	1,443,600
Procurement of Ammunition, Navy and Marine Corps	429,649	481,349	500,749	58,100	487,749	429,649	481,349	500,749	487,749
Shipbuilding and Conversion, Navy	12,296,919	11,981,968	12,900,076	530,000	12,826,919	12,296,919	11,981,968	12,900,076	12,826,919
Other Procurement, Navy	3,334,611	3,432,011	3,378,311	46,069	3,380,680	3,334,611	3,432,011	3,378,311	3,380,680
Procurement, Marine Corps	1,171,935	1,254,735	1,191,035	40,833	1,212,768	1,171,935	1,254,735	1,191,035	1,212,768
Aircraft Procurement, Air Force	9,539,602	10,267,153	9,966,271	384,266	9,923,868	9,539,602	10,267,153	9,966,271	9,923,868
Procurement of Ammunition, Air Force	638,808	638,808	666,808	8,000	646,808	638,808	638,808	666,808	646,808
Missile Procurement, Air Force	3,061,715	3,046,715	3,008,015	(197,937)	2,863,778	3,061,715	3,046,715	3,008,015	2,863,778
Other Procurement, Air Force	7,699,127	7,869,903	7,717,527	12,520	7,711,647	7,699,127	7,869,903	7,717,527	7,711,647
Procurement, Defense-wide	2,275,308	2,309,074	2,210,508	3,100	2,278,408	2,275,308	2,309,074	2,210,508	2,278,408
Chemical Agents and Munitions Destruction, Defense-Wide									
Operation & Maintenance	0	607,200	607,200	0	0	0	607,200	607,200	0
Procurement	0	105,700	121,900	0	0	0	105,700	121,900	0
Research, Development, Test & Evaluation	0	164,200	274,400	0	0	0	164,200	274,400	0
Procurement, Defense Health Program	290,006	290,006	290,006	0	290,006	0	0	0	0
Procurement, Office of the Inspector General	3,300	3,300	3,300	0	3,300	0	0	0	0
Total Procurement	60,563,409	62,593,104	63,560,635	2,603,212	63,166,621	60,270,103	62,299,798	63,267,329	62,873,315
TITLE II									
RESEARCH, DEVELOPMENT, TEST & EVALUATION									
Research, Development, Test & Evaluation, Army	5,260,346	5,500,246	5,501,446	308,136	5,568,482	5,260,346	5,500,246	5,501,446	5,568,482
Research, Development, Test & Evaluation, Navy	8,476,677	8,834,477	8,665,865	238,658	8,715,335	8,476,677	8,834,477	8,665,865	8,715,335

Summary of
National Defense Authorization for FY 2001
(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications Request	House	Senate	Conference
Research, Development, Test & Evaluation, Air Force	13,685,576	13,677,108	13,897,336	93,568	13,779,144	13,685,576	13,677,108	13,897,336	13,779,144
Research, Development, Test & Evaluation, Defense-wide	10,238,242	11,077,763	11,043,142	443,410	10,681,652	10,238,242	11,077,763	11,043,142	10,681,652
Operational Test & Evaluation, Defense	201,560	219,560	223,060	(9,500)	192,060	201,560	219,560	223,060	192,060
Total Research, Development, Test & Evaluation	37,862,401	39,309,154	39,330,849	1,074,272	38,936,673	37,862,401	39,309,154	39,330,849	38,936,673
TITLE III									
OPERATION & MAINTENANCE & WORKING CAPITAL FUNDS									
Operation and Maintenance, Army	19,123,731	19,489,617	19,031,031	156,650	19,280,381	19,123,731	19,489,617	19,031,031	19,280,381
Operation and Maintenance, Navy	23,300,154	23,324,809	23,276,154	466,456	23,766,610	23,300,154	23,324,809	23,276,154	23,766,610
Operation and Maintenance, Marine Corps	2,705,658	2,851,678	2,746,558	120,633	2,826,291	2,705,658	2,851,678	2,746,558	2,826,291
Operation and Maintenance, Air Force	22,346,977	22,351,164	22,389,077	48,244	22,395,221	22,346,977	22,351,164	22,389,077	22,395,221
Operation and Maintenance, Defense-wide	11,920,069	11,673,852	11,912,069	(179,500)	11,740,569	11,920,069	11,673,852	11,912,069	11,740,569
Operation and Maintenance, Army Reserve	1,521,418	1,565,918	1,526,418	40,000	1,561,418	1,521,418	1,565,918	1,526,418	1,561,418
Operation and Maintenance, Navy Reserve	960,946	967,646	965,946	18,000	978,946	960,946	967,646	965,946	978,946
Operation and Maintenance, Marine Corps Reserve	133,959	150,469	138,959	10,200	144,159	133,959	150,469	138,959	144,159
Operation and Maintenance, Air Force Reserve	1,885,859	1,890,859	1,890,859	18,000	1,903,859	1,885,859	1,890,859	1,890,859	1,903,859
Operation and Maintenance, Army National Guard	3,182,335	3,236,835	3,222,335	51,500	3,233,835	3,182,335	3,236,835	3,222,335	3,233,835
Operation and Maintenance, Air National Guard	3,446,375	3,461,875	3,450,875	22,000	3,468,375	3,446,375	3,461,875	3,450,875	3,468,375
Office of the Inspector General	144,245	144,245	144,245	0	144,245	147,545	147,545	147,545	147,545
United States Court of Appeals for the Armed Forces	8,574	8,574	8,574	0	8,574	8,574	8,574	8,574	8,574
Environmental Restoration, Army	389,932	389,932	389,932	0	389,932	389,932	389,932	389,932	389,932
Environmental Restoration, Navy	294,038	294,038	294,038	0	294,038	294,038	294,038	294,038	294,038
Environmental Restoration, Air Force	376,300	376,300	376,300	0	376,300	376,300	376,300	376,300	376,300
Environmental Restoration, Defense-Wide	23,412	23,412	23,412	(2,000)	21,412	23,412	23,412	23,412	21,412
Environmental Restoration, Formerly Used Defense Sites	186,499	186,499	231,499	45,000	231,499	186,499	186,499	231,499	231,499
Drug Interdiction and Counter-drug Activities, Defense	836,300	841,500	845,300	32,700	869,000	836,300	841,500	845,300	869,000
Defense Health Program	11,310,423	11,571,523	11,401,723	169,700	11,480,123	11,600,429	11,861,529	11,691,729	11,770,129
Former Soviet Union Threat Reduction	458,400	433,400	458,400	(15,000)	443,400	458,400	433,400	458,400	443,400
Overseas Humanitarian, Disaster, & Civic Aid	64,900	55,800	55,400	(9,000)	55,900	64,900	55,800	55,400	55,900
Payment to Kaho' Olawe Island Fund	25,000	25,000	25,000	0	25,000	25,000	25,000	25,000	25,000
Overseas Contingency Operation Transfer Fund	4,100,577	4,100,577	4,100,577	0	4,100,577	4,100,577	4,100,577	4,100,577	4,100,577
Quality of Life Enhancement	0	0	0	10,500	10,500	0	0	0	10,500
Subtotal Operation and Maintenance	108,746,081	109,415,522	108,904,681	1,004,083	109,750,164	109,039,387	109,708,828	109,197,987	110,043,470
REVOLVING FUNDS									
Defense Working Capital Fund	916,276	916,276	916,276	0	916,276	916,276	916,276	916,276	916,276

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement		Budget Authority Implications Request	House	Senate	Conference
National Defense Sealift Fund	388,158	737,109	388,158	0	388,158		388,158	737,109	388,158	388,158
National Defense Stockpile Transaction Fund (Routine & Ongoing Sales)	(150,000)	(150,000)	(150,000)	0	(150,000)		(150,000)	(150,000)	(150,000)	(150,000)
National Defense Stockpile Transaction Fund (Excess of Routine Sales)	0	0	0	0	0		(210,000)	(219,000)	(210,000)	(210,000)
Subtotal Working Capital Funds	1,154,434	1,503,385	1,154,434	0	1,154,434		944,434	1,284,385	944,434	944,434
Total Operation and Maintenance & Working Capital Funds	109,900,515	110,918,907	110,059,115	1,004,083	110,904,598		109,983,821	110,993,213	110,142,421	110,987,904
TITLES IV-V-VI										
MILITARY PERSONNEL										
Military Personnel	75,801,666	75,801,666	75,632,266	0	75,801,666		75,801,666	75,801,666	75,632,266	75,801,666
DIVISION B										
MILITARY CONSTRUCTION										
Military Construction, Army	897,938	672,391	781,079	(160,343)	737,595	*	897,938	672,391	781,079	737,595
Military Construction, Navy	753,422	887,810	817,371	174,851	928,273		753,422	887,810	817,371	928,273
Military Construction, Air Force	530,969	703,873	763,491	339,239	870,208		530,969	703,873	763,491	870,208
Military Construction, Defense-wide	784,753	815,504	686,333	29,894	814,647	**	784,753	815,504	686,333	814,647
Military Construction, Army National Guard	59,130	129,139	181,629	207,401	266,531		59,130	129,139	181,629	266,531
Military Construction, Air National Guard	50,179	110,885	161,806	144,750	194,929		50,179	110,885	161,806	194,929
Military Construction, Army Reserve	81,713	104,854	92,497	27,025	108,738		81,713	104,854	92,497	108,738
Military Construction, Naval Reserve	16,103	56,574	38,091	45,970	62,073		16,103	56,574	38,091	62,073
Military Construction, Air Force Reserve	14,851	41,748	32,673	21,740	36,591		14,851	41,748	32,673	36,591
Base Realignment and Closure II, III, IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369		1,174,369	1,174,369	1,174,369	1,024,369
NATO Infrastructure	190,000	177,500	190,000	(18,000)	172,000		190,000	177,500	190,000	172,000
Total Military Construction	4,553,427	4,874,647	4,919,339	662,527	5,215,954		4,553,427	4,874,647	4,919,339	5,215,954
FAMILY HOUSING										
Family Housing Construction, Army	162,106	198,505	218,306	73,850	235,956		162,106	198,505	218,306	235,956
Family Housing Support, Army	978,275	953,744	958,364	(26,482)	951,793		978,275	953,744	958,364	951,793
Family Housing Construction, Navy and Marine Corps	362,822	417,225	386,874	55,333	418,155		362,822	417,225	386,874	418,155
Family Housing Support, Navy and Marine Corps	882,638	882,638	881,567	(1,071)	881,567		882,638	882,638	881,567	881,567
Family Housing Construction, Air Force	223,483	241,384	247,147	28,499	251,982		223,483	241,384	247,147	251,982
Family Housing Support, Air Force	826,271	820,879	807,425	(5,392)	820,879		826,271	820,879	807,425	820,879
Family Housing Support, Defense-wide	44,886	44,886	44,886	0	44,886		44,886	44,886	44,886	44,886
Total Family Housing	3,480,481	3,559,261	3,544,569	124,737	3,605,218		3,480,481	3,559,261	3,544,569	3,605,218

* *Reflects projects previously authorized in PL 106-65 (Fiscal Year 2000, Defense Authorization Act)*

** *Reflects reduction of FOLs proposed in the FY 00 Congressional Emergency Supplemental*

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement	Budget Authority Implications: Request	House	Senate	Conference
DIVISION C									
TITLE XXXI-XXXII									
ATOMIC ENERGY DEFENSE ACTIVITIES (053)									
National Nuclear Security Administration									
Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289	4,594,000	4,677,800	4,747,800	4,840,289
Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467	1,583,635	914,035	1,554,535	877,467
Naval Reactors	0	677,600	0	694,600	694,600	0	677,600	0	694,600
Office of the Administrator	0	0	0	10,000	10,000	0	0	0	10,000
Defense Environmental Restoration and Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692	4,551,527	4,591,527	5,576,824	5,973,692
Defense Facilities Closure Projects	1,082,297	1,082,297	0	(1,082,297)	0	1,082,297	1,082,297	0	0
Defense Environmental Management Privatization	515,000	259,000	365,000	(515,000)	0	515,000	259,000	365,000	0
Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822	555,122	557,122	466,322	523,822
Defense Nuclear Waste Disposal	112,000	112,000	112,000	0	112,000	112,000	112,000	112,000	112,000
Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0	17,000	0	17,000	0
Interim Storage Activities	0	0	0	0	0	(85,000)	(85,000)	(85,000)	(85,000)
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0	140,000	0	0	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500	18,500	17,000	18,500	18,500
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370	13,084,081	12,803,381	12,772,981	12,965,370
Recapitulation									
Department of Defense (Division A)	284,127,991	288,622,831	288,582,865	4,681,567	288,809,558	283,917,991	288,403,831	288,372,865	288,599,558
Department of Defense (Division B)	8,033,908	8,433,908	8,463,908	787,264	8,821,172	8,033,908	8,433,908	8,463,908	8,821,172
Net Other Funds	5,000	0	0	(5,000)	0	532,451	536,331	527,181	527,451
Division A Rescission (PL 106-259)	0	0	0	0	0	0	0	0	(546,980)
Division B Rescission (PL 106-259)	0	0	0	0	0	0	0	0	(183,000)
Transfer Authority sec 1001 [Memo Entry]	2,000,000	2,000,000	2,000,000	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Offsetting Receipts	0	0	0	0	0	(1,485,000)	(1,485,000)	(1,485,000)	(1,485,000)
Total Department of Defense Military (051)	292,166,899	297,056,739	297,046,773	5,463,831	297,630,730	290,999,350	295,889,070	295,878,954	295,733,201
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370	13,084,081	12,803,381	12,772,981	12,965,370
Total Defense Related Activities (054)	48,000	0	0	(48,000)	0	1,249,749	1,201,749	1,201,749	1,201,749
TOTAL NATIONAL DEFENSE FUNCTION (050)	305,383,980	309,945,120	309,904,754	5,297,120	310,681,100	305,333,180	309,894,200	309,853,684	309,900,320

CONGRESSIONAL DEFENSE COMMITTEES

The term ''congressional defense committees'' is often used in this statement of managers. It means the Defense Authorization and Appropriations Committee of the Senate and House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Procurement Overview

The budget request for fiscal year 2001 included an authorization of $60,563.4 million for Procurement in the Department of Defense.

The House bill would authorize $62,593.1 million.

The Senate amendment would authorize $63,560.6 million.

The conferees recommended an authorization of $63,166.6 million. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE I					
PROCUREMENT					
Aircraft Procurement, Army	1,323,262	1,542,762	1,749,662	226,750	1,550,012
Missile Procurement, Army	1,295,728	1,367,681	1,382,328	24,953	1,320,681
Procurement of Weapons and Tracked Combat Vehicles, Army	1,874,638	2,167,938	2,115,138	561,686	2,436,324
Procurement of Ammunition, Army	1,131,323	1,199,323	1,224,323	48,593	1,179,916
Other Procurement, Army	3,795,870	4,095,270	4,027,170	439,849	4,235,719
Chemical Agents and Munitions Destruction, Army					
Research, Development, Test & Evaluation	274,400	0	0	0	274,400
Procurement	121,900	0	0	(16,200)	105,700
Operation & Maintenance	607,200	0	0	(7,200)	600,000
Aircraft Procurement, Navy	7,963,858	8,205,758	8,685,958	430,480	8,394,338
Weapons Procurement, Navy	1,434,250	1,562,250	1,539,950	9,350	1,443,600
Procurement of Ammunition, Navy and Marine Corps	429,649	481,349	500,749	58,100	487,749
Shipbuilding and Conversion, Navy	12,296,919	11,981,968	12,900,076	530,000	12,826,919
Other Procurement, Navy	3,334,611	3,432,011	3,378,311	46,069	3,380,680
Procurement, Marine Corps	1,171,935	1,254,735	1,191,035	40,833	1,212,768
Aircraft Procurement, Air Force	9,539,602	10,267,153	9,966,271	384,266	9,923,868
Procurement of Ammunition, Air Force	638,808	638,808	666,808	8,000	646,808
Missile Procurement, Air Force	3,061,715	3,046,715	3,008,015	(197,937)	2,863,778
Other Procurement, Air Force	7,699,127	7,869,903	7,717,527	12,520	7,711,647
Procurement, Defense-wide	2,275,308	2,309,074	2,210,508	3,100	2,278,408
Chemical Agents and Munitions Destruction, Defense-Wide					

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
Operation & Maintenance	0	607,200	607,200	0	0
Procurement	0	105,700	121,900	0	0
Research, Development, Test & Evaluation	0	164,200	274,400	0	0
Procurement, Defense Health Program	290,006	290,006	290,006	0	290,006
Procurement, Office of the Inspector General	3,300	3,300	3,300	0	3,300
Total Procurement	60,563,409	62,593,104	63,560,635	2,603,212	63,166,621

Overview

The budget request for fiscal year 2001 included an authorization of $1,323.3 million for Aircraft Procurement, Army in the Department of Defense.

The House bill would authorize $1,542.8 million.

The Senate amendment would authorize $1,749.7 million.

The conferees recommended an authorization of $1,550.0 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, ARMY										
	AIRCRAFT										
	FIXED WING										
1	ARL (TIARA)	-	-	1	31,000	-	-	-	-	-	-
2	UTILITY F/W (MR) AIRCRAFT	-	-	1	7,600	3	24,300	1	7,600	1	7,600
3	GUARDRAIL COMMON SENSOR/ACS (TIARA)	-	-	-	-	-	-	-	-	-	-
	ROTARY										
4	UH-60 BLACKHAWK (MYP)	6	81,205	12	152,305	26	277,505	12	124,950	18	206,155
4	LESS: ADVANCE PROCUREMENT (PY)	-	(16,554)	-	(16,554)	-	(16,554)	-	-	-	(16,554)
5	ADVANCE PROCUREMENT (CY)	-	22,127	-	22,127	-	22,127	-	-	-	22,127
	TH-67 TRAINING HELICOPTER			19	24,000			19	24,000	19	24,000
	MODIFICATION OF AIRCRAFT										
	MODIFICATION OF AIRCRAFT										
6	GUARDRAIL MODS (TIARA)	-	22,626	-	22,626	-	22,626	-	-	-	22,626
7	ARL MODS	-	6,553	-	6,553	-	6,553	-	-	-	6,553
8	AH1F MODS	-	423	-	423	-	423	-	-	-	423
9	AH-64 MODS	-	18,516	-	30,516	-	18,516	-	17,500	-	36,016
10	CH-47 CARGO HELICOPTER MODS (MYP)	-	117,083	-	122,083	-	117,083	-	-	-	117,083
11	CH-47 ICH	-	57,630	-	57,630	-	57,630	-	-	-	57,630
12	ADVANCE PROCUREMENT (CY)	-	26,200	-	26,200	-	26,200	-	-	-	26,200
13	UTILITY/CARGO AIRPLANE MODS	-	11,903	-	11,903	-	11,903	-	-	-	11,903
14	OH-58 MODS	-	462	-	462	-	462	-	-	-	462
15	AIRCRAFT LONG RANGE MODS	-	752	-	752	-	752	-	-	-	752
16	LONGBOW	-	744,846	-	744,846	-	902,846	-	17,500	-	762,346
16	LESS: ADVANCE PROCUREMENT (PY)	-	(35,392)	-	(35,392)	-	(35,392)	-	-	-	(35,392)
17	ADVANCE PROCUREMENT (CY)	-	35,000	-	35,000	-	35,000	-	-	-	35,000
18	UH-1 MODS	-	4,297	-	4,297	-	4,297	-	-	-	4,297
19	UH-60 MODS	-	3,021	-	12,021	-	3,021	-	6,000	-	9,021
20	KIOWA WARRIOR	-	41,816	-	41,816	-	76,816	-	(1,200)	-	40,616
21	EH-60 QUICKFIX MODS	-	-	-	-	-	-	-	-	-	-
22	AIRBORNE AVIONICS	-	60,042	-	60,042	-	60,042	-	-	-	60,042

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
23	ASE MODS (SIRFC)	-	4,487	-	24,487	-	4,487	-	-	-	4,487
24	ASE MODS (ATIRCM)	-	-	-	-	-	-	-	-	-	-
25	GATM	-	10,073	-	10,073	-	10,073	-	-	-	10,073
26	MODIFICATIONS < $5.0M	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
27	SPARE PARTS (AIR)	-	15,167	-	15,167	-	15,167	-	-	-	15,167
	SUPPORT EQUIPMENT AND FACILITIES										
	GROUND SUPPORT AVIONICS										
28	AIRCRAFT SURVIVABILITY EQUIPMENT	-	-	-	8,000	-	-	-	10,000	-	10,000
	OTHER SUPPORT										
29	AVIONICS SUPPORT EQUIPMENT	-	-	-	-	-	13,900	-	10,000	-	10,000
30	COMMON GROUND EQUIPMENT	-	11,926	-	11,926	-	11,926	-	-	-	11,926
31	AIRCREW INTEGRATED SYSTEMS	-	3,490	-	3,490	-	9,390	-	2,400	-	5,890
32	AIR TRAFFIC CONTROL	-	74,144	-	74,144	-	74,144	-	-	-	74,144
33	INDUSTRIAL FACILITIES	-	1,419	-	1,419	-	1,419	-	-	-	1,419
34	AIRBORNE COMMUNICATIONS	-	-	-	31,800	-	-	-	8,000	-	8,000
35	CLOSED ACCOUNT ADJUSTMENT	-	-	-	-	-	-	-	-	-	-
	ECONOMIC ADJUSTMENT						(7,000)			-	-
	TOTAL, AIRCRAFT PROCUREMENT, ARMY		1,323,262		1,542,762		1,749,662		226,750		1,550,012

UH–60 Blackhawk

The budget request included $81.2 million to procure six UH–60L Blackhawk helicopters for the Army National Guard (ARNG).

The House bill would authorize an increase of $27.9 million to procure an additional three UH–60L Blackhawks, $40.2 million to procure three UH–60Q medical evacuation helicopters, and $3.0 million to procure two Firehawk conversion kits, a total increase of $71.1 million to meet additional UH–60 Blackhawk requirements for the ARNG.

The Senate amendment would authorize an increase of $196.3 million to procure an additional 20 UH–60L Blackhawk aircraft identified on the Army's unfunded requirements list.

The conferees agree to authorize $179.4 million for 16 UH–60L aircraft for the reserve components and $26.8 million for two UH–60Q aircraft for the ARNG, a total authorization of $206.2 million for UH–60 Blackhawk helicopters.

TH–67 training helicopter

The budget request included no funding for TH–67 training helicopter requirements.

The House bill would authorize an increase of $24.0 million to procure 19 TH–67 training helicopters.

The Senate amendment would authorize an increase of $35.0 million to procure 19 TH–67 aircraft.

The conferees agree to authorize an increase of $24.0 million to procure 19 TH–67 aircraft.

Longbow

The budget request included $744.8 million for AH–64 Apache Longbow modifications.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $141.1 million for Apache recapitalization requirements.

The conferees agree to authorize an increase of $17.5 million, a total authorization of $762.3 million to address AH–64 Apache recapitalization requirements.

AH–64 modifications

The budget request included $18.5 million for AH–64 modifications, but included no funding to continue procurement of the oil debris detection system (ODDS) or the vibration management enhancement program (VMEP).

The House bill would authorize an increase of $5.0 million to continue procurement of ODDS and $7.0 million for the procurement of VMEP for the Army National Guard (ARNG) AH–64 fleet, a total increase of $12.0 million to meet outstanding AH–64 modification requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.0 million for ODDS, $5.0 million for VMEP for the ARNG AH–64 fleet, and $7.5 million to support critical component upgrades, as identified in the Army's unfunded requirements list, a total authorization of $36.0 million to address AH–64 modification requirements.

UH–60 modifications

The budget request included $3.0 million for UH–60 modifications.

The House bill would authorize an increase of $9.0 million for extended range fuel system modifications for Army National Guard (ARNG) UH–60 Blackhawks.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for UH–60 modifications, including $3.0 million for extended range fuel system modifications and $3.0 million for Firehawk kits, both for the ARNG.

Aircraft Survivability Equipment (ASE)

The budget request contained no funding for the procurement of Aircraft Survivability Equipment (ASE).

The House bill would authorize an increase of $8.0 million to upgrade the Aircraft Survivability Equipment Trainer (ASET) IV systems with current IR SAM threat simulators.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million for aircraft survivability equipment. Of this amount, $4.0 million is for ASET IV systems upgrades and $6.0 million is for laser detection kits.

Aircrew integrated systems

The budget request included $3.5 million for aircrew integrated system equipment requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.9 million for aircrew integrated systems to procure 12,640 advanced laser eye protection visors.

The conferees agree to authorize an increase of $2.4 million for aircrew laser eye protection requirements, a total authorization of $5.9 million for aircrew system equipment requirements.

Overview

The budget request for fiscal year 2001 included an authorization of $1,295.7 million for Missile Procurement, Army in the Department of Defense.

The House bill would authorize $1,367.7 million.

The Senate amendment would authorize $1,382.3 million.

The conferees recommended an authorization of $1,320.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSILE PROCUREMENT, ARMY										
	OTHER MISSILES										
	SURFACE-TO-AIR MISSILE SYSTEM										
1	AVENGER SYSTEM SUMMARY	7	29,801	7	29,801	7	29,801	-	-	7	29,801
	AIR-TO-SURFACE MISSILE SYSTEM										
2	HELLFIRE SYS SUMMARY (MYP)	2,200	296,962	2,200	296,962	2,200	296,962	-	-	2,200	296,962
2	LESS: ADVANCE PROCUREMENT (PY)	-	(11,599)	-	(11,599)	-	(11,599)	-	-	-	(11,599)
3	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	ANTI-TANK/ASSAULT MISSILE SYSTEM										
4	JAVELIN (AAWS-M) SYSTEM SUMMARY (MYP)	3,754	387,959	3,754	387,959	3,754	387,959	-	(51,000)	3,754	336,959
4	LESS: ADVANCE PROCUREMENT (PY)	-	(15,711)	-	(15,711)	-	(15,711)	-	-	-	(15,711)
5	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
6	MLRS ROCKET	-	9,413	-	9,413	-	9,413	-	-	-	9,413
7	MLRS LAUNCHER SYSTEMS	66	188,689	66	188,689	66	188,689	-	-	66	188,689
8	ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	-	15,044	51	25,044	100	92,444	-	83,000	-	98,044
9	ATACMS BLKII SYSTEM SUMMARY	55	230,334	55	230,334	55	230,334	-	(15,000)	55	215,334
10	ADVANCE PROCUREMENT (CY)	-	3,547	-	-	-	3,547	-	(3,547)	-	-
	MODIFICATION OF MISSILES										
	MODIFICATIONS										
11	PATRIOT MODS	-	22,929	-	88,429	-	22,929	-	-	-	22,929
12	STINGER MODS	-	21,838	-	21,838	-	37,038	-	11,500	-	33,338
13	AVENGER MODS	-	6,828	-	6,828	-	6,828	-	-	-	6,828
14	ITAS/TOW MODS (MYP)	-	64,562	-	64,562	-	64,562	-	-	-	64,562
15	MLRS MODS	-	16,499	-	16,499	-	16,499	-	-	-	16,499
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
16	SPARES AND REPAIR PARTS	-	20,785	-	20,785	-	20,785	-	-	-	20,785
	SUPPORT EQUIPMENT AND FACILITIES										
	SUPPORT EQUIPMENT AND FACILITIES										
17	AIR DEFENSE TARGETS	-	2,394	-	2,394	-	2,394	-	-	-	2,394
18	ITEMS LESS THAN $5.0M (MISSILES)	-	969	-	969	-	969	-	-	-	969

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
19	MISSILE DEMILITARIZATION	-	1,341	-	1,341	-	1,341	-	-	-	1,341
20	PRODUCTION BASE SUPPORT	-	3,144	-	3,144	-	3,144	-	-	-	3,144
21	CLOSED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	ECONOMIC ADJUSTMENT			-	-		(6,000)			-	-
	TOTAL, MISSILE PROCUREMENT, ARMY		1,295,728		1,367,681		1,382,328		24,953		1,320,681

Army tactical missile system

The budget request included $15.0 million for Army tactical missile system (ATACMS) fielding and production line shutdown.

The House bill would authorize an increase of $10.0 million for the procurement of 51 ATACMS Block IV missiles.

The Senate amendment would authorize an increase of $77.4 million to procure 100 ATACMS block IA missiles.

The conferees agree to authorize an increase of $83.0 million, of which $6.0 million is for ATACMS block IV missiles and $77.0 million is to procure 100 ATACMS block IA missiles, a total authorization of $98.0 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,874.6 million for Weapons and Tracked Combat Vehicles Procurement, Army in the Department of Defense.

The House bill would authorize $2,167.9 million.

The Senate amendment would authorize $2,115.1 million.

The conferees recommended an authorization of $2,436.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF W&TCV, ARMY										
	TRACKED COMBAT VEHICLES										
	TRACKED COMBAT VEHICLES										
1	ABRAMS TRNG DEV MOD	-	5,331	-	5,331	-	5,331	-	-	-	5,331
2	BRADLEY BASE SUSTAINMENT	-	359,389	65	440,689	-	359,389	-	72,300	-	431,689
3	ADVANCE PROCUREMENT (CY)	-	20,006	-	20,006	-	20,006	-	-	-	20,006
4	BRADLEY FVS TRAINING DEVICES	-	12,098	-	12,098	-	12,098	-	-	-	12,098
5	HAB TRAINING DEVICES	-	-	-	-	-	-	-	-	-	-
6	BRADLEY FVS TRAINING DEVICES (MOD)	-	14,038	-	14,038	-	14,038	-	-	-	14,038
7	ABRAMS TANK TRAINING DEVICES	-	10,504	-	10,504	-	10,504	-	-	-	10,504
8	MEDIUM ARMORED VEHICLE FAMILY: MAVF	-	537,077	-	537,077	-	537,077	-	99,930	-	637,007
9	COMMAND & CONTROL VEHICLE	-	-	-	-	-	-	-	-	-	-
	MODIFICATION OF TRACKED COMBAT VEHICLES										
10	CARRIER, MOD	-	45,111	-	95,111	-	95,111	-	10,000	-	55,111
11	FIST VEHICLE (MOD)	-	31,898	-	31,898	-	31,898	-	-	-	31,898
12	BFVS SERIES (MOD)	-	37,142	-	57,142	-	37,142	-	-	-	37,142
13	HOWITZER, MED SP FT 155MM M109A6 (MOD)	-	8,060	-	8,060	-	8,060	-	-	-	8,060
14	FAASV PIP TO FLEET	-	5	-	5	-	5	-	-	-	5
15	IMPROVED RECOVERY VEHICLE (M88 MOD)	-	68,385	-	76,685	-	68,385	-	6,000	-	74,385
16	BREACHER SYSTEM (MOD)	-	-	-	20,000	-	108,000	-	-	-	-
17	HEAVY ASSAULT BRIDGE (HAB) SYS (MOD)	-	-	12	59,200	-	77,000	-	77,000	-	77,000
17A	ADVANCE PROCUREMENT (CY)			-	13,100						
18	ARMORED VEH LAUNCH BRIDGE (AVLB) (MOD)	-	1,692	-	1,692	-	1,692	-	(1,692)	-	-
19	AVLB SLEP	-	15,252	-	4,952	-	52	-	(15,252)	-	-
20	M1 ABRAMS TANK (MOD)	-	36,098	-	54,998	-	36,098	-	15,900	-	51,998
21	M1A1D RETROFIT	-	891	-	891	-	891	-	-	-	891
22	SYSTEM ENHANCEMENT PGM: SEP M1A2	16	36,149	16	36,149	16	36,149	-	22,500	16	58,649
23	ABRAMS UPGRADE PROGRAM	-	551,828	-	551,828	-	551,828	-	(44,500)	-	507,328
24	LESS: ADVANCE PROCUREMENT (PY)	-	(213,406)	-	(213,406)	-	(213,406)	-	-	-	(213,406)
24	ADVANCE PROCUREMENT (CY)	-	174,445	-	174,445	-	174,445	-	-	-	174,445
25	MODIFICATIONS LESS THAN $5.0M (TCV-WTCV)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SUPPORT EQUIPMENT AND FACILITIES										
26	ITEMS LESS THAN $5.0M (TCV-WTCV)	-	135	-	135	-	135	-	-	-	135
27	PRODUCTION BASE SUPPORT (TCV-WTCV)	-	9,250	-	9,250	-	9,250	-	-	-	9,250
	ARMY TRANSFORMATION: MEDIUM ARMORED VEHICLE							-	300,000	-	300,000
	WEAPONS AND OTHER COMBAT VEHICLES										
	WEAPONS AND OTHER COMBAT VEHICLES										
28	ARMOR MACHINE GUN, 7.62MM M240 SERIES	1,196	12,449	1,196	12,449	1,196	12,449	-	-	1,196	12,449
29	MACHINE GUN, 5.56MM (SAW)	-	-	-	18,300	4,280	18,300	-	17,000	-	17,000
30	GRENADE LAUNCHER, AUTO, 40MM, MK19-3	581	11,835	581	14,335	967	19,935	-	2,500	581	14,335
31	M16 RIFLE	10,314	4,793	10,314	4,793	10,314	4,793	-	-	10,314	4,793
32	XM107, CAL. 50, SNIPER RIFLE	230	3,085	230	3,085	230	3,085	-	-	230	3,085
33	5.56 CARBINE M4	8,309	5,190	8,309	5,190	8,309	5,190	-	-	8,309	5,190
	MOD OF WEAPONS AND OTHER COMBAT VEH										
34	MARK-19 MODIFICATIONS	-	1,813	-	1,813	-	1,813	-	-	-	1,813
35	M4 CARBINE MODS	-	2,504	-	2,504	-	3,804	-	-	-	2,504
36	SQUAD AUTOMATIC WEAPON (MOD)	-	9,956	-	9,956	-	9,956	-	-	-	9,956
37	MEDIUM MACHINE GUNS (MODS)	-	495	-	495	-	495	-	-	-	495
38	HOWITZER, TOWED, 155MM, M198 (MODS)	-	3,507	-	3,507	-	3,507	-	-	-	3,507
39	M119 MODIFICATIONS	-	4,705	-	4,705	-	4,705	-	-	-	4,705
40	M16 RIFLE MODS	-	9,592	-	9,592	-	9,592	-	-	-	9,592
41	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	-	787	-	787	-	787	-	-	-	787
	SUPPORT EQUIPMENT AND FACILITIES										
42	ITEMS LESS THAN $5.0M (WOCV-WTCV)	-	1,182	-	1,182	-	1,182	-	-	-	1,182
43	PRODUCTION BASE SUPPORT (WOCV-WTCV)	-	5,152	-	5,152	-	5,152	-	-	-	5,152
44	INDUSTRIAL PREPAREDNESS	-	3,604	-	15,604	-	3,604	-	-	-	3,604
45	SMALL ARMS (SOLDIER ENH PROG)	-	3,506	-	3,506	-	3,506	-	-	-	3,506
	SPARE AND REPAIR PARTS										
	SPARES										
46	SPARES AND REPAIR PARTS (WTCV)	-	29,105	-	29,105	-	29,105	-	-	-	29,105
	ECONOMIC ADJUSTMENT			-	-		(7,000)			-	-
	TOTAL, PROCUREMENT OF W&TCV, ARMY		1,874,638		2,167,938		2,115,138		561,686		2,436,324

Bradley base sustainment

The budget request included $359.4 million for the procurement of Bradley A3 fighting vehicle upgrades, of which $6.1 million was included for fielding Army National Guard (ARNG) A2 Operation Desert Storm (ODS) variants.

The House bill would authorize an increase of $81.3 million for upgrading an additional 65 Bradley A0 vehicles to the A2ODS variant for ARNG.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $72.3 million for ARNG Bradley A2ODS conversions.

Improved recovery vehicle

The budget request included $68.4 million to procure improved recovery vehicles (IRVs) but included no funding for the procurement of IRVs for the Army Reserve.

The House bill would authorize an increase of $8.3 million for additional M88A2 IRV upgrades for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for additional M88A2 IRV upgrades for the Army Reserve, a total authorization of $74.4 million.

Heavy assault bridge system modifications

The budget request included no funding to continue procurement of the heavy assault bridge system (HAB).

The House bill would authorize an increase of $59.2 million for 12 vehicles and an increase of $13.1 million in advanced procurement for fiscal year 2002 to maintain HAB production.

The Senate amendment would authorize an increase of $77.0 million to restore the Wolverine heavy assault bridge program and a corresponding decrease of $15.2 million to the AVLB SLEP program.

The conferees agree to authorize an increase of $77.0 million for the heavy assault bridge program, a total authorization of $77.0 million. Accordingly, the conferees expect the Secretary of the Army to budget for the HAB through the future years defense program.

Army Transformation

The budget request included $537.1 million, sufficient funds to procure equipment and to field the first interim brigade combat team as part of the Army transformation initiative.

The House bill and Senate amendment would authorize the budget request.

The conferees agree to authorize a total increase of $600.0 million for the Army transformation initiative, which includes:

(1) $100.0 million for medium armored vehicle procurement;

(2) $300.0 million for medium armored vehicles for a second interim brigade combat team; and

(3) $200.0 million for other support equipment for a second interim brigade combat team.

Machine gun, squad automatic weapon

The budget request included no funding for the squad automatic weapon (SAW).

The House bill would authorize an increase of $18.3 million to complete the procurement of the M249 SAW system.

The Senate amendment would authorize an increase of $18.3 million to procure 4,280 weapons and complete the acquisition of the SAW system.

The conferees agree to authorize an increase of $17.0 million for the procurement of 4,280 weapons and complete the acquisition of the SAW system, a total authorization of $17.0 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,131.3 million for Ammunition Procurement, Army in the Department of Defense.

The House bill would authorize $1,199.3 million.

The Senate amendment would authorize $1,224.3 million.

The conferees recommended an authorization of $1,179.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMUNITION, ARMY										
	AMMUNITION										
	SMALL/MEDIUM CAL AMMUNITION										
1	CTG, 5.56MM, ALL TYPES	-	97,758	-	97,758	-	97,758	-	-	-	97,758
2	CTG 5.56MM ARMOR PIERCING M995	873	1,337	873	1,337	873	1,337	-	-	873	1,337
3	CTG, 7.62MM, ALL TYPES	-	8,990	-	8,990	-	8,990	-	-	-	8,990
4	CTG 7.62MM ARMOR PIERCING XM993	-	-	-	-	-	-	-	-	-	-
5	CTG, 9MM, ALL TYPES	-	2,487	-	2,487	-	2,487	-	-	-	2,487
6	CTG, .45 CAL, ALL TYPES	-	-	-	-	-	-	-	-	-	-
7	CTG, .50 CAL, ALL TYPES	-	10,646	-	16,646	-	10,646	-	6,000	-	16,646
8	CTG CAL .50 API MK211 MOD 0	254	1,987	254	3,987	254	1,987	-	1,000	254	2,987
9	CTG, 20MM, ALL TYPES	-	2,004	-	2,004	-	2,004	-	-	-	2,004
10	CTG, 25MM, ALL TYPES	-	57,780	-	57,780	-	57,780	-	-	-	57,780
11	CTG, 30MM, ALL TYPES	-	9,517	-	9,517	-	15,517	-	5,000	-	14,517
12	CTG, 40MM, ALL TYPES	-	60,788	-	60,788	-	60,788	-	-	-	60,788
13	NONLETHAL WEAPONS CAPABILITY SET	5	8,397	5	8,397	5	8,397	-	-	5	8,397
	MORTAR AMMUNITION										
14	60MM MORTAR, ALL TYPES	-	28,673	-	36,673	-	33,673	-	5,000	-	33,673
15	CTG 81MM INFRARED (IR) ILLUM XM816	-	-	-	-	-	-	-	-	-	-
16	CTG MORTAR 81MM PRAC 1/10 RANGE M880	24	930	24	930	24	930	-	-	24	930
17	CTG MORTAR 120MM FULL RANGE PRACTICE M931	-	-	-	-	-	-	-	-	-	-
18	CTG MORTAR 120MM HE M934 W/MO FUZE	62	45,031	62	50,431	70	51,031	-	3,000	62	48,031
19	CTG MORTAR 120MM ILLUM XM930 W/MTSQ FZ	-	-	-	6,600	-	-	-	5,000	-	5,000
20	CTG MORTAR 120MM SMOKE M929 W/MO FUZE	-	-	-	-	-	-	-	-	-	-
21	CTG 120MM WP SMOKE M929A1	26	24,969	26	24,969	26	24,969	-	-	26	24,969
	TANK AMMUNITION										
22	CTG 120MM APFSDS-T M829A2/M829E3	-	-	-	-	-	-	-	-	-	-
23	CTG 120MM HEAT-MP-T M830A1	-	-	-	-	-	-	-	-	-	-
24	CTG TANK 120MM TP-T M831/M831A1	87	48,477	87	48,477	87	48,477	-	-	87	48,477
25	CTG TANK 120MM TPCSDS-T M865	199	101,512	199	101,512	199	101,512	-	-	199	101,512
	ARTILLERY AMMUNITION										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
26	CTG ARTY 75MM BLANK M337A1	40	1,807	40	1,807	40	1,807	-	-	40	1,807
27	CTG ARTY 105MM BLANK M395	-	-	-	-	-	-	-	-	-	-
28	CTG ARTY 105MM DPICM XM915	-	-	-	-	-	15,000	-	7,000	-	7,000
29	CTG ARTY 105MM HERA M913	-	-	-	-	-	-	-	-	-	-
30	CTG ARTY 105MM M927	-	-	-	-	-	-	-	-	-	-
31	CTG ARTY 105MM ILLUM M314 SERIES	-	130	-	130	-	130	-	-	-	130
32	PROJ ARTY 155MM SMOKE WP M825	-	14,682	-	14,682	-	14,682	-	-	-	14,682
33	PROJ ARTY 155MM HE M795	-	-	-	-	-	-	-	-	-	-
34	PROJ ARTY 155MM SADARM M898	-	14,907	-	14,907	-	14,907	-	(14,907)	-	-
35	REMOTE AREA DENIAL ARTILLERY MUNITION (RADA)	117	47,674	117	47,674	117	47,674	-	(20,000)	117	27,674
36	PROJ ARTY 155MM HE M107	175	35,178	175	35,178	175	45,178	-	5,000	175	40,178
37	MODULAR ARTILLERY CHARGE SYSTEM (MACS)	164	27,432	164	47,432	164	47,432	-	12,500	164	39,932
	ARTILLERY FUZES										
38	ARTILLERY FUZES, ALL TYPES	-	67,005	-	67,005	-	67,005	-	-	-	67,005
	MINES										
39	MINE, TRAINING, ALL TYPES	-	3,892	-	3,892	-	3,892	-	-	-	3,892
40	MINE AT M87 (VOLCANO)	-	-	-	-	-	-	-	-	-	-
41	WIDE AREA MUNITIONS	58	7,284	58	7,284	185	23,284	-	12,000	58	19,284
	ROCKETS										
42	BUNKER DEFEATING MUNITION (BDM)	-	-	-	10,000	-	-	-	6,000	-	6,000
43	ROCKET, HYDRA 70, ALL TYPES	-	152,767	-	152,767	-	152,767	-	-	-	152,767
	OTHER AMMUNITION										
44	DEMOLITION MUNITIONS, ALL TYPES	-	16,603	-	18,603	-	16,603	-	1,000	-	17,603
45	GRENADES, ALL TYPES	-	20,260	-	20,260	-	20,260	-	-	-	20,260
46	SIGNALS, ALL TYPES	-	13,067	-	13,067	-	13,067	-	-	-	13,067
47	SIMULATORS, ALL TYPES	-	3,053	-	3,053	-	3,053	-	-	-	3,053
	MISCELLANEOUS										
48	AMMO COMPONENTS, ALL TYPES	-	6,750	-	6,750	-	6,750	-	-	-	6,750
49	CAD/PAD ALL TYPES	-	4,298	-	4,298	-	4,298	-	-	-	4,298
50	ITEMS LESS THAN $5 MILLION	-	10,145	-	10,145	-	10,145	-	-	-	10,145
51	AMMUNITION PECULIAR EQUIPMENT	-	9,476	-	9,476	-	9,476	-	-	-	9,476

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
52	FIRST DESTINATION TRANSPORTATION (AMMO)	-	5,118	-	5,118	-	5,118	-	-	-	5,118
53	CLOSEOUT LIABILITIES	-	5,764	-	5,764	-	5,764	-	-	-	5,764
	AMMUNITION PRODUCTION BASE SUPPORT										
	PRODUCTION BASE SUPPORT										
54	PROVISION OF INDUSTRIAL FACILITIES	-	47,748	-	47,748	-	47,748	-	-	-	47,748
55	LAYAWAY OF INDUSTRIAL FACILITIES	-	3,215	-	3,215	-	3,215	-	-	-	3,215
56	MAINTENANCE OF INACTIVE FACILITIES	-	12,267	-	12,267	-	12,267	-	-	-	12,267
57	CONVENTIONAL AMMO DEMILITARIZATION	-	84,799	-	84,799	-	84,799	-	-	-	84,799
58	ARMS INITIATIVE	-	4,719	-	12,719	-	24,719	-	15,000	-	19,719
	ECONOMIC ADJUSTMENT			-	-		(5,000)			-	-
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY		1,131,323		1,199,323		1,224,323		48,593		1,179,916

155MM Sense and Destroy Armor Munition M898

The budget request included $14.9 million for the Sense and Destroy Armor Munition.

The House bill and the Senate amendment would authorize the budget request for this program.

Consistent with the outcome of the Department of Defense Appropriations Act, 2001 (Public Law 106–259), the conferees agree to authorize a decrease of $14.9 million for this program.

If the Secretary of the Army determines that it is important for the Army to continue this program, the conferees encourage the Secretary to submit a reprogramming request.

Overview

The budget request for fiscal year 2001 included an authorization of $3,795.9 million for Other Procurement, Army in the Department of Defense.

The House bill would authorize $4,095.3 million.

The Senate amendment would authorize $4,027.2 million.

The conferees recommended an authorization of $4,235.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, ARMY										
	TACTICAL AND SUPPORT VEHICLES										
	TACTICAL VEHICLES										
1	TACTICAL TRAILERS/DOLLY SETS	-	-	-	-	-	-	-	3,800	-	3,800
2	SEMITRAILER FB BB/CONT TRANS 22 1/2 T	374	12,135	374	12,135	374	12,135	-	(7,100)	374	5,035
3	SEMITRAILER LB 40T M870A1 (CCE)	24	1,912	24	1,912	24	1,912	-	-	24	1,912
4	SEMITRAILER, TANK, 5000G	-	30,213	-	30,213	-	30,213	-	-	-	30,213
5	SEMITRAILER, TANK, 7500G, BULKHAUL	376	20,010	376	20,010	376	20,010	-	-	376	20,010
6	SEMITRAILER VAN CGO SUPPLY 12T 4WHL M129A2C	67	6,147	67	6,147	67	6,147	-	-	67	6,147
7	HI MOB MULTI-PURP WHLD VEH (HMMWV)	1,002	110,746	1,002	115,746	1,002	110,746	-	3,000	1,002	113,746
8	TRUCK, DUMP, 20T (CCE)	19	5,208	19	5,208	19	5,208	-	-	19	5,208
9	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	-	438,256	-	473,256	-	481,256	-	37,300	-	475,556
10	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPM	-	14,830	-	14,830	-	14,830	-	1,200	-	16,030
11	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	-	166,119	-	171,119	-	166,119	-	-	-	166,119
12	ARMORED SECURITY VEHICLES (ASV)	20	13,453	20	13,453	20	13,453	-	-	20	13,453
13	TRUCK, TRACTOR, LINE HAUL, M915/M916	-	42,989	-	44,589	-	42,989	-	1,000	-	43,989
14	TRUCK, TRACTOR, YARD TYPE, M878 (C/S)	-	-	-	-	-	-	-	-	-	-
15	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	94	17,233	94	17,233	94	17,233	-	-	94	17,233
16	MEDIUM TRUCK EXTENDED SVC PGM(ESP) (PREV SL)	-	-	-	-	-	-	-	-	-	-
17	LINE HAUL ESP	362	27,054	362	27,054	362	27,054	-	-	362	27,054
18	MODIFICATION OF IN SVC EQUIP	-	28,910	-	28,910	-	28,910	-	-	-	28,910
19	ITEMS LESS THAN $5.0M (TAC VEH)	-	1,853	-	1,853	-	1,853	-	-	-	1,853
	NON-TACTICAL VEHICLES										
20	HEAVY ARMORED SEDAN	12	2,263	12	2,263	12	2,263	-	(1,100)	12	1,163
21	PASSENGER CARRYING VEHICLES	35	834	35	834	35	834	-	(134)	35	700
22	GENERAL PURPOSE VEHICLES	-	989	-	989	-	989	-	-	-	989
23	SPECIAL PURPOSE VEHICLES	-	1,021	-	1,021	-	13,521	-	5,650	-	6,671
	SUPPORT EQUIPMENT AND FACILITIES										
24	SYSTEM FIELDING SUPPORT PEO	-	-	-	-	-	-	-	-	-	-
25	PROJECT MANAGEMENT SUPPORT	-	-	-	-	-	-	-	-	-	-
26	SYSTEM FIELDING SUPPORT (TACOM)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	COMM - JOINT COMMUNICATIONS										
27	COMBAT IDENTIFICATION PROGRAM	-	13,096	-	13,096	-	13,096	-	-	-	13,096
28	JCSE EQUIPMENT (USREDCOM)	-	5,553	-	5,553	-	5,553	-	-	-	5,553
	COMM - SATELLITE COMMUNICATIONS										
29	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SP)	-	72,034	-	72,034	-	72,034	-	-	-	72,034
30	SHF TERM	-	38,307	-	38,307	-	38,307	-	(10,307)	-	28,000
31	SAT TERM, EMUT (SPACE)	-	3,475	-	3,475	-	3,475	-	-	-	3,475
32	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	-	21,439	-	21,439	-	21,439	-	-	-	21,439
33	SMART-T (SPACE)	-	48,594	-	48,594	-	28,594	-	(16,500)	-	32,094
34	SCAMP (SPACE)	-	4,261	-	4,261	-	4,261	-	-	-	4,261
35	GLOBAL BRDCST SVC - GBS	-	9,286	-	9,286	-	9,286	-	(5,000)	-	4,286
36	MOD OF IN-SVC EQUIP (TAC SAT)	-	1,489	-	1,489	-	1,489	-	-	-	1,489
	COMM - C3 SYSTEM										
37	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	-	10,355	-	10,355	-	10,355	-	-	-	10,355
	COMM - COMBAT COMMUNICATIONS										
38	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	-	32,675	-	51,175	-	65,275	-	37,500	-	70,175
39	SINCGARS FAMILY	-	18,340	-	49,040	-	18,340	-	30,000	-	48,340
40	JOINT TACTICAL AREA COMMAND SYSTEMS	-	972	-	972	-	972	-	-	-	972
41	ACUS MOD PROGRAM (WIN T/T)	-	113,951	-	113,951	-	187,951	-	60,000	-	173,951
42	COMMS-ELEC EQUIP FIELDING	-	3,348	-	3,348	-	3,348	-	-	-	3,348
43	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONIC	-	4,374	-	4,374	-	4,374	-	-	-	4,374
44	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	-	2,459	-	2,459	-	2,459	-	-	-	2,459
	COMM - INTELLIGENCE COMM										
45	CI AUTOMATION ARCHITECTURE	-	1,744	-	1,744	-	1,744	-	-	-	1,744
	INFORMATION SECURITY										
46	TSEC - ARMY KEY MGT SYS (AKMS)	-	11,051	-	11,051	-	11,051	-	-	-	11,051
47	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	-	54,374	-	58,374	-	54,374	-	4,000	-	58,374
	COMM - LONG HAUL COMMUNICATIONS										
48	TERRESTRIAL TRANSMISSION	-	2,025	-	2,025	-	2,025	-	-	-	2,025
49	BASE SUPPORT COMMUNICATIONS	-	3,945	-	3,945	-	3,945	-	-	-	3,945

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
50	ARMY DISN ROUTER	-	4,339	-	4,339	-	4,339	-	-	-	4,339
51	ELECTROMAG COMP PROG (EMCP)	-	431	-	431	-	431	-	-	-	431
52	WW TECH CON IMP PROG (WWTCIP)	-	2,865	-	2,865	-	2,865	-	-	-	2,865
	COMM - BASE COMMUNICATIONS										
53	INFORMATION SYSTEMS	-	57,779	-	57,779	-	57,779	-	-	-	57,779
54	DEFENSE MESSAGE SYSTEM (DMS)	-	18,836	-	18,836	-	18,836	-	-	-	18,836
55	LOCAL AREA NETWORK (LAN)	-	65,975	-	65,975	-	65,975	-	-	-	65,975
56	PENTAGON INFORMATION MGT AND TELECOM	-	65,412	-	65,412	-	65,412	-	(33,200)	-	32,212
	ELECT EQUIP - NAT FOR INT PROG (NFIP)										
57	FOREIGN COUNTERINTELLIGENCE PROG (FCI)	-	869	-	869	-	869	-	-	-	869
58	GENERAL DEFENSE INTELL PROG (GDIP)	-	19,604	-	19,604	-	19,604	-	-	-	19,604
	ELECT EQUIP - TACT INT REL ACT (TIARA)										
59	ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)	-	66,671	-	66,671	-	66,671	-	-	-	66,671
60	JTT/CIBS-M (TIARA)	183	26,753	183	26,753	183	26,753	-	-	183	26,753
61	PROPHET GROUND (TIARA)	-	9,571	-	9,571	-	9,571	-	-	-	9,571
62	TACTICAL UNMANNED AERIAL VEHICLE (TUAV)	4	37,789	4	37,789	4	37,789	-	-	4	37,789
63	JOINT STARS (ARMY) (TIARA)	-	66,415	-	66,415	-	66,415	-	-	-	66,415
64	INTEGRATED BROADCAST TERMINAL MODS (TIARA)	-	-	-	-	-	-	-	-	-	-
65	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (TIARA)	44	20,030	44	20,030	44	20,030	-	-	44	20,030
66	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	-	-	-	-	-	-	-	-	-	-
67	TACTICAL EXPLOITATION OF NATIONAL CAPABILIT	-	12,853	-	12,853	-	12,853	-	-	-	12,853
68	COMMON IMAGERY GROUND/SURFACE SYSTEM (CIGSS	-	2,833	-	2,833	-	2,833	-	-	-	2,833
69	JOINT TACTICAL GROUND STATION MODS (JTAGS)	-	-	-	-	-	-	-	-	-	-
70	TROJAN (TIARA)	-	4,264	-	4,264	-	4,264	-	-	-	4,264
71	MOD OF IN-SVC EQUIP (INTEL SPT) (TIARA)	-	224	-	224	-	224	-	-	-	224
72	CI HUMINT AUTOMATED TOOL SET (CHATS) (TIARA	404	1,939	404	1,939	404	1,939	-	-	404	1,939
73	ITEMS LESS THAN $5.0M (TIARA)	-	484	-	484	-	484	-	-	-	484
	ELECT EQUIP - ELECTRONIC WARFARE (EW)										
74	SHORTSTOP	-	-	-	-	-	-	-	-	-	-
75	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURE	-	2,311	-	2,311	-	2,311	-	-	-	2,311
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
76	FAAD GBS	2	24,188	2	24,188	2	31,488	-	-	2	24,188
77	TARGET LOCATION OBSERVATION SYSTEM (TLOS)	-	-	-	-	-	-	-	-	-	-
78	NIGHT VISION DEVICES	-	34,146	-	54,546	-	82,146	-	32,000	-	66,146
79	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYST	77	46,156	77	46,156	77	46,156	-	-	77	46,156
80	LTWT VIDEO RECON SYSTEM (LWVRS)	-	1,199	-	1,199	-	1,199	-	-	-	1,199
81	NIGHT VISION, THERMAL WPN SIGHT	1,664	35,348	1,664	35,348	1,664	35,348	-	-	1,664	35,348
82	COMBAT IDENTIFICATION / AIMING LIGHT	-	8,040	-	8,040	-	8,040	-	3,000	-	11,040
83	ARTILLERY ACCURACY EQUIP	-	14,405	-	14,405	-	14,405	-	-	-	14,405
84	PORTABLE INDUCTIVE ARTILLERY FUZE SETTER	-	-	-	-	-	-	-	-	-	-
85	MOD OF IN-SVC EQUIP (TAC SURV)	-	18,530	-	18,530	-	18,530	-	-	-	18,530
86	DIGITIZATION APPLIQUE	1,660	60,802	1,660	60,802	1,660	60,802	-	-	1,660	60,802
87	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	29	7,093	29	7,093	29	7,093	-	-	29	7,093
88	COMPUTER BALLISTICS: MORTAR M-30	73	1,652	73	1,652	73	1,652	-	-	73	1,652
89	MORTAR FIRE CONTROL SYSTEM	36	7,341	36	7,341	36	7,341	-	-	36	7,341
90	INTEGRATED MET SYS SENSORS (IMETS) - TIARA	7	7,018	7	7,018	7	7,018	-	-	7	7,018
	ELECT EQUIP - TACTICAL C2 SYSTEMS										
91	TACTICAL OPERATIONS CENTERS	-	17,260	-	17,260	-	17,260	-	-	-	17,260
92	ADV FIELD ARTILLERY TACT DATA SYS (AFATDS)	456	54,452	456	54,452	456	54,452	-	-	456	54,452
93	FIRE SUPPORT ADA CONVERSION	-	972	-	972	-	972	-	-	-	972
94	CMBT SVC SUPT CONTROL SYS (CSSCS)	333	27,411	333	27,411	333	27,411	-	-	333	27,411
95	FAAD C2	2	17,868	2	17,868	2	32,168	-	12,000	2	29,868
96	FAADC2I MODIFICATIONS	-	-	-	-	-	-	-	-	-	-
97	AIR & MSL DEFENSE PLANNING & CONTROL SYS	-	4,859	-	4,859	-	4,859	-	-	-	4,859
98	FORWARD ENTRY DEVICE (FED)	-	17,153	-	17,153	-	17,153	-	-	-	17,153
99	STRIKER-COMMAND AND CONTROL SYSTEM	33	19,084	33	19,084	50	27,084	-	5,000	33	24,084
100	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	-	1,010	-	1,010	-	1,010	-	-	-	1,010
101	LOGTECH	-	7,505	-	7,505	-	7,505	-	-	-	7,505
102	TC AIMS II	-	10,376	-	10,376	-	10,376	-	-	-	10,376
103	GUN LAYING AND POS SYS (GLPS)	92	8,410	92	8,410	92	8,410	-	-	92	8,410
104	ISYSCON EQUIPMENT	-	26,558	-	26,558	-	26,558	-	-	-	26,558
105	MANEUVER CONTROL SYSTEM (MCS)	176	22,935	176	22,935	176	22,935	-	-	176	22,935

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(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
106	STAMIS TACTICAL COMPUTERS (STACOMP)	-	40,015	-	40,015	-	40,015	-	-	-	40,015
107	STANDARD INTEGRATED CMD POST SYSTEM	-	35,971	-	40,971	-	53,471	-	11,500	-	47,471
	ELECT EQUIP - AUTOMATION										
108	ARMY TRAINING MODERNIZATION	-	35,960	-	43,960	-	35,960	-	-	-	35,960
109	AUTOMATED DATA PROCESSING EQUIP	-	172,051	-	178,051	-	172,051	-	8,000	-	180,051
110	RESERVE COMPONENT AUTOMATION SYS (RCAS)	-	91,495	-	91,495	-	91,495	-	-	-	91,495
	ELECT EQUIP - AUDIO VISUAL SYS (A/V)										
111	AFRTS	-	1,519	-	1,519	-	1,519	-	-	-	1,519
112	ITEMS LESS THAN $5.0M (A/V)	-	3,217	-	3,217	-	3,217	-	-	-	3,217
	ELECT EQUIP - SUPPORT										
113	PRODUCTION BASE SUPPORT (C-E)	-	374	-	374	-	374	-	-	-	374
	OTHER SUPPORT EQUIPMENT										
	CHEMICAL DEFENSIVE EQUIPMENT										
114	GEN SMK MECH:MTRZD DUAL PURP M56	48	11,369	96	22,769	48	11,369	-	3,000	48	14,369
115	GENERATOR, SMOKE, MECH M58	-	5,585	-	5,585	-	5,585	-	-	-	5,585
116	M6 DISCHARGER	-	-	-	-	-	-	-	-	-	-
117	ITEMS LESS THAN $5.0M (SMOKE/OBSCURANT)	-	-	-	-	-	-	-	-	-	-
	BRIDGING EQUIPMENT										
118	HEAVY DRY SUPT BRIDGE SYSTEM	4	19,224	4	19,224	4	19,224	-	-	4	19,224
119	RIBBON BRIDGE	-	15,669	-	42,669	-	15,669	-	14,500	-	30,169
120	FLOAT BRIDGE PROPULSION	5	1,942	5	1,942	5	1,942	-	-	5	1,942
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT										
121	KIT, STANDARD TELEOPERATING	2	688	2	10,688	2	688	-	6,000	2	6,688
122	METALLIC MINE DETECTOR, VEHICLE MOUNTED	-	-	-	-	-	-	-	-	-	-
123	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPM)	-	5,206	-	5,206	-	5,206	-	-	-	5,206
124	< $5M, COUNTERMINE EQUIPMENT	-	993	-	993	-	993	-	-	-	993
125	BN COUNTERMINE SIP	-	7,442	-	7,442	-	7,442	-	-	-	7,442
	COMBAT SERVICE SUPPORT EQUIPMENT										
126	ENVIRONMENTAL CONTROL UNITS (ECU)	150	6,348	150	6,348	150	6,348	-	-	150	6,348
127	FIRETRUCKS	-	-	-	-	-	-	-	-	-	-
128	LAUNDRIES, SHOWERS AND LATRINES	-	12,580	-	21,580	-	12,580	-	4,000	-	16,580

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
129	FLOODLIGHT SET, ELEC, TRL MTD, 3 LIGHTS	-	-	-	-	-	-	-	-	-	-
130	SOLDIER ENHANCEMENT	-	3,984	-	3,984	-	3,984	-	-	-	3,984
131	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	160	1,999	160	6,599	418	6,599	-	3,600	160	5,599
132	FORCE PROVIDER	3	22,263	3	22,263	3	22,263	-	-	3	22,263
133	FIELD FEEDING AND REFRIGERATION	-	11,976	-	11,976	-	11,976	-	-	-	11,976
134	AIR DROP PROGRAM	-	3,971	-	3,971	-	3,971	-	-	-	3,971
135	CAMOUFLAGE: ULCANS	-	-	-	-	-	-	-	-	-	-
136	ITEMS LESS THAN $5.0M (CSS-EQ)	-	1,909	-	1,909	-	1,909	-	-	-	1,909
	PETROLEUM EQUIPMENT										
137	FAMILY OF TANK ASSEMBLIES	-	2,489	-	2,489	-	2,489	-	-	-	2,489
138	QUALITY SURVEILLANCE EQUIPMENT	-	7,120	-	7,120	-	7,120	-	-	-	7,120
139	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	-	13,516	-	13,516	-	13,516	-	-	-	13,516
140	PUMPS, WATER AND FUEL	-	-	-	-	-	-	-	-	-	-
141	HOSELINE OUTFIT FUEL HANDLING	50	5,878	50	5,878	50	5,878	-	-	50	5,878
142	INLAND PETROLEUM DISTRIBUTION SYSTEM	-	5,618	-	5,618	-	5,618	-	-	-	5,618
143	ITEMS LESS THAN $5.0M (POL)	-	-	-	-	-	-	-	-	-	-
	WATER EQUIPMENT										
144	WATER PURIFICATION SYSTEMS	-	40,727	-	40,727	-	40,727	-	-	-	40,727
145	ITEMS LESS THAN $5.0M (WATER EQ)	-	-	-	-	-	-	-	-	-	-
	MEDICAL EQUIPMENT										
146	COMBAT SUPPORT MEDICAL	-	31,567	-	45,567	-	37,567	-	5,000	-	36,567
	MAINTENANCE EQUIPMENT										
147	SHOP EQ CONTACT MAINTENANCE TRK MTD (MYP)	169	9,650	169	9,650	169	9,650	-	-	169	9,650
148	WELDING SHOP, TRAILER MTD	144	6,042	144	6,042	144	6,042	-	-	144	6,042
149	ITEMS LESS THAN $5.0M (MAINT EQ)	-	5,078	-	5,078	-	5,078	-	-	-	5,078
150	STEAM CLEANER, TRAILER MOUNTED	-	-	-	-	-	-	-	-	-	-
	CONSTRUCTION EQUIPMENT										
151	MISSION MODULES - ENGINEERING	-	1,489	-	1,489	-	1,489	-	-	-	1,489
152	ROLLER, VIBRATORY, SELF-PROPELLED (CCE)	70	4,671	166	11,671	150	9,671	-	7,000	70	11,671
153	COMPACTOR, HIGH SPEED	-	-	-	-	-	-	-	-	-	-
154	LOADERS	5	1,444	5	1,444	5	1,444	-	-	5	1,444

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
155	HYDRAULIC EXCAVATOR	35	8,282	48	10,582	35	8,282	-	1,500	35	9,782
156	DEPLOYABLE UNIVERSAL COMBAT EARTH MOVERS	34	14,146	34	24,346	52	21,146	30	10,200	64	24,346
157	CRANES	-	6,089	-	16,089	-	6,089	-	-	-	6,089
158	TRUCK, DUMP, 20T (CCE)	-	-	-	-	-	-	-	-	-	-
159	CRUSHING/SCREENING PLANT, 150 TPH	-	89	-	89	-	89	-	-	-	89
160	CONST EQUIP SLEP	-	1,986	-	11,986	-	1,986	-	10,000	-	11,986
161	ITEMS LESS THAN $5.0M (CONST EQUIP)	-	2,635	-	2,635	-	2,635	-	-	-	2,635
	RAIL FLOAT CONTAINERIZATION EQUIPMENT										
162	SMALL TUG	-	-	3	9,000	-	-	3	9,000	3	9,000
163	FLOATING CRANE, 100-250 TON	-	-	-	-	-	-	-	-	-	-
164	LOGISTIC SUPPORT VESSEL (LSV)	-	-	-	-	-	-	-	-	-	-
165	LOGISTICS SUPPORT VESSEL (ESP)	1	6,638	1	6,638	1	6,638	-	-	1	6,638
166	CONTAINERIZED MAINTENANCE FACILITY	-	-	-	-	-	-	-	-	-	-
167	CAUSEWAY SYSTEMS	-	17,227	-	17,227	-	17,227	-	-	-	17,227
168	RAILWAY CAR, FLAT, 89 FOOT	-	-	-	-	-	-	-	-	-	-
169	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	-	6,722	-	6,722	-	6,722	-	-	-	6,722
	GENERATORS										
170	GENERATORS AND ASSOCIATED EQUIP	-	85,886	-	85,886	-	85,886	-	-	-	85,886
	MATERIAL HANDLING EQUIPMENT										
171	ROUGH TERRAIN CONTAINER HANDLER, 53,000 LBS	77	40,031	77	40,031	77	40,031	-	-	77	40,031
172	ALL TERRAIN LIFTING ARMY SYSTEM	196	24,407	196	24,407	196	24,407	-	-	196	24,407
173	ROUGH TERRAIN CONTAINER CRANE	4	2,056	4	2,056	4	2,056	-	-	4	2,056
174	ITEMS LESS THAN $5.0M (MHE)	-	1,231	-	1,231	-	1,231	-	-	-	1,231
	TRAINING EQUIPMENT										
175	CTC INSTRUMENTATION SUPPORT	-	81,845	-	95,545	-	81,845	-	11,600	-	93,445
176	TRAINING DEVICES, NONSYSTEM	-	91,937	-	108,937	-	91,937	-	9,000	-	100,937
177	CLOSE COMBAT TACTICAL TRAINER	-	81,160	-	81,160	-	68,660	-	(39,160)	-	42,000
178	AVIATION COMBINED ARMS TACTICAL TRAINER (AV)	-	14,744	-	14,744	-	14,744	-	-	-	14,744
179	FIRE SUPPORT COMBINED ARMS TACTICAL TRAINER	-	1,457	-	1,457	-	1,457	-	-	-	1,457
	TEST MEASURE AND DIG EQUIPMENT (TMD)										
180	CALIBRATION SETS EQUIPMENT	-	18,828	-	18,828	-	18,828	-	-	-	18,828

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	-	65,381	-	70,381	-	65,381	-	3,000	-	68,381
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	-	18,738	-	18,738	-	18,738	-	-	-	18,738
183	ARMY DIAGNOSTICS IMPROVEMENT PGM (ADIP)	-	17,300	-	17,300	-	17,300	-	-	-	17,300
	OTHER SUPPORT EQUIPMENT										
184	RECONFIGURABLE SIMULATORS	-	2,330	-	2,330	-	2,330	-	-	-	2,330
185	PHYSICAL SECURITY SYSTEMS (OPA3)	-	18,856	-	18,856	-	18,856	-	-	-	18,856
186	SYSTEM FIELDING SUPPORT (OPA-3)	-	-	-	-	-	-	-	-	-	-
187	BASE LEVEL COM'L EQUIPMENT	-	7,399	-	7,399	-	7,399	-	-	-	7,399
188	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	-	28,008	-	28,008	-	28,008	-	-	-	28,008
189	PRODUCTION BASE SUPPORT (OTH)	-	2,367	-	2,367	-	2,367	-	-	-	2,367
190	BUILDING, PRE-FAB, RELOCATABLE	-	-	-	-	-	-	-	-	-	-
191	SPECIAL EQUIPMENT FOR USER TESTING	-	24,344	-	24,344	-	24,344	-	-	-	24,344
192	MA8975	-	2,332	-	2,332	-	2,332	-	-	-	2,332
193	CLOSED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARE AND REPAIR PARTS										
	OPA1										
194	INITIAL SPARES - TSV	-	-	-	-	-	-	-	-	-	-
	OPA2										
195	INITIAL SPARES - C&E	-	42,401	-	42,401	-	42,401	-	-	-	42,401
	OPA3										
196	INITIAL SPARES - OTHER SUPPORT EQUIP	-	639	-	639	-	639	-	-	-	639
	ARMY TRANSFORMATION: OTHER SUPPORT EQUIPMENT	-	-	-	-	-	-	-	200,000	-	200,000
	ECONOMIC ADJUSTMENT			-	-		(16,000)			-	-
	TOTAL, OTHER PROCUREMENT, ARMY		3,795,870		4,095,270		4,027,170		439,849		4,235,719

Tactical trailers/dolly sets

The budget request included no funding for tactical trailers and dolly sets.

The House bill would authorize an increase of $3.8 million for heavy tactical vehicle requirements for Army National Guard (ARNG) multiple launch rocket system (MLRS) battalion conversions.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.8 million for heavy expanded mobility ammunition trailers for ARNG MLRS battalion conversions.

High mobility multipurpose-wheeled vehicle

The budget request included $110.7 million for 1,002 A2 model high mobility multipurpose-wheeled vehicle (HMMWVA2s), which incorporates upgraded electrical, braking, engine and transmission improvements, as well as a 15-year corrosion prevention program, but included no funding for HMMWVs to fill critical shortages in Army Reserve combat support and combat service support units.

The House bill would authorize an increase of $5.0 million for 100 Army Reserve HMMWVA2s.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for the procurement of 60 HMMWVA2s for the Army Reserve, a total authorization of $113.7 million for 1,062 HMMWVs.

Family of medium tactical vehicles

The budget request included $438.3 million to procure family of medium tactical vehicle (FMTV) trucks to replace an aging fleet of medium trucks found in the Army today.

The House bill would authorize an increase of $35.0 million for additional Army Reserve trucks.

The Senate amendment would authorize an increase of $43.0 million to procure additional FMTV trucks necessary to accelerate the fielding of these trucks to reserve component units.

The conferees agree to authorize an increase of $37.3 million to procure additional FMTV trucks for the reserve components, a total authorization of $475.6 million.

Fire trucks and associated firefighting equipment

The budget request included $14.8 million for fire trucks and associated firefighting equipment.

The House bill would authorize an increase of $1.2 million for heavy expanded mobility tactical truck (HEMTT) fire trucks for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.2 million for procurement of additional HEMTT fire trucks for the Army Reserve, a total authorization of $16.0 million.

M915/M916 line haul truck tractor

The budget request included $43.0 million for M915A3 line haul tractors, of which $3.4 million was included for M915A3s for the Army Reserve.

The House bill would authorize an increase of $1.6 million for the procurement of 12 additional upgraded M915A3 tractors for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for the procurement of additional upgraded M915A3 tractors for the Army Reserve, a total authorization of $44.0 million.

Weapons of Mass Destruction Civil Support Teams

The budget request included $76.4 million to sustain 27 Weapons of Mass Destruction Civil Support Teams (WMD–CSTs).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $25.0 million for the WMD–CST program. This funding would establish five additional WMD–CSTs and provide additional equipment for the WMD–CST program, as follows: $3.2 million in military personnel; $7.5 million in Operations and Maintenance, Army; $1.8 million in Contamination Avoidance, Chemical Biological Defense Program, Procurement, Defense-Wide; and $12.5 million in Special Purpose Vehicles, Other Procurement, Army. Of the amounts included in the categories specified, $4.0 million of the $12.5 million in Special Purpose Vehicles, Other Procurement, Army would be for the purchase of two additional Unified Command Suites (UCS) and Mobile Analytical Labs (MALS) and for the purchase of 35 tactical mobility systems for use by the WMD–CSTs. The remainder of the funding would be for the five additional WMD–CSTs.

The conferees agree to authorize an increase of $15.7 million for the establishment of five additional WMD–CSTs, as follows: $3.2 million in military personnel; $5.9 million in Operations and Maintenance, Army; $900,000 in Contamination Avoidance, Chemical Biological Defense Program, Procurement, Defense-Wide; and $5.7 million in Special Purpose Vehicles, Other Procurement, Army.

Army data distribution system

The budget request included $32.7 million for Army data distribution system (ADDS) requirements.

The House bill would authorize an increase of $18.5 million to procure Enhanced Position Reporting System (EPLRS) radios for an Army National Guard (ARNG) enhanced brigade.

The Senate amendment would authorize an increase of $5.3 million to support EPLRS software development requirements and $27.3 million to procure 634 EPLRS systems and accelerate efforts to meet the Army acquisition objective for this system, a total increase of $32.6 million.

The conferees agree to authorize an increase of $37.5 million for ADDS requirements, including $24.2 million for the procurement of EPLRS to be allocated according to Army priorities, $8.0 million for ARNG EPLRS, and $5.3 million for EPLRS software development, a total authorization of $70.2 million for ADDS requirements.

Single channel ground and airborne radio systems family

The budget request included $18.3 million for the procurement and the fielding of airborne single channel ground and airborne radio systems (SINCGARS), but included no funding to procure SINCGARS advanced system improvement program (ASIP) radios for the Army National Guard (ARNG).

The House bill would authorize an increase of $30.7 million to procure SINCGARS ASIP radios for one ARNG division.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $20.0 million for ARNG requirements and $10.0 million for active Army requirements, a total authorization of $48.3 million for the procurement of SINCGARS.

Area common user system modification program

The budget request included $114.0 million for area common user system (ACUS) modification program requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $60.0 million to procure 27 downsized communications switches and 229 high mobility DGM assemblages (HMDA) devices and an increase of $14.0 million to accelerate the fielding of 2,901 TS–21 Blackjack secure facsimile machines.

The conferees agree to authorize an increase of $60.0 million for ACUS, a total authorization of $174.0 million. Of this amount, $51.0 million is for down-sized communications switches and HMDA equipment and $9.0 million is for TS–21 Blackjack secure facsimile machines.

Night vision devices

The budget request included $34.1 million for Army night vision devices, of which $29.5 million was included for AN/PVS–7 night vision goggles. However, no funding was included for third generation, 25 millimeter (mm) image intensification tube upgrades.

The House bill would authorize an increase of $12.0 million for AN/PVS–7 night vision goggles. Of this amount, $400,000 would be used to procure goggles for Army Reserve combat support units and $8.4 million would be used to procure third generation, 25mm image intensification tube upgrades.

The Senate amendment would authorize an increase of $48.0 million for the procurement of night vision devices, as follows:

(1) an increase of $18.1 million to procure 5,000 AN/PEQ–2A and 10,000 AN/PAC–4C target pointer/aiming lights;

(2) an increase of $14.9 million to procure 18,600 AN/PVS–7 night vision binoculars; and

(3) an increase of $15.0 million to procure 25mm image intensification tubes for AN/PVS–4 and AN/TVS–5 night vision weapon scopes.

The conferees agree to authorize an increase of $32.0 million for night vision devices, as follows:

(1) an increase of $8.0 million to procure AN/PVS–7;

(2) an increase of $6.0 million to procure 25mm image intensification tubes;

(3) an increase of $15.0 million to procure AN/PEQ–2A and AN/PAC–4C; and

(4) an increase of $3.0 million to procure miniature eyesafe lasers.

Combat identification/aiming light

The budget request included $8.0 million for combat identification/aiming light requirements.

The House bill would authorize an increase of $3.0 million for combat identification/aiming light engineering and manufacturing development requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million to support outstanding combat identification/aiming light requirements.

Standard integrated command post system

The budget request included $36.0 million to procure standard integrated command post systems (SICPS), of which $1.3 million was included for modular command post system (MCPS) tents.

The House bill would authorize an increase of $2.0 million and $3.0 million respectively, to procure MCPS for active and Army National Guard units.

The Senate amendment would authorize an increase of $17.5 million to procure additional SICPS.

The conferees agree to authorize an increase of $11.5 million, a total authorization of $47.5 million for SICPS/MCPS procurement.

Automated data processing equipment

The budget request included $172.1 million for procurement of automated data processing equipment (ADPE), of which $485,000 was included for automatic identification technology (AIT).

The House bill would authorize an increase of $6.0 million for maintenance AIT implementation.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million for Army National Guard distance learning courseware and an increase of $4.0 million for maintenance AIT implementation, a total authorization of $180.1 million for ADPE.

Ribbon bridge

The budget request included $15.7 million for ribbon bridge equipment but included no funding to procure this equipment for Army National Guard (ARNG) multi-role bridge companies (MRBC).

The House bill would authorize an increase of $27.0 million to accelerate the fielding of two ARNG MRBC.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $14.5 million to procure ribbon bridge equipment for reserve component requirements, a total authorization of $30.2 million.

Laundries, showers, and latrines

The budget request included $12.6 million to procure the laundry advanced system (LADS).

The House bill would authorize an increase of $9.0 million to accelerate procurement of LADS.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million for LADS, a total authorization of $16.6 million.

Combat support medical

The budget request included $31.6 million to procure deployable medical systems and field medical equipment, but included no funding for rapid intravenous (IV) infusion pumps or for life support trauma and transport (LSTAT) units. The budget request also contained $6.3 million in PE 64807A, but included no funds for LSTAT.

The House bill would authorize an increase of $18.0 million for the procurement of combat support medical, as follows:

(1) an increase of $8.0 million to procure rapid IV infusion pumps;

(2) an increase of $6.0 million to begin procurement of LSTAT units; and

(3) an increase of $4.0 million in PE64807A for development of expanded LSTAT capabilities.

The Senate amendment would authorize an increase of $6.0 million for rapid IV pumps.

The conferees agree to authorize an increase of $5.0 million for rapid IV pumps, a total authorization of $36.6 million for combat support medical equipment.

Roller, vibratory, self-propelled

The budget request included $4.7 million for self-propelled vibratory roller systems.

The House bill would authorize an increase of $7.0 million to procure 96 additional vibratory self-propelled rollers, including $3.0 million for active Army units and $4.0 million for Army Reserve units.

The Senate amendment would authorize an increase of $5.0 million to procure 80 vehicles necessary to meet the requirements of Army engineer units.

The conferees agree to authorize an increase of $4.0 million for Army Reserve units and an increase of $3.0 million for active component units, a total authorization of $11.7 million for the procurement of roller, vibratory, self-propelled vehicles.

Hydraulic excavator

The budget request included $8.3 million for procurement of hydraulic excavator (HYEX) equipment.

The House bill would authorize an increase of $2.3 million for 13 additional Type I HYEX systems for the Army Reserve.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.5 million for the procurement of HYEX systems for the Army Reserve, a total authorization of $9.8 million.

Deployable universal combat earth mover

The budget request included $14.1 million to procure deployable universal combat earth mover (DEUCE) equipment.

The House bill would authorize an increase of $10.2 million to begin fielding DEUCE systems for the Army's interim brigade.

The Senate amendment would authorize an increase of $7.0 million to procure 18 DEUCE vehicles.

The conferees agree to authorize an increase of $10.2 million for the procurement of 30 additional DEUCE vehicles, a total authorization of $24.3 million.

Construction equipment service life extension program

The budget request included $2.0 million for service life extensions to various types of construction equipment, but included no funding to conduct an Army National Guard (ARNG) D–7 dozer and Army Reserve heavy grader and scraper service life extension program (SLEP).

The House bill would authorize an increase of $10.0 million, of which $5.0 million is for an ARNG D–7 dozer SLEP and $5.0 million is for an Army Reserve heavy scraper and grader SLEP.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million, of which $5.0 million is for an ARNG D–7 dozer SLEP and $5.0 million is for an Army Reserve heavy scraper and grader SLEP, a total authorization of $12.0 million.

Small tug

The budget request included no funding to procure small tugs for the Army to tow general cargo barges in harbors, inland waterways and along coastlines.

The House bill would authorize an increase of $9.0 million to accelerate procurement of three vessels towards completion of the requirement of 15 small tugs.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million for the procurement of three vessels towards completion of the requirement of 15 small tugs.

Combat training center instrumentation support

The budget request included $81.8 million for combat training center support, but included no funding for either the Army National Guard (ARNG) deployable force-on-force instrumented range system (DFIRST) or the multi-purpose range complex-heavy (MPRC–H).

The House bill would authorize an increase of $3.2 million for MPRC–H targetry electronic upgrades and $10.5 million for three additional DFIRST systems to continue force-on-force simulation-based training at regional training centers, a total increase of $12.7 million.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $11.6 million for combat training centers. Of this amount, $9.6 million would be for additional DFIRST systems for the ARNG and $2.0 million would be for MPRC–H upgrades, a total authorization of $93.4 million.

Nonsystem training devices

The budget request included $91.9 million for procurement of training device and range modernization requirements.

The House bill would authorize an increase of $8.0 million to procure 30 engagement skills trainer (EST) 2000 systems and an increase of $9.0 million for the first increment of a three-year Abrams full-crew interactive skills trainer (A–FIST) XXI conversion program, both for the Army National Guard (ARNG), a total increase of $17.0 million for non-system training devices.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million for the procurement of training device and range modernization requirements. Of this amount, $5.0 million would be for the procurement of ARNG EST 2000 systems and $4.0 million would be for the first increment of a three year ARNG A–FIST XXI conversion program, a total authorization of $100.9 million.

Overview

The budget request for fiscal year 2001 included an authorization of $1,003.5 million for Chemical Agents and Munitions Destruction, Army.

The House bill would authorize no funding for Chemical Agents and Munitions Destruction, Army, but would transfer the authorization of $877.1 million for Chemical Agents and Munitions Destruction, Defense.

The Senate amendment would authorize no funding for Chemical Agents and Munitions Destruction, Army but would transfer the authorization of $1,003.5 million for Chemical Agents and Munitions Destruction, Defense.

The conferees agree to authorize $980.1 million for Chemical Agents and Munitions Destruction, Army. Unless noted explicitly in the conference agreement, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY										
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E										
	RESEARCH AND DEVELOPMENT										
1	CHEM DEMILITARIZATION - RDTE	-	274,400	-	-	-	-	-	-	-	274,400
	CHEM AGENTS & MUNITIONS DESTRUCT-PROC										
	PROCUREMENT										
2	CHEM DEMILITARIZATION - PROC	-	121,900	-	-	-	-	-	(16,200)	-	105,700
	CHEM AGENTS & MUNITIONS DESTRUCT-O&M										
	OPERATION AND MAINTENANCE										
3	CHEM DEMILITARIZATION - O&M	-	607,200	-	-	-	-	-	(7,200)	-	600,000
	TOTAL, CHEM AGENTS & MUNITIONS DEST, ARMY		1,003,500		-		-		(23,400)		980,100

Chemical Agents and Munitions Destruction, Army

The budget request for the Army included $1.0 billion for Chemical Agents and Munitions Destruction, Army.

The House bill would authorize no funding for Chemical Agents and Munitions Destruction, Army, but contained a provision (sec. 106) that would authorize $877.1 million for Chemical Agents and Munitions Destruction, Defense, for destruction of the lethal chemical agents and munitions stockpile pursuant to section 1412 of the Department of Defense Authorization Act for Fiscal Year 1986 (Public Law 99–45) and destruction of chemical warfare materiel not covered by section 1412 of the Act, a decrease of $126.4 million.

The Senate amendment would authorize no funding for Chemical Agents and Munitions Destruction, Army, but contained a provision (sec. 106) that would authorize $1.0 billion for Chemical Agents and Munitions Destruction, Defense.

The conferees agree to authorize $980.1 million for Chemical Agents and Munitions Destruction, Army, including $274.4 million for research and development, $105.7 million for procurement, and $600.0 million for operations and maintenance.

Section 1521(f) of title 50, United States Code, requires that funding for the chemical agents and munitions destruction program, including funds for military construction projects, shall be set forth in the budget of the Department of Defense as a separate account, and shall not be included in the budget accounts for any military department. The conferees expect that the Secretary of Defense will comply with these requirements in any future budget request for the chemical agents and munitions destruction program.

The conferees recognize that uncertainties in program requirements and execution create the potential for additional funding requirements that may have to be addressed during fiscal year 2001. The conferees encourage the Secretary to identify requirements for additional funds that may be required in fiscal year 2001 to ensure execution of the program and to make appropriate recommendations for reprogramming or other actions necessary to provide those funds at the earliest opportunity.

Chemical stockpile emergency preparedness project

The budget request for the chemical agents and munitions destruction program included $600,000 in procurement funds for minor equipment replacement and $66.7 million for chemical stockpile emergency preparedness program (CSEPP) operations and maintenance. The conferees note that funds provided for CSEPP in fiscal years 1999 and 2000 were subject to a decrease of approximately nine percent and eight percent, respectively, as a pro-rata share of the decrease to the chemical agents and munitions destruction account. Because of the potential impact of such reductions on the safety of those living and working near or on the chemical stockpile storage and destructions sites, the conferees direct that funding for CSEPP shall be at the requested level.

Non-stockpile chemical materiel project

The House report accompanying H.R. 4205 (H. Rept. 106–616) noted that an independent assessment of the non-stockpile project had raised several issues with respect to the project and recommended examination of project schedule and cost risks to quantify the potential risks, ultimate costs, and time required to complete the project. The report expressed the belief that these issues must be addressed before proceeding further with development and acquisition of integrated transportable treatment systems for non-stockpile chemical materiel. The conferees note that following submission of the fiscal year 2001 budget request, the project manager for chemical demilitarization, conducted a major review of the non-stockpile project, rebaselined the current project, and is considering the results of on-going analysis and non-stockpile cost containment efforts that could result in significant further changes to the project that would have both cost and schedule implications. The conferees direct that these issues, and planned and recommended changes to the non-stockpile chemical materiel project, schedule, and funding requirements be addressed in an addendum to the fiscal year 2000 annual report to Congress on the chemical demilitarization program to be submitted with the fiscal year 2002 budget request.

Destruction of non-stockpile chemical materiel in stockpile facilities

Section 141 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) amended subsection 1412(c) of the National Defense Authorization Act for Fiscal Year 1986 (Public Law 99–45) to allow non-stockpile chemical agents, munitions, or related materials specifically designated by the Secretary of Defense to be destroyed at stockpile facilities if the affected states have issued the appropriate permits. In the statement of managers accompanying the National Defense Authorization Act for Fiscal Year 2000, the conferees stated the expectation that site specific decisions relative to the issue of such permits would be arrived at in accordance with review processes that permit the views of the local jurisdictions to be considered.

The conferees note that federal, state, and local environmental laws and regulations require the Army to obtain permits for construction and the conduct of operations at each of the chemical weapons destruction facilities that are specific to the particular disposal site and the proposed chemical destruction operations to be conducted at the site. The conferees also note that established procedures for the review and approval of such statements, assessments, and permits provide for periods of public review and comment, and opportunities for consideration of the views of the local jurisdictions.

The conferees further note that the Environmental Protection Agency has delegated to the individual states the authority to administer and enforce the hazardous waste disposal requirements relative to those sites, and consequently decisions to approve permits required for the construction and operation of the chemical stockpile demilitarization facilities and for destruction of non-stockpile material are reserved to the states in which those sites are located. The conferees reiterate that it is the intent of Congress that the views of local jurisdictions in which the sites are located are a major factor to be considered in the permit and review process and in any decision by state authorities regarding such permits.

Overview

The budget request for fiscal year 2001 included an authorization of $7,963.9 million for Aircraft Procurement, Navy in the Department of Defense.

The House bill would authorize $8,205.8 million.

The Senate amendment would authorize $8,686.0 million.

The conferees recommended an authorization of $8,394.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, NAVY										
	COMBAT AIRCRAFT										
	COMBAT AIRCRAFT										
1	AV-8B (V/STOL)HARRIER (MYP)	10	282,132	10	282,132	14	374,132	2	35,550	12	317,682
1	LESS: ADVANCE PROCUREMENT (PY)	-	(55,486)	-	(55,486)	-	(55,486)	-	-	-	(55,486)
2	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
3	F/A-18E/F (FIGHTER) HORNET (MYP)	42	2,923,960	39	2,718,160	42	2,923,960	-	(13,000)	42	2,910,960
3	LESS: ADVANCE PROCUREMENT (PY)	-	(105,407)	-	(105,407)	-	(105,407)	-	-	-	(105,407)
4	ADVANCE PROCUREMENT (CY)	-	101,068	-	101,068	-	101,068	-	-	-	101,068
5	V-22 (MEDIUM LIFT)	16	1,199,181	16	1,199,181	16	1,199,181	-	-	16	1,199,181
5	LESS: ADVANCE PROCUREMENT (PY)	-	(70,589)	-	(70,589)	-	(70,589)	-	-	-	(70,589)
6	ADVANCE PROCUREMENT (CY)	-	79,858	-	79,858	-	79,858	-	-	-	79,858
7	AH-1W (HELICOPTER) SEA COBRA	-	2,452	-	2,452	-	2,452	-	-	-	2,452
8	SH-60R	4	162,327	4	162,327	7	250,427	2	47,330	6	209,657
9	E-2C (EARLY WARNING) HAWKEYE (MYP)	5	364,882	5	364,882	5	364,882	-	(5,000)	5	359,882
9	LESS: ADVANCE PROCUREMENT (PY)	-	(112,092)	-	(112,092)	-	(112,092)	-	-	-	(112,092)
10	ADVANCE PROCUREMENT (CY)	-	68,082	-	68,082	-	68,082	-	-	-	68,082
	AIRLIFT AIRCRAFT										
	AIRLIFT AIRCRAFT										
11	CH-60S (MYP)	15	238,457	17	280,357	18	301,457	2	41,850	17	280,307
11	LESS: ADVANCE PROCUREMENT (PY)	-	(73,386)	-	(73,386)	-	(73,386)	-	-	-	(73,386)
12	ADVANCE PROCUREMENT (CY)	-	80,411	-	80,411	-	80,411	-	-	-	80,411
13	UC-35	-	-	2	15,200	2	15,200	1	7,600	1	7,600
14	C-40A	-	-	1	54,000	2	117,200	1	55,000	1	55,000
15	VP-3 REPLACEMENT AIRCRAFT	1	50,276	1	50,276	1	50,276	-	-	1	50,276
	TRAINER AIRCRAFT										
	TRAINER AIRCRAFT										
16	T-45TS (TRAINER) GOSHAWK	12	278,070	14	310,870	15	327,270	2	32,800	14	310,870
16	LESS: ADVANCE PROCUREMENT (PY)	-	(9,491)	-	(9,491)	-	(9,491)	-	-	-	(9,491)
17	ADVANCE PROCUREMENT (CY)	-	5,142	-	5,142	-	5,142	-	-	-	5,142
18	JPATS	21	74,372	21	74,372	24	81,372	3	7,000	24	81,372

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER AIRCRAFT										
	OTHER AIRCRAFT										
19	KC-130J	2	154,818	3	231,118	3	229,418	1	74,600	3	229,418
	HH/UH-1N RECLAIMATION AND CONVERSION			-	17,500						
	MODIFICATION OF AIRCRAFT										
	MODIFICATION OF AIRCRAFT										
20	EA-6 SERIES	-	203,102	-	226,102	-	206,402	-	(16,800)	-	186,302
21	AV-8 SERIES	-	40,639	-	40,639	-	120,039	-	79,400	-	120,039
22	F-14 SERIES	-	30,481	-	30,481	-	30,481	-	-	-	30,481
23	ADVERSARY	-	6,947	-	6,947	-	6,947	-	-	-	6,947
24	F-18 SERIES	-	212,614	-	316,314	-	258,614	-	51,600	-	264,214
25	H-46 SERIES	-	16,556	-	21,556	-	16,556	-	3,000	-	19,556
26	AH-1W SERIES	-	9,758	-	9,758	-	13,758	-	4,000	-	13,758
27	H-53 SERIES	-	19,919	-	34,919	-	19,919	-	1,800	-	21,719
28	SH-60 SERIES	-	21,088	-	29,088	-	21,088	-	-	-	21,088
29	H-1 SERIES	-	2,642	-	2,642	-	21,142	-	13,000	-	15,642
30	H-3 SERIES	-	61	-	61	-	61	-	-	-	61
31	EP-3 SERIES	-	25,833	-	25,833	-	25,833	-	(25,300)	-	533
32	P-3 SERIES	-	60,710	-	60,710	-	104,810	-	22,050	-	82,760
33	S-3 SERIES	-	79,050	-	79,050	-	79,050	-	(10,000)	-	69,050
34	E-2 SERIES	-	18,485	-	57,485	-	18,485	-	24,000	-	42,485
35	TRAINER A/C SERIES	-	19,422	-	19,422	-	19,422	-	-	-	19,422
36	C-2A	-	2,596	-	2,596	-	2,596	-	-	-	2,596
37	C-130 SERIES	-	7,921	-	7,921	-	7,921	-	-	-	7,921
38	FEWSG	-	605	-	605	-	605	-	-	-	605
39	CARGO/TRANSPORT A/C SERIES	-	7,936	-	7,936	-	7,936	-	-	-	7,936
40	E-6 SERIES	-	60,687	-	60,687	-	60,687	-	-	-	60,687
41	EXECUTIVE HELICOPTERS SERIES	-	7,632	-	7,632	-	7,632	-	-	-	7,632
42	SPECIAL PROJECT AIRCRAFT	-	4,134	-	4,134	-	4,134	-	-	-	4,134
43	T-45 SERIES	-	9,057	-	9,057	-	9,057	-	-	-	9,057
44	POWER PLANT CHANGES	-	17,062	-	17,062	-	17,062	-	-	-	17,062

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
45	COMMON ECM EQUIPMENT	-	41,889	-	41,889	-	41,889	-	-	-	41,889
46	COMMON AVIONICS CHANGES	-	71,620	-	80,920	-	80,920	-	-	-	71,620
	AIRCRAFT SPARES AND REPAIR PARTS										
	AIRCRAFT SPARES AND REPAIR PARTS										
47	SPARES AND REPAIR PARTS	-	941,553	-	941,553	-	952,753	-	-	-	941,553
	AIRCRAFT SUPPORT EQUIPMENT & FACILITIES										
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES										
48	COMMON GROUND EQUIPMENT	-	312,411	-	312,411	-	312,411	-	-	-	312,411
49	AIRCRAFT INDUSTRIAL FACILITIES	-	8,642	-	8,642	-	8,642	-	-	-	8,642
50	WAR CONSUMABLES	-	13,015	-	13,015	-	13,015	-	-	-	13,015
51	OTHER PRODUCTION CHARGES	-	37,088	-	44,088	-	37,088	-	-	-	37,088
52	SPECIAL SUPPORT EQUIPMENT	-	12,158	-	12,158	-	12,158	-	-	-	12,158
53	FIRST DESTINATION TRANSPORTATION	-	1,508	-	1,508	-	1,508	-	-	-	1,508
54	CANCELLED ACCOUNT ADJUSTMENTS (M)	-	-	-	-	-	-	-	-	-	-
	TOTAL, AIRCRAFT PROCUREMENT, NAVY		7,963,858		8,205,758		8,685,958		430,480		8,394,338

F/A–18E/F aircraft

The budget request included $2.819 billion for the procurement of 42 F/A–18E/F aircraft on a multiyear contract.

The House bill would authorize a decrease of $205.8 million, a total authorization of $2.613 billion for the procurement of 39 F/A–18E/F aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $13.0 million due to production engineering support cost growth, a total authorization of $2.806 billion for the procurement of 42 F/A–18E/F aircraft.

SH–60R helicopter

The budget request included $162.3 million for the procurement of four remanufactured SH–60R helicopters, including the airborne low frequency sonar system (ALFS).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $82.1 million for the procurement of three additional remanufactured SH–60R helicopters and an increase of $6.0 million for ALFS, a total increase of $88.1 million.

The conferees agree to authorize an increase of $47.3 million, as follows:

(1) an increase of $52.4 million for the procurement of two additional remanufactured SH–60R helicopters;

(2) an increase of $4.9 million for ALFS;

(3) a decrease of $5.0 million due to cost growth in non-recurring items; and

(4) a decrease of $5.0 million due to avionics support equipment that can be deferred.

UC–35 aircraft

The budget request included no funding for the procurement of UC–35 medium range operational support aircraft.

The House bill would authorize an increase of $15.2 million for the procurement of two UC–35 aircraft.

The Senate amendment would authorize an identical increase.

The conferees agree to authorize an increase of $7.6 million for the procurement of one UC–35 aircraft for the Marine Corps.

F–18 series modifications

The budget request included $212.6 million for F–18 modifications.

The House bill would authorize an increase of $103.7 million for F–18 modifications, as follows:

(1) an increase of $86.9 million to procure additional ECP–583 upgrade kits for Marine Corps F/A–18A active and reserve component aircraft;

(2) an increase of $31.0 million to procure ECP–560 upgrade kits for Naval Reserve F/A–18A aircraft;

(3) an increase of $9.6 million to procure advanced targeting forward-looking infrared (ATFLIR) pods for the Marine Corps Reserve F/A–18 aircraft; and

(4) a decrease of $23.8 million due to test results of the advanced tactical airborne reconnaissance system (ATARS).

The Senate amendment would authorize an increase of $46.0 million to upgrade F/A–18A aircraft with ECP–583.

The conferees agree to authorize an increase of $51.6 million for F–18 modifications, as follows:

(1) $46.0 million for ECP–583 for the Marine Corps active and reserve components;

(2) $7.0 million for ATFLIR for the Marine Corps Reserve;

(3) $3.0 million for tactical aircraft moving map capability (TAMMAC); and

(4) a decrease of $4.4 million for premature ATFLIR modifications and installation equipment.

AH–1 series modifications

The budget request included $9.8 million for Marine Corps AH–1 aircraft modifications.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million to procure four night targeting systems (NTS) for reserve component AH–1 series aircraft.

The conferees agree to authorize an increase of $4.0 million to procure four night targeting systems for AH–1 aircraft.

H–53 series modifications

The budget request included $19.9 million for Marine Corps H–53 aircraft modification requirements.

The House bill would authorize an increase of $15.0 million for AN/AAQ–29 forward looking infrared (FLIR) system modifications. Of this amount, $12.4 million would be for modifying active component H–53 aircraft and $2.6 million would be for modifying Marine Corps Reserve H–53 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.8 million, a total authorization of $21.7 million for AN/AAQ–29 FLIR modifications for Marine Corps Reserve aircraft.

H–1 series modifications

The budget request included $2.6 million for Marine Corps H–1 aircraft requirements.

The House bill would authorize an increase of $17.5 million for the H–1 reclamation and conversion program.

The Senate amendment would authorize an increase of $27.5 million for H–1 aircraft requirements. Of this amount, $10.0 million would be for thermal imaging systems for fielded aircraft to support flight operations at night and $17.5 million would be for the H–1 reclamation and conversion program.

The conferees agree to authorize a total of $15.6 million for H–1 series aircraft requirements. This includes an increase of $7.0 million for thermal imaging systems and an increase of $6.0 million for the H–1 reclamation and conversion program.

EP–3 aircraft modifications

The budget request included $25.8 million for modifications to the EP–3 aircraft.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $25.3 million to reflect funds that were provided for EP–3 modifications to the Department of Defense in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246), a total authorization of $533,000.

Overview

The budget request for fiscal year 2001 included an authorization of $1,434.3 million for Weapons Procurement, Navy in the Department of Defense.

The House bill would authorize $1,562.3 million.

The Senate amendment would authorize $1,540.0 million.

The conferees recommended an authorization of $1,443.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	WEAPONS PROCUREMENT, NAVY										
	BALLISTIC MISSILES										
	BALLISTIC MISSILES										
1	TRIDENT II	12	472,859	12	472,859	12	472,859	-	-	12	472,859
1	LESS: ADVANCE PROCUREMENT (PY)	-	(38,927)	-	(38,927)	-	(38,927)	-	-	-	(38,927)
2	ADVANCE PROCUREMENT (CY)	-	28,801	-	28,801	-	28,801	-	(19,300)	-	9,501
	SUPPORT EQUIPMENT AND FACILITIES							-	-	-	-
3	MISSILE INDUSTRIAL FACILITIES	-	1,232	-	1,232	-	1,232	-	-	-	1,232
	OTHER MISSILES										
	STRATEGIC MISSILES										
4	TOMAHAWK	-	-	-	-	-	-	-	-	-	-
5	ESSM	36	40,001	36	40,001	36	40,001	-	-	36	40,001
	TACTICAL MISSILES										
6	AMRAAM	75	38,943	75	38,943	75	38,943	-	-	75	38,943
7	JSOW	636	171,624	811	206,624	816	207,624	54	13,950	690	185,574
8	SLAM-ER	30	27,859	90	57,859	30	27,859	-	-	30	27,859
9	STANDARD MISSILE	86	170,365	86	170,365	86	170,365	-	-	86	170,365
10	RAM	-	23,067	-	23,067	-	23,067	-	-	-	23,067
11	HELLFIRE	-	-	-	55,000	-	-	-	20,000	-	20,000
12	PENGUIN	-	-	-	-	-	-	-	-	-	-
13	AERIAL TARGETS	-	58,891	-	68,891	-	58,891	-	-	-	58,891
14	DRONES AND DECOYS	-	-	-	-	-	-	-	10,000	-	10,000
15	OTHER MISSILE SUPPORT	-	14,902	-	14,902	-	14,902	-	-	-	14,902
	MODIFICATION OF MISSILES										
16	SIDEWINDER MODS	63	27,532	63	27,532	63	27,532	-	-	63	27,532
17	HARM MODS	-	-	-	-	-	-	-	-	-	-
18	STANDARD MISSILES MODS	-	50,690	-	50,690	-	50,690	-	-	-	50,690
	SUPPORT EQUIPMENT AND FACILITIES										
19	WEAPONS INDUSTRIAL FACILITIES	-	21,269	-	20,269	-	28,969	-	7,700	-	28,969
20	FLEET SATELLITE COMM FOLLOW-ON	-	180,291	-	180,291	-	180,291	-	(75,000)	-	105,291
20	LESS: ADVANCE PROCUREMENT (PY)	-	(9,754)	-	(9,754)	-	(9,754)	-	-	-	(9,754)

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
21	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	ORDNANCE SUPPORT EQUIPMENT										
22	ORDNANCE SUPPORT EQUIPMENT	-	2,723	-	2,723	-	2,723	-	-	-	2,723
	TORPEDOES AND RELATED EQUIPMENT										
	TORPEDOES AND RELATED EQUIP.										
23	ASW TARGETS	-	3,180	-	3,180	-	3,180	-	-	-	3,180
	MOD OF TORPEDOES AND RELATED EQUIP										
24	MK-46 TORPEDO MODS	-	7,141	-	7,141	-	7,141	-	-	-	7,141
25	MK-48 TORPEDO ADCAP MODS	-	38,926	-	37,926	-	40,926	-	2,000	-	40,926
26	QUICKSTRIKE MINE	-	1,960	-	1,960	-	1,960	-	-	-	1,960
	SUPPORT EQUIPMENT										
27	TORPEDO SUPPORT EQUIPMENT	-	23,740	-	23,740	-	23,740	-	-	-	23,740
28	ASW RANGE SUPPORT	-	14,955	-	14,955	-	14,955	-	-	-	14,955
	DESTINATION TRANSPORTATION										
29	FIRST DESTINATION TRANSPORTATION	-	1,842	-	1,842	-	1,842	-	-	-	1,842
	OTHER WEAPONS										
	GUNS AND GUN MOUNTS										
30	SMALL ARMS AND WEAPONS	-	909	-	909	-	909	-	-	-	909
	MODIFICATION OF GUNS AND GUN MOUNTS										
31	CIWS MODS	-	964	-	964	-	30,964	-	25,000	-	25,964
32	5/54 GUN MOUNT MODS	-	-	-	-	-	-	-	-	-	-
33	MK-75 76MM GUN MOUNT MODS	-	-	-	-	-	-	-	-	-	-
34	GUN MOUNT MODS	-	4,779	-	4,779	-	34,779	-	25,000	-	29,779
35	MODS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
	OTHER										
36	PIONEER	-	-	-	-	-	-	-	-	-	-
37	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
38	SPARES AND REPAIR PARTS	-	53,486		53,486	-	53,486	-	-	-	53,486
	TOTAL, WEAPONS PROCUREMENT, NAVY		1,434,250		1,562,250		1,539,950		9,350		1,443,600

Trident II advance procurement

The budget request included $28.8 million for Trident II advance procurement.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $19.3 million for Trident II advance procurement, a total authorization of $9.5 million.

The conferees note that a significant part of the budget request was for the purchase of missile parts that will not be needed until the later years of the current Future Years Defense Program. However, the conferees are aware that the supplier base for the Trident II ballistic missile program is rapidly declining and that certain suppliers may no longer be available in the outyears. Therefore, the conferees direct the Secretary of the Navy to evaluate the Trident II supplier base to determine if any additional advance procurement funds are required in fiscal year 2001. If the Secretary determines that additional advance procurement funds are necessary during fiscal year 2001 to purchase parts that will not be available in subsequent years, the conferees invite the Secretary to seek a reprogramming for this purpose.

Drones and decoys

The budget request included no funding for drones and decoys.

The House bill would authorize an increase of $10.0 million for aerial targets for the procurement of improved tactical air-launched decoys (ITALDs).

The Senate amendment would authorize the budget request.

The conferees agree to authorize $10.0 million in drones and decoys for the procurement of ITALDs.

Weapons industrial facilities

The budget request included $21.3 million for various activities at government-owned and contractor-operated weapons industrial facilities.

The House bill would authorize a decrease of $1.0 million for weapons industrial facilities.

The Senate amendment would authorize an increase of $7.7 million to accelerate the facilities restoration program at the Allegany Ballistics Laboratory.

The conferees agree to authorize an increase of $7.7 million for the facilities restoration program at the Allegany Ballistics Laboratory.

Mark 48 advanced capability torpedo modifications

The budget request included $16.4 million for Mark 48 advanced capability (ADCAP) torpedo modifications.

The House bill would authorize a decrease of $1.0 million for Mark 48 ADCAP torpedo.

The Senate amendment would authorize an increase of $2.0 million for Mark 48 ADCAP modifications to field improved capability for littoral operations in the submarine fleet as soon as possible.

The conferees agree to authorize an increase of $2.0 million for Mark 48 ADCAP modifications.

Close-in weapons system modifications

The budget request included $964,000 for modifications to the close-in weapons system (CIWS) for surface ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million for the procurement and modification of CIWS mounts to the block 1B configuration.

The conferees agree to authorize an increase of $25.0 million for CIWS block 1B modifications.

Gun mount modifications

The budget request included $4.8 million for the procurement and installation of modifications to surface ship gun mounts.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million for the procurement of modifications to five inch 54 caliber guns for surface ships.

The conferees agree to authorize an increase of $25.0 million for modifications to five inch 54 caliber guns for surface ships.

Overview

The budget request for fiscal year 2001 included an authorization of $429.6 million for Ammunition Procurement, Navy and Marine Corps in the Department of Defense.

The House bill would authorize $481.3 million.

The Senate amendment would authorize $500.7 million.

The conferees recommended an authorization of $487.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS										
	PROC AMMO, NAVY										
	NAVY AMMUNITION										
1	GENERAL PURPOSE BOMBS	-	63,157	-	78,157	-	83,157	-	5,000	-	68,157
2	JDAM	672	24,390	672	24,390	672	24,390	-	5,600	672	29,990
3	2.75 INCH ROCKETS	-	-	-	-	-	9,600	-	-	-	-
4	AIRBORNE ROCKETS, ALL TYPES	-	11,508	-	11,508	-	11,508	-	-	-	11,508
5	MACHINE GUN AMMUNITION	-	5,230	-	5,230	-	11,730	-	3,000	-	8,230
6	PRACTICE BOMBS	-	50,600	-	50,600	-	76,600	-	12,500	-	63,100
7	CARTRIDGES & CART ACTUATED DEVICES	-	26,461	-	26,461	-	26,461	-	-	-	26,461
8	AIRCRAFT ESCAPE ROCKETS	-	10,635	-	10,635	-	10,635	-	-	-	10,635
9	AIR EXPENDABLE COUNTERMEASURES	-	39,293	-	45,793	-	44,293	-	6,500	-	45,793
10	MARINE LOCATION MARKERS	-	-	-	-	-	-	-	-	-	-
11	JATOS	-	4,995	-	4,995	-	4,995	-	-	-	4,995
12	5 INCH/54 GUN AMMUNITION	-	14,948	-	14,948	-	14,948	-	-	-	14,948
13	EXTENDED RANGE GUIDED MUNITIONS (ERGM)	-	5,723	-	5,723	-	5,723	-	-	-	5,723
14	CIWS AMMUNITION	-	-	-	-	-	-	-	-	-	-
15	76MM GUN AMMUNITION	-	8,733	-	8,733	-	8,733	-	-	-	8,733
16	OTHER SHIP GUN AMMUNITION	-	5,176	-	5,176	-	5,176	-	-	-	5,176
17	SMALL ARMS & LANDING PARTY AMMO	-	8,745	-	8,745	-	8,745	-	-	-	8,745
18	PYROTECHNIC AND DEMOLITION	-	6,378	-	6,378	-	6,378	-	-	-	6,378
19	MINE NEUTRALIZATION DEVICES	-	7,317	-	7,317	-	7,317	-	-	-	7,317
20	CANCELLED ACCOUNT ADJUSTMENTS (87)	-	-	-	-	-	-	-	-	-	-
21	AMMUNITION LESS THAN $5 MILLION	-	1,343	-	1,343	-	1,343	-	-	-	1,343
22	CAWCF CLOSURE COSTS	-	1,300	-	1,300	-	1,300	-	-	-	1,300
	PROC AMMO, MC										
	MARINE CORPS AMMUNITION										
23	5.56 MM, ALL TYPES	-	23,456	-	26,456	-	23,456	-	2,000	-	25,456
24	7.62 MM, ALL TYPES	-	2,039	-	3,039	-	2,039	-	1,000	-	3,039
25	LINEAR CHARGES, ALL TYPES	-	40,945	-	42,945	-	44,945	-	4,000	-	44,945
26	.50 CALIBER	-	7,637	-	8,637	-	7,637	-	1,000	-	8,637

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
27	40 MM, ALL TYPES	-	2,034	-	2,034	-	2,034	-	-	-	2,034
28	60MM, ALL TYPES	-	688	-	688	-	688	-	-	-	688
29	81MM, ALL TYPES	-	4,981	-	4,981	-	4,981	-	-	-	4,981
30	120MM, ALL TYPES	-	7,633	-	7,633	-	7,633	-	-	-	7,633
31	CTG 25MM, ALL TYPES	-	3,931	-	3,931	-	3,931	-	-	-	3,931
32	9 MM ALL TYPES	-	2,657	-	2,657	-	2,657	-	-	-	2,657
33	GRENADES, ALL TYPES	-	8,358	-	8,358	-	8,358	-	-	-	8,358
34	STINGER SLEP	-	3,925	-	3,925	-	3,925	-	-	-	3,925
35	ROCKETS, ALL TYPES	-	1,592	-	16,892	-	1,592	-		-	11,192
	83mm Common Practice								4,600		
	83mm HEDP								5,000		
36	ARTILLERY, ALL TYPES	-	322	-	8,222	-	322	-	7,900	-	8,222
37	DEMOLITION MUNITIONS, ALL TYPES	-	9,638	-	9,638	-	9,638	-	-	-	9,638
38	FUZE, ALL TYPES	-	249	-	249	-	249	-	-	-	249
39	NON LETHALS	-	4,480	-	4,480	-	4,480	-	-	-	4,480
40	AMMO MODERNIZATION	-	6,900	-	6,900	-	6,900	-	-	-	6,900
41	ITEMS LESS THAN $5 MILLION	-	952	-	952	-	952	-	-	-	952
42	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
43	CAWCF CLOSURE COSTS	-	1,300	-	1,300	-	1,300	-	-	-	1,300
	TOTAL, PROCURE OF AMMO, NAVY & MARINE CORPS		429,649		481,349		500,749		58,100		487,749

Overview

The budget request for fiscal year 2001 included an authorization of $12,296.9 million for Shipbuilding and Conversion, Navy in the Department of Defense.

The House bill would authorize $11,982.0 million.

The Senate amendment would authorize $12,900.1 million.

The conferees recommended an authorization of $12,826.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SHIPBUILDING & CONVERSION, NAVY										
	OTHER WARSHIPS										
	OTHER WARSHIPS										
1	CARRIER REPLACEMENT PROGRAM	1	4,974,888	1	4,974,888	1	4,974,888	-	-	1	4,974,888
1	LESS: ADVANCE PROCUREMENT (PY)	-	(921,235)	-	(921,235)	-	(921,235)	-	-	-	(921,235)
2	ADVANCE PROCUREMENT (CY)	-	21,869	-	21,869	-	21,869	-	-	-	21,869
3	NEW SSN	1	2,019,503	1	2,019,503	1	2,019,503	-	(5,000)	1	2,014,503
3	LESS: ADVANCE PROCUREMENT (PY)	-	(816,491)	-	(816,491)	-	(816,491)	-	-	-	(816,491)
4	ADVANCE PROCUREMENT (CY)	-	508,222	-	508,222	-	508,222	-	-	-	508,222
5	CVN REFUELING OVERHAULS	-	705,228	-	705,228	-	705,228	-	(5,000)	-	700,228
5	LESS: ADVANCE PROCUREMENT (PY)	-	(1,787)	-	(1,787)	-	(1,787)	-	-	-	(1,787)
6	ADVANCE PROCUREMENT (CY)	-	25,000	-	25,000	-	25,000	-	-	-	25,000
7	SUBMARINE REFUELING OVERHAULS	1	210,414	1	210,414	1	210,414	-	-	1	210,414
8	ADVANCE PROCUREMENT (CY)	-	72,277	-	86,277	-	72,277	-	-	-	72,277
9	DDG-51 (MYP)	3	2,795,581	3	2,795,581	3	2,795,581	-	(10,000)	3	2,785,581
9	LESS: ADVANCE PROCUREMENT (PY)	-	(82,022)	-	(82,022)	-	(82,022)	-	-	-	(82,022)
10	ADVANCE PROCUREMENT (CY)	-	356,843	-	356,843	-	500,000	-	100,000	-	456,843
	AMPHIBIOUS SHIPS										
	AMPHIBIOUS SHIPS										
11	LHD-8 ADVANCE PROCUREMENT (CY)	-	-	-	10,000	-	460,000	-	460,000	-	460,000
12	LPD-17	2	1,489,286	2	1,489,286	2	1,489,286	-	-	2	1,489,286
12	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
13	ADVANCE PROCUREMENT (CY)	-	20,700	-	20,700	-	20,700	-	-	-	20,700
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM										
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST										
14	OCEANOGRAPHIC SHIPS	-	-	-	-	-	-	-	-	-	-
14	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
15	ADC(X)	1	338,951	-	-	1	338,951	-	-	1	338,951
16	LCAC LANDING CRAFT	-	-	-	-	-	-	-	-	-	-
16	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
17	OUTFITTING	-	301,077	-	301,077	-	301,077	-	(10,000)	-	291,077

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
18	POST DELIVERY	-	-	-	-	-	-	-	-	-	-
19	LCAC SLEP	1	15,615	1	15,615	1	15,615	-	-	1	15,615
20	COMPLETION OF PY SHIPBUILDING PROGRAMS	-	263,000	-	263,000	-	263,000	-	-	-	263,000
21	FIRST DESTINATION TRANSPORTATION	-	-	-	-	-	-	-	-	-	-
	TOTAL, SHIPBUILDING & CONVERSION, NAVY		12,296,919		11,981,968		12,900,076		530,000		12,826,919

DDG–51 destroyers

The budget request included $2.7 billion for the procurement of three *Arleigh Burke*-class DDG–51 destroyers.

The House bill and the Senate amendment would authorize the budget request.

The conferees note recent developments that indicate basic construction cost growth for DDG–51 destroyers. Therefore, the conferees agree to authorize a decrease of $10.0 million for the procurement of three DDG–51 destroyers.

LHD–8 advance procurement

The Future Year Defense Program (FYDP) accompanying the budget request included LHD–8 advance procurement in fiscal year 2004 and full funding in fiscal year 2005.

The House bill would authorize an increase of $10.0 million for advance procurement of LHD–8.

The Senate amendment would authorize an increase of $460.0 million to continue the advance procurement and advance construction of components for the LHD–8 amphibious ship.

The conferees agree to authorize an increase of $460.0 million to continue the advance procurement and advance construction of components for the LHD–8 amphibious ship.

Ship outfitting

The budget request included $301.1 million for outfitting new construction ships with initial on board repair parts and equipage.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to a $10.0 million decrease for ship outfitting resulting from recent adjustments to the LPD–17 procurement.

Overview

The budget request for fiscal year 2001 included an authorization of $3,334.6 million for Other Procurement, Navy in the Department of Defense.

The House bill would authorize $3,432.0 million.

The Senate amendment would authorize $3,378.3 million.

The conferees recommended an authorization of $3,380.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, NAVY										
	SHIPS SUPPORT EQUIPMENT										
	SHIP PROPULSION EQUIPMENT										
1	LM-2500 GAS TURBINE	-	6,995	-	6,995	-	6,995	-	-	-	6,995
2	ALLISON 501K GAS TURBINE	-	6,257	-	6,257	-	6,257	-	-	-	6,257
3	STEAM PROPULSION IMPROVEMENT	-	-	-	-	-	-	-	-	-	-
4	OTHER PROPULSION EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	GENERATORS										
5	OTHER GENERATORS	-	-	-	-	-	-	-	-	-	-
	PUMPS										
6	OTHER PUMPS	-	-	-	-	-	-	-	-	-	-
	PROPELLERS										
7	SUBMARINE PROPELLERS	-	3,757	-	3,757	-	3,757	-	-	-	3,757
8	OTHER PROPELLERS AND SHAFTS	-	-	-	-	-	-	-	-	-	-
	NAVIGATION EQUIPMENT										
9	OTHER NAVIGATION EQUIPMENT	-	33,425	-	45,425	-	44,425	-	14,000	-	47,425
	UNDERWAY REPLENISHMENT EQUIPMENT										
10	UNDERWAY REPLENISHMENT EQUIPMENT	-	9,120	-	9,120	-	9,120	-	-	-	9,120
	PERISCOPES										
11	SUB PERISCOPES & IMAGING EQUIP	-	18,998	-	18,998	-	18,998	-	-	-	18,998
	OTHER SHIPBOARD EQUIPMENT										
12	FIREFIGHTING EQUIPMENT	-	16,837	-	16,837	-	16,837	-	-	-	16,837
13	COMMAND AND CONTROL SWITCHBOARD	-	10,486	-	10,486	-	10,486	-	-	-	10,486
14	POLLUTION CONTROL EQUIPMENT	-	47,805	-	47,805	-	47,805	-	-	-	47,805
15	SUBMARINE SILENCING EQUIPMENT	-	-	-	-	-	-	-	-	-	-
16	SUBMARINE SUPPORT EQUIPMENT	-	11,419	-	11,419	-	11,419	-	-	-	11,419
17	SUBMARINE BATTERIES	-	12,387	-	12,387	-	12,387	-	-	-	12,387
18	SSN21 CLASS SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
19	STRATEGIC PLATFORM SUPPORT EQUIP	-	6,206	-	6,206	-	6,206	-	-	-	6,206
20	DSSP EQUIPMENT	-	5,356	-	5,356	-	5,356	-	-	-	5,356
21	LCAC	-	3,559	-	3,559	-	3,559	-	-	-	3,559

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
22	MINESWEEPING EQUIPMENT	-	16,589	-	16,589	-	16,589	-	-	-	16,589
23	HM&E ITEMS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
24	ITEMS LESS THAN $5 MILLION	-	58,851	-	60,851	-	63,851	-	4,000	-	62,851
25	SURFACE IMA	-	2,010	-	2,010	-	2,010	-	-	-	2,010
26	MINI/MICROMINI ELECTRONIC REPAIR	-	-	-	-	-	-	-	-	-	-
27	SUBMARINE LIFE SUPPORT SYSTEM	-	4,852	-	4,852	-	4,852	-	-	-	4,852
	REACTOR PLANT EQUIPMENT										
28	REACTOR POWER UNITS	-	-	-	-	-	-	-	-	-	-
29	REACTOR COMPONENTS	-	203,365	-	203,365	-	203,365	-	-	-	203,365
	OCEAN ENGINEERING										
30	DIVING AND SALVAGE EQUIPMENT	-	5,649	-	5,649	-	5,649	-	-	-	5,649
31	EOD UNDERWATER EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	SMALL BOATS										
32	STANDARD BOATS	-	2,696	-	2,696	-	2,696	-	-	-	2,696
	TRAINING EQUIPMENT										
33	OTHER SHIPS TRAINING EQUIPMENT	-	3,302	-	3,302	-	3,302	-	-	-	3,302
	PRODUCTION FACILITIES EQUIPMENT										
34	OPERATING FORCES IPE	-	2,689	-	7,689	-	2,689	-	-	-	2,689
	OTHER SHIP SUPPORT										
35	NUCLEAR ALTERATIONS	-	80,870	-	80,870	-	80,870	-	-	-	80,870
	DRUG INTERDICTION SUPPORT										
36	DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	SHIP RADARS										
37	AN/SPS-49	-	-	-	-	-	-	-	-	-	-
38	RADAR SUPPORT	-	-	-	-	-	8,000	-	14,000	-	14,000
39	TISS	-	-	-	-	-	-	-	-	-	-
	SHIP SONARS										
40	AN/SQQ-89 SURF ASW COMBAT SYSTEM	-	14,291	-	14,291	-	14,291	-	-	-	14,291
41	SSN ACOUSTICS	-	106,647	-	114,647	-	106,647	-	6,000	-	112,647
42	UNDERSEA WARFARE SUPPORT EQUIPMENT	-	847	-	5,847	-	847	-	-	-	847

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
43	SONAR SUPPORT EQUIPMENT	-	-	-	-	-	-	-	5,000	-	5,000
44	SONAR SWITCHES AND TRANSDUCERS	-	10,726	-	10,726	-	10,726	-	-	-	10,726
	ASW ELECTRONIC EQUIPMENT										
45	SUBMARINE ACOUSTIC WARFARE SYSTEM	-	10,697	-	10,697	-	10,697	-	-	-	10,697
46	SSTD	-	-	-	-	-	-	-	-	-	-
47	ACOUSTIC COMMUNICATIONS	-	-	-	-	-	-	-	-	-	-
48	FIXED SURVEILLANCE SYSTEM	-	29,869	-	29,869	-	29,869	-	-	-	29,869
49	SURTASS	-	5,516	-	5,516	-	5,516	-	-	-	5,516
50	ASW OPERATIONS CENTER	-	6,213	-	6,213	-	6,213	-	-	-	6,213
51	CARRIER ASW MODULE	-	-	-	-	-	-	-	-	-	-
	ELECTRONIC WARFARE EQUIPMENT										
52	AN/SLQ-32	-	-	-	-	-	-	-	-	-	-
53	AN/WLR-1	-	-	-	-	-	-	-	-	-	-
54	INFORMATION WARFARE SYSTEMS	-	3,901	-	3,901	-	3,901	-	-	-	3,901
55	C-3 COUNTERMEASURES	-	-	-	-	-	-	-	-	-	-
	RECONNAISSANCE EQUIPMENT										
56	SHIPBOARD IW EXPLOIT	-	61,524	-	61,524	-	61,524	-	(500)	-	61,024
57	COMMON HIGH BANDWIDTH DATA LINK	-	-	-	-	-	-	-	-	-	-
	SUBMARINE SURVEILLANCE EQUIPMENT										
58	AN/WLQ-4	-	-	-	-	-	-	-	-	-	-
59	SUBMARINE SUPPORT EQUIPMENT PROG	-	17,316	-	17,316	-	17,316	-	-	-	17,316
	OTHER SHIP ELECTRONIC EQUIPMENT										
60	NAVY TACTICAL DATA SYSTEM	-	-	-	-	-	-	-	-	-	-
61	COOPERATIVE ENGAGEMENT CAPABILITY	-	15,853	-	15,853	-	15,853	-	-	-	15,853
62	GCCS-M EQUIPMENT AFLOAT	-	37,427	-	37,427	-	37,427	-	-	-	37,427
63	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCS)	-	46,692	-	46,692	-	46,692	-	-	-	46,692
64	ATDLS	-	19,153	-	19,153	-	19,153	-	-	-	19,153
65	MINESWEEPING SYSTEM REPLACEMENT	-	8,989	-	8,989	-	13,989	-	4,000	-	12,989
66	SHALLOW WATER MCM	-	16,863	-	16,863	-	16,863	-	(500)	-	16,363
67	NAVSTAR GPS RECEIVERS (SPACE)	-	9,607	-	9,607	-	9,607	-	-	-	9,607
68	ARMED FORCES RADIO AND TV	-	9,046	-	9,046	-	9,046	-	-	-	9,046

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
69	STRATEGIC PLATFORM SUPPORT EQUIP	-	15,356	-	15,356	-	15,356	-	-	-	15,356
	TRAINING EQUIPMENT										
70	OTHER SPAWAR TRAINING EQUIPMENT	-	1,341	-	1,341	-	1,341	-	-	-	1,341
71	OTHER TRAINING EQUIPMENT	-	21,390	-	25,390	-	21,390	-	4,000	-	25,390
	AVIATION ELECTRONIC EQUIPMENT										
72	MATCALS	-	4,294	-	4,294	-	4,294	-	-	-	4,294
73	SHIPBOARD AIR TRAFFIC CONTROL	-	7,945	-	7,945	-	7,945	-	-	-	7,945
74	AUTOMATIC CARRIER LANDING SYSTEM	-	18,510	-	18,510	-	18,510	-	-	-	18,510
75	NATIONAL AIR SPACE SYSTEM	-	30,549	-	30,549	-	30,549	-	-	-	30,549
76	AIR STATION SUPPORT EQUIPMENT	-	6,705	-	6,705	-	6,705	-	-	-	6,705
77	MICROWAVE LANDING SYSTEM	-	5,124	-	5,124	-	5,124	-	-	-	5,124
78	FACSFAC	-	4,315	-	4,315	-	4,315	-	-	-	4,315
79	ID SYSTEMS	-	14,280	-	14,280	-	14,280	-	-	-	14,280
80	SURFACE IDENTIFICATION SYSTEMS	-	-	-	-	-	-	-	-	-	-
81	TAC A/C MISSION PLANNING SYS(TAMPS)	-	11,980	-	11,980	-	11,980	-	-	-	11,980
	OTHER SHORE ELECTRONIC EQUIPMENT										
82	GCCS-M EQUIPMENT ASHORE	-	-	-	-	-	-	-	-	-	-
83	OSIS EVOLUTIONARY DEVELOPMENT (OED)	-	-	-	-	-	-	-	-	-	-
84	TADIX-B	-	32	-	6,032	-	32	-	6,000	-	6,032
85	NAVAL SPACE SURVEILLANCE SYSTEM	-	2,735	-	2,735	-	2,735	-	-	-	2,735
86	GCCS-M EQUIPMENT TACTICAL/MOBILE	-	-	-	-	-	-	-	-	-	-
87	COMMON IMAGERY GROUND SURFACE SYSTEMS	-	47,022	-	47,022	-	47,022	-	-	-	47,022
88	RADIAC	-	8,308	-	8,308	-	8,308	-	-	-	8,308
89	GPETE	-	7,356	-	7,356	-	7,356	-	-	-	7,356
90	INTEG COMBAT SYSTEM TEST FACILITY	-	4,421	-	4,421	-	4,421	-	-	-	4,421
91	CALIBRATION STANDARDS	-	-	-	-	-	-	-	-	-	-
92	EMI CONTROL INSTRUMENTATION	-	5,378	-	5,378	-	5,378	-	-	-	5,378
93	SHORE ELEC ITEMS UNDER $2 MILLION	-	-	-	-	-	-	-	-	-	-
94	ITEMS LESS THAN $5 MILLION	-	4,889	-	18,889	-	4,889	-	-	-	4,889
	SHIPBOARD COMMUNICATIONS										
95	SHIPBOARD TACTICAL COMMUNICATIONS	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
96	PORTABLE RADIOS	-	-	-	-	-	-	-	-	-	-
97	SINCGARS	-	-	-	-	-	-	-	-	-	-
98	SHIP COMMUNICATIONS AUTOMATION	-	185,143	-	185,143	-	185,143	-	-	-	185,143
99	SHIP COMM ITEMS UNDER $5 MILLION	-	-	-	-	-	-	-	-	-	-
100	INTEGRATED BROADCAST SYSTEM	-	-	-	-	-	-	-	-	-	-
101	COMMUNICATIONS ITEMS UNDER $5M	-	30,909	-	30,909	-	30,909	-	-	-	30,909
	SUBMARINE COMMUNICATIONS										
102	SHORE LF/VLF COMMUNICATIONS	-	31,433	-	31,433	-	31,433	-	-	-	31,433
103	SUBMARINE COMMUNICATION EQUIPMENT	-	77,957	-	77,957	-	77,957	-	-	-	77,957
104	ADVANCED VLF RECEIVER	-	-	-	-	-	-	-	-	-	-
	SATELLITE COMMUNICATIONS										
105	SATCOM SHIP TERMINALS (SPACE)	-	-	-	-	-	-	-	-	-	-
106	SATELLITE COMMUNICATIONS SYSTEMS	-	252,695	-	252,695	-	252,695	-	(25,000)	-	227,695
107	SATCOM SHORE TERMINALS (SPACE)	-	-	-	-	-	-	-	-	-	-
	SHORE COMMUNICATIONS										
108	JCS COMMUNICATIONS EQUIPMENT	-	2,460	-	2,460	-	2,460	-	-	-	2,460
109	NSIPS	-	1,785	-	1,785	-	1,785	-	-	-	1,785
110	JEDMICS	-	-	-	-	-	4,000	-	4,000	-	4,000
111	GCCS EQUIPMENT	-	-	-	-	-	-	-	-	-	-
112	NAVAL SHORE COMMUNICATIONS	-	176,132	-	176,132	-	176,132	-	(10,000)	-	166,132
	CRYPTOGRAPHIC EQUIPMENT										
113	INFO SYSTEMS SECURITY PROGRAM (ISSP)	-	46,563	-	50,563	-	46,563	-	4,000	-	50,563
	CRYPTOLOGIC EQUIPMENT										
114	SPECIAL DCP	-	14,964	-	14,964	-	14,964	-	-	-	14,964
115	CRYPTOLOGIC COMMUNICATIONS EQUIP	-	17,188	-	17,188	-	17,188	-	-	-	17,188
	DRUG INTERDICTION SUPPORT										
116	OTHER DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	AVIATION SUPPORT EQUIPMENT										
	SONOBUOYS										
117	AN/SSQ-36 (BT)	-	-	-	-	-	-	-	-	-	-
118	AN/SSQ-53 (DIFAR)	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
119	PASSIVE SONOBUOYS (NON-BEAM FORMING)	-	-	-	-	-	-	-	3,000	-	3,000
120	AN/SSQ-57 (SPECIAL PURPOSE)	-	-	-	-	-	-	-	-	-	-
121	AN/SSQ-62 (DICASS)	-	-	-	-	-	-	-	3,000	-	3,000
122	AN/SSQ-101 (ADAR)	-	-	-	-	-	-	-	-	-	-
123	SIGNAL, UNDERWATER SOUND (SUS)	-	-	-	-	-	-	-	-	-	-
124	SONOBUOYS - ALL TYPES	-	49,466	-	67,466	-	49,466	-	-	-	49,466
125	MISCELLANEOUS SONOBUOYS LESS THAN $5 M	-	-	-	-	-	-	-	-	-	-
	AIRCRAFT SUPPORT EQUIPMENT										
126	WEAPONS RANGE SUPPORT EQUIPMENT	-	15,125	-	22,625	-	15,125	-	3,600	-	18,725
127	EXPEDITIONARY AIRFIELDS	-	3,304	-	3,304	-	3,304	-	-	-	3,304
128	AIRCRAFT REARMING EQUIPMENT	-	10,676	-	10,676	-	10,676	-	-	-	10,676
129	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	-	36,433	-	36,433	-	36,433	-	-	-	36,433
130	METEOROLOGICAL EQUIPMENT	-	30,860	-	30,860	-	30,860	-	-	-	30,860
131	OTHER PHOTOGRAPHIC EQUIPMENT	-	1,682	-	1,682	-	1,682	-	-	-	1,682
132	AVIATION LIFE SUPPORT	-	20,374	-	30,274	-	30,274	-	6,200	-	26,574
133	AIRBORNE MINE COUNTERMEASURES	-	32,084	-	32,084	-	32,084	-	-	-	32,084
134	REWSON PHOTOGRAPHIC EQUIPMENT	-	-	-	-	-	-	-	-	-	-
135	OTHER AVIATION SUPPORT EQUIPMENT	-	4,928	-	4,928	-	4,928	-	-	-	4,928
	ORDNANCE SUPPORT EQUIPMENT										
	SHIP GUN SYSTEM EQUIPMENT										
136	GUN FIRE CONTROL EQUIPMENT	-	18,287	-	18,287	-	22,287	-	-	-	18,287
	SHIP MISSILE SYSTEMS EQUIPMENT										
137	MK-92 FIRE CONTROL SYSTEM	-	-	-	-	-	-	-	-	-	-
138	TARTAR SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
139	POINT DEFENSE SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
140	NATO SEASPARROW	-	21,716	-	21,716	-	21,716	-	-	-	21,716
141	RAM GMLS	-	37,309	-	37,309	-	37,309	-	(500)	-	36,809
142	SHIP SELF DEFENSE SYSTEM	-	9,352	-	9,352	-	9,352	-	-	-	9,352
143	AEGIS SUPPORT EQUIPMENT	-	36,848	-	36,848	-	19,348	-	(10,000)	-	26,848
144	SURFACE TOMAHAWK SUPPORT EQUIPMENT	-	70,562	-	70,562	-	70,562	-	-	-	70,562
145	SUBMARINE TOMAHAWK SUPPORT EQUIP	-	2,883	-	2,883	-	2,883	-	-	-	2,883

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
146	VERTICAL LAUNCH SYSTEMS	-	6,982	-	6,982	-	6,982	-	-	-	6,982
	FBM SUPPORT EQUIPMENT										
147	STRATEGIC PLATFORM SUPPORT EQUIP	-	2,901	-	2,901	-	2,901	-	-	-	2,901
148	STRATEGIC MISSILE SYSTEMS EQUIP	-	166,619	-	166,619	-	166,619	-	-	-	166,619
149	ANTI-SHIP MISSILE DECOY SYSTEM	-	33,814	-	33,814	-	38,114	-	4,300	-	38,114
	ASW SUPPORT EQUIPMENT										
150	SSN COMBAT CONTROL SYSTEMS	-	20,896	-	20,896	-	20,896	-	(1,300)	-	19,596
151	SUBMARINE ASW SUPPORT EQUIPMENT	-	3,978	-	3,978	-	3,978	-	-	-	3,978
152	SURFACE ASW SUPPORT EQUIPMENT	-	6,269	-	6,269	-	6,269	-	-	-	6,269
153	ASW RANGE SUPPORT EQUIPMENT	-	6,904	-	6,904	-	6,904	-	-	-	6,904
	OTHER ORDNANCE SUPPORT EQUIPMENT										
154	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	-	7,525	-	7,525	-	7,525	-	-	-	7,525
155	UNMANNED SEABORNE TARGET	-	-	-	-	-	-	-	-	-	-
156	INDUSTRIAL FACILITIES (CALIBRATION EQUIPMENT)	-	-	-	-	-	-	-	-	-	-
157	ITEMS LESS THAN $5 MILLION	-	5,613	-	5,613	-	5,613	-	-	-	5,613
158	STOCK SURVEILLANCE EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	OTHER EXPENDABLE ORDNANCE										
159	FLEET MINE SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
160	SURFACE TRAINING DEVICE MODS	-	7,941	-	7,941	-	7,941	-	-	-	7,941
161	SUBMARINE TRAINING DEVICE MODS	-	31,557	-	31,557	-	31,557	-	-	-	31,557
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
	CIVIL ENGINEERING SUPPORT EQUIPMENT										
162	ARMORED SEDANS	1	197	1	197	1	197	(1)	(197)	-	-
163	PASSENGER CARRYING VEHICLES	3	94	3	94	3	94	(1)	(34)	2	60
164	SPECIAL PURPOSE VEHICLES	-	-	-	-	-	-	-	-	-	-
165	GENERAL PURPOSE TRUCKS	-	1,004	-	1,004	-	1,004	-	-	-	1,004
166	CONSTRUCTION & MAINTENANCE EQUIP	-	6,238	-	6,238	-	6,238	-	-	-	6,238
167	FIRE FIGHTING EQUIPMENT	-	2,477	-	2,477	-	2,477	-	-	-	2,477
168	TACTICAL VEHICLES	-	10,458	-	10,458	-	20,458	-	10,000	-	20,458
169	AMPHIBIOUS EQUIPMENT	-	51,615	-	51,615	-	51,615	-	-	-	51,615
170	COMBAT CONSTRUCTION SUPPORT EQUIP	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
171	MOBILE UTILITIES SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
172	OCEAN CONSTRUCTION EQUIPMENT	-	-	-	-	-	-	-	-	-	-
173	POLLUTION CONTROL EQUIPMENT	-	22,154	-	22,154	-	22,154	-	-	-	22,154
174	ITEMS UNDER $5 MILLION	-	3,433	-	3,433	-	3,433	-	-	-	3,433
	SUPPLY SUPPORT EQUIPMENT										
	SUPPLY SUPPORT EQUIPMENT										
175	MATERIALS HANDLING EQUIPMENT	-	7,646	-	7,646	-	7,646	-	-	-	7,646
176	OTHER SUPPLY SUPPORT EQUIPMENT	-	5,196	-	5,196	-	5,196	-	-	-	5,196
177	FIRST DESTINATION TRANSPORTATION	-	4,081	-	4,081	-	4,081	-	-	-	4,081
178	SPECIAL PURPOSE SUPPLY SYSTEMS	-	144,885	-	144,885	-	144,885	-	-	-	144,885
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT										
	TRAINING DEVICES										
179	TRAINING SUPPORT EQUIPMENT	-	1,562	-	1,562	-	1,562	-	-	-	1,562
180	COMMAND SUPPORT EQUIPMENT	-	15,592	-	15,592	-	15,592	-	-	-	15,592
181	EDUCATION SUPPORT EQUIPMENT	-	2,076	-	4,076	-	2,076	-	2,000	-	4,076
182	MEDICAL SUPPORT EQUIPMENT	-	7,386	-	7,386	-	7,386	-	-	-	7,386
183	INTELLIGENCE SUPPORT EQUIPMENT	-	15,993	-	15,993	-	15,993	-	-	-	15,993
184	OPERATING FORCES SUPPORT EQUIPMENT	-	25,003	-	25,003	-	25,003	-	-	-	25,003
185	ENVIRONMENTAL SUPPORT EQUIPMENT	-	22,247	-	22,247	-	22,247	-	(3,000)	-	19,247
186	PHYSICAL SECURITY EQUIPMENT	-	9,629	-	9,629	-	9,629	-	-	-	9,629
	OTHER										
187	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
188	SPARES AND REPAIR PARTS	-	208,941	-	208,941	-	208,941	-	-	-	208,941
	TOTAL, OTHER PROCUREMENT, NAVY		3,334,611		3,432,011		3,378,311		46,069		3,380,680

Surveillance and security for military sealift ships

The budget request included no funding for thermal imaging surveillance and security for military sealift ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million for thermal imaging surveillance and security procurement and installation on Military Sealift Command (MSC) ships.

The conferees agree to authorize an increase of $4.0 million for thermal imaging surveillance and security procurement and installation on MSC ships.

AN/WSN–7 inertial navigation system

The budget request included $7.3 million for procurement of AN/WSN–7 ring laser inertial navigation systems.

The House bill would authorize an increase of $12.0 million for AN/WSN–7 navigation sets.

The Senate amendment would authorize an increase of $7.0 million for the procurement and installation of additional AN/WSN–7 navigation sets.

The conferees agree to authorize an increase of $10.0 million for the procurement and installation of additional AN/WSN–7 navigation sets.

Integrated condition assessment system

The budget request included $11.3 million for the integrated condition assessment system (ICAS) for ships. The ICAS is a system that electronically monitors the operating parameters of machinery and electronic systems, thus reducing man-hours spent taking readings on equipment.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million for procurement and installation of ICAS equipment for surface ships.

The conferees agree to authorize an increase of $4.0 million for procurement and installation of ICAS equipment for surface ships.

AN/SPS–73(V) surface search radar

The budget request included no funding for procurement and installation of AN/SPS–73(V) surface search radars which would replace a number of aging radars on surface ships with one radar.

The House bill would authorize an increase of $14.0 million for the procurement and installation of AN/SPS–73(V) radars.

The Senate amendment would authorize an increase of $8.0 million for the procurement and installation of AN/SPS–73(V) radars.

The conferees agree to authorize an increase of $14.0 million for the procurement and installation of AN/SPS–73(V) radars.

Nuclear attack submarine acoustics

The budget request included $106.6 million for nuclear attack submarine (SSN) acoustics but included no funding for the refurbishment and upgrade of TB–23 submarine towed arrays.

The House bill would authorize an increase of $8.0 million to sustain the TB–23 array refurbishment and upgrade program.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for the TB–23 array refurbishment and upgrades.

Conferees note that the Navy intends to upgrade all submarine towed acoustics arrays with the TB–29A array beginning in fiscal year 2002 but at a rate that will require the TB–23 array to remain in service for at least the next decade.

Sonar support equipment

The budget request included no funding for sonar support equipment and included no funding for surface sonar windows and domes.

The House bill would authorize an increase of $5.0 million in undersea warfare support equipment to complete development of production tooling and fabrication of the first production sonar dome with a new material system.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.0 million for completing development and validation of a new sonar dome material fabrication process including production tooling and fabrication of the first production sonar dome.

Shipboard indications and warnings exploit

The budget request included $61.5 million for shipboard equipment to exploit indications and warnings (IW) from sources outside the ship.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for shipboard IW exploit due to recent contract savings.

Side-scanning sonar for forward deployed minesweepers

The budget request included no funding for side-scanning sonar for forward deployed minesweepers.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million for the procurement and installation of a side-scanning sonar in a forward deployed minesweeper to enhance the ability to detect and classify bottom mines.

The conferees agree to authorize an increase of $4.0 million for the procurement and installation of a commercial off-the-shelf side-scanning sonar in a forward deployed minesweeper.

Shallow water mine countermeasures

The budget request included $16.9 million for shallow water mine countermeasures equipment.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for shallow water mine countermeasures due to recent contract savings.

Other training equipment

The budget request included $21.4 million for other training equipment, including $16.4 million for the procurement of equipment to support battle force tactical training (BFTT) programs.

The House bill would authorize an increase of $4.0 million to upgrade the BFTT system in order to provide an air traffic control (ATC) training capability for aircraft carrier crews.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.0 million to upgrade the BFTT system for ATC training aboard aircraft carriers.

Joint tactical terminal

The budget request included $32,000 for program support for tactical terminals including the joint tactical terminal (JTT).

The House bill would authorize an increase of $6.0 million for procurement and installation of additional JTT.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million for procurement and installation of additional JTT.

Joint engineering data management and information control system

The budget request included no funding for the joint engineering data management and information control system (JEDMICS), the designated Department of Defense standard system for management, control and storage of engineering drawings.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.0 million for procurement, integration and accreditation surveys to ensure JEDMICS is fully compliant with the joint technical data environment.

The conferees agree to authorize an increase of $4.0 million for procurement, integration and accreditation surveys to ensure JEDMICS is fully compliant with the joint technical data environment.

The conferees note that this system is designed as an open, client-server architecture and is nearing full deployment for global access to the data in its repositories. However, the JEDMICS data available is not fully accessible to all clients using the joint technical data environment.

Naval shore communications equipment

The budget request included $176.1 million for procurement and installation of naval shore communications equipment.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $10.0 million for naval shore communications equipment as a result of budgeting for redundant systems.

Sonobuoys

The budget request included $49.5 million for the procurement of sonobuoys, including AN/SSQ–36, AN/SSQ–53E, AN/SSQ–57, AN/SSQ–62E, AN/SSQ–77, AN/SSQ–101, and Signal Underwater Sound (SUS) buoys.

The House bill would authorize an increase of $18.0 million to address the sonobuoy shortfall, including $3.0 million for the AN/SSQ–53E, $5.0 million for the AN/SSQ–62E, and $10.0 million for the AN/SSQ–77.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for non-beam forming passive sonobuoys and an increase of $3.0 million for the AN/SSQ–62 (DICASS) sonobuoy.

Weapons range support equipment

The budget request included $15.1 million for weapons range support equipment, including $2.7 million for procurement of ten underwater acoustic telemetry modems, $1.2 million for a Gulf of Mexico portable mine warfare range, and no funding to procure mobile remote emitter simulator (MRES) systems.

The House bill would authorize an increase of $7.5 million for the procurement and installation of one MRES system.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $7.5 million for MRES, a decrease of $2.7 million for underwater acoustic telemetry modems, and a decrease of $1.2 million for Gulf of Mexico mine warfare range.

Rolling airframe guided missile launcher

The budget request included $37.3 million for procurement and installation of rolling airframe (RAM) guided missile launchers.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $500,000 for procurement and installation of RAM launchers as a result of recent contract savings.

Cruiser smart ship

The budget request included $47.9 million for programs referred to as ''smart ship'' programs. Of this amount, $22.5 million would be for smart ship equipment procurement and logistics for *Ticonderoga*-class cruisers.

The House bill would authorize the budget request.

The Senate bill would authorize a decrease of $17.5 million for procurement of smart ship equipment.

The conferees agree to authorize a decrease of $10.0 million for procurement of smart ship equipment.

NULKA anti-ship missile decoy system

The budget request included $33.8 million for procurement and installation of the NULKA anti-ship missile decoy program.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $4.3 million for the procurement of NULKA launcher systems and decoys to outfit the fleet with this key self-defense equipment and an increase of $4.3 million in the Navy operations and maintenance account for critical training on the NULKA system.

The conferees agree to authorize an increase of $4.3 million for the procurement of NULKA launcher systems and decoys and an increase of $4.3 million in the Navy operations and maintenance account for critical training on the NULKA system, a proven decoy for anti-ship missiles.

SSN combat control systems

The budget request included $20.9 million nuclear fast attack submarine (SSN) combat control systems.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $1.3 million for AN/BSG–1 weapons launching system as a result of an operational testing delay.

Civil engineering support equipment

The budget request included $10.5 million for light and medium duty tactical equipment used mostly by the Naval Construction Force (NCF), Maritime Prepositioning Force (MPF), Naval Beach Group (NBG), and other special operating units.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $10.0 million for the procurement of civil engineering support equipment for the NCF.

The conferees agree to authorize an increase of $10.0 million for the procurement of civil engineering support equipment for the NCF.

Education support equipment

The budget request included $2.1 million for the virtual recruiting program which utilizes computer-based recruiting kiosks.

The House bill would authorize an increase of $2.0 million for procurement of 150 armed forces recruiting kiosks.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.0 million for procurement of 150 armed forces recruiting kiosks.

Overview

The budget request for fiscal year 2001 included an authorization of $1,171.9 million for Marine Corps Procurement, Navy in the Department of Defense.

The House bill would authorize $1,254.7 million.

The Senate amendment would authorize $1,191.0 million.

The conferees recommended an authorization of $1,212.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT, MARINE CORPS										
	WEAPONS AND COMBAT VEHICLES										
	TRACKED COMBAT VEHICLES										
1	AAV7A1 PIP	170	83,372	170	83,372	170	83,372	-	-	170	83,372
2	RAPID ACQUISITION PROGRAM	-	4,930	-	4,930	-	4,930	-	(4,930)	-	-
3	LAV PIP	-	1,709	-	1,709	-	1,709	-	-	-	1,709
4	IMPROVED RECOVERY VEHICLE (IRV)	16	42,623	21	57,123	16	42,623	-	-	16	42,623
5	MODIFICATION KITS (TRKD VEH)	-	20,815	-	20,815	-	20,815	-	-	-	20,815
6	ITEMS UNDER $2M (TRKD VEH)	-	-	-	-	-	-	-	-	-	-
	ARTILLERY AND OTHER WEAPONS										
7	MOD KITS (ARTILLERY)	-	3,891	-	3,891	-	3,891	-	-	-	3,891
8	ITEMS UNDER $2M (ALL OTHER)	-	-	-	-	-	-	-	-	-	-
9	MARINE ENHANCEMENT PROGRAM	-	6,413	-	6,413	-	6,413	-	-	-	6,413
10	WEAPONS AND COMBAT VEHICLES UNDER $5 M	-	415	-	415	-	415	-	-	-	415
	WEAPONS										
11	155MM LIGHTWEIGHT TOWED HOWITZER	-	11,105	-	11,105	-	11,105	-	-	-	11,105
	OTHER SUPPORT										
12	OPERATIONS OTHER THAN WAR	-	1,347	-	1,347	-	1,347	-	-	-	1,347
	GUIDED MISSILES AND EQUIPMENT										
	GUIDED MISSILES										
13	EADS MOD	-	-	-	-	-	-	-	-	-	-
14	JAVELIN (MYP)	293	29,119	293	29,119	293	29,119	-	-	293	29,119
14	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
15	PEDESTAL MOUNTED STINGER (PMS)	-	10,550	-	10,550	-	10,550	-	-	-	10,550
16	ITEMS UNDER $5 MILLION	-	949	-	949	-	949	-	-	-	949
17	PREDATOR (SRAW)	698	43,355	698	43,355	698	43,355	-	-	698	43,355
	OTHER SUPPORT										
18	MODIFICATION KITS	-	3,598	-	3,598	-	3,598	-	-	-	3,598
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT										
	REPAIR AND TEST EQUIPMENT										
19	AUTO TEST EQUIP SYS	-	4,714	-	4,714	-	4,714	-	-	-	4,714

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
20	GENERAL PURPOSE ELECTRONIC TEST EQUIP.	-	8,241	-	8,241	-	8,241	-	-	-	8,241
	INTELL/COMM EQUIPMENT (NON-TEL)										
21	AN/TPQ-36 FIRE FINDER RADAR UPGRADE	-	-	-	-	-	-	-	-	-	-
22	INTELLIGENCE SUPPORT EQUIPMENT	-	11,960	-	11,960	-	17,960	-	-	-	11,960
23	MOD KITS (INTEL)	-	5,041	-	13,541	-	5,041	-	-	-	5,041
24	ITEMS UNDER $5 MILLION (INTELL)	-	402	-	402	-	402	-	-	-	402
25	ITEMS LESS THAN $2M (INTELL)	-	-	-	-	-	-	-	-	-	-
	REPAIR AND TEST EQUIPMENT (NON-TEL)										
26	GENERAL PURPOSE MECHANICAL TMDE	-	4,676	-	4,676	-	4,676	-	-	-	4,676
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)										
27	NIGHT VISION EQUIPMENT	-	14,351	-	14,351	-	19,051	-	4,000	-	18,351
	OTHER SUPPORT (NON-TEL)										
28	ITEMS UNDER $5 MILLION (COMM & ELEC)	-	8,320	-	8,320	-	8,320	-	-	-	8,320
29	COMMON COMPUTER RESOURCES	-	80,656	-	80,656	-	80,656	-	-	-	80,656
30	COMMAND POST SYSTEMS	-	9,507	-	11,507	-	9,507	-	-	-	9,507
31	MANEUVER C2 SYSTEMS	-	-	-	-	-	-	-	-	-	-
32	RADIO SYSTEMS	-	3,097	-	15,097	-	9,497	-	13,400	-	16,497
33	COMM SWITCHING & CONTROL SYSTEMS	-	3,152	-	3,152	-	3,152	-	-	-	3,152
34	COMM & ELEC INFRASTRUCTURE SUPPORT	-	80,564	-	80,564	-	80,564	-	2,000	-	82,564
35	MOD KITS MAGTF C41	-	7,484	-	7,484	-	7,484	-	-	-	7,484
36	ITEMS < $2M MAGTF C41	-	-	-	-	-	-	-	-	-	-
37	ITEMS < $2M (OTHER)	-	-	-	-	-	-	-	-	-	-
38	AIR OPERATIONS C2 SYSTEMS	-	3,152	-	3,152	-	3,152	-	-	-	3,152
39	INTELLIGENCE C2 SYSTEMS	-	14,666	-	14,666	-	14,666	-	-	-	14,666
40	FIRE SUPPORT SYSTEM	-	12,343	-	12,343	-	12,343	-	-	-	12,343
	SUPPORT VEHICLES										
	ADMINISTRATIVE VEHICLES										
41	COMMERCIAL PASSENGER VEHICLES	33	1,397	33	1,397	33	1,397	(15)	(737)	18	660
42	COMMERCIAL CARGO VEHICLES	-	23,368	-	23,368	-	23,368	-	-	-	23,368
	TACTICAL VEHICLES										
43	5/4T TRUCK HMMWV (MYP)	1,859	124,448	1,859	147,448	1,859	126,448	-	15,000	1,859	139,448

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
44	MEDIUM TACTICAL VEHICLE REPLACEMENT (MYP)	2,027	325,582	2,027	325,582	2,027	325,582	-	-	2,027	325,582
45	LT TACTICAL VEHICLE REPLACEMENT(LTVR)	-	-	-	-	-	-	-	-	-	-
46	LOGISTICS VEHICLE SYSTEM REP	-	-	-	-	-	-	-	-	-	-
	OTHER SUPPORT										
47	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
48	ITEMS LESS THAN $5 MILLION	-	12,684	-	12,684	-	12,684	-	-	-	12,684
	ENGINEER AND OTHER EQUIPMENT										
	ENGINEER AND OTHER EQUIPMENT										
49	ENVIRONMENTAL CONTROL EQUIP ASSORT	-	3,809	-	3,809	-	3,809	-	-	-	3,809
50	BULK LIQUID EQUIPMENT	-	2,704	-	2,704	-	2,704	-	-	-	2,704
51	TACTICAL FUEL SYSTEMS	-	7,651	-	7,651	-	7,651	-	-	-	7,651
52	DEMOLITION SUPPORT SYSTEMS	-	655	-	655	-	655	-	-	-	655
53	POWER EQUIPMENT ASSORTED	-	9,325	-	9,325	-	9,325	-	-	-	9,325
54	SHOP EQ CONTACT MAINTENANCE (SECM)	-	-	-	-	-	-	-	-	-	-
55	CANCELLED ACCOUNT ADJUSTMENT (M)	-	-	-	-	-	-	-	-	-	-
	MATERIALS HANDLING EQUIPMENT										
56	COMMAND SUPPORT EQUIPMENT	-	-	-	-	-	-	-	-	-	-
57	AMPHIBIOUS RAID EQUIPMENT	-	-	-	-	-	-	-	-	-	-
58	PHYSICAL SECURITY EQUIPMENT	-	5,317	-	5,317	-	5,317	-	-	-	5,317
59	GARRISON MOBILE ENGR EQUIP	-	5,741	-	5,741	-	5,741	-	-	-	5,741
60	WAREHOUSE MODERNIZATION	-	-	-	-	-	-	-	-	-	-
61	MATERIAL HANDLING EQUIP	-	36,311	-	48,411	-	36,311	-	12,100	-	48,411
62	FIRST DESTINATION TRANSPORTATION	-	5,846	-	5,846	-	5,846	-	-	-	5,846
	GENERAL PROPERTY										
63	FIELD MEDICAL EQUIPMENT	-	1,914	-	1,914	-	1,914	-	-	-	1,914
64	TRAINING DEVICES	-	30,791	-	39,491	-	30,791	-	-	-	30,791
65	CONTAINER FAMILY	-	6,902	-	6,902	-	6,902	-	-	-	6,902
	OTHER SUPPORT										
66	MODIFICATION KITS	-	-	-	-	-	-	-	-	-	-
67	ITEMS LESS THAN $2 MIL	-	-	-	-	-	-	-	-	-	-
68	ITEMS LESS THAN $5 MILLION	-	5,591	-	7,591	-	5,591	-	-	-	5,591

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
69	CANCELLED ACCOUNT ADJUSTMENT (M)	-	-	-	-	-	-	-	-	-	-
	SPARES AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
70	SPARES AND REPAIR PARTS	-	25,382	-	25,382	-	25,382	-	-	-	25,382
	TOTAL, PROCUREMENT, MARINE CORPS		1,171,935		1,254,735		1,191,035		40,833		1,212,768

Communications and electronic infrastructure support

The budget request included $80.6 million for Marine Corps communications and electronic infrastructure support requirements.

The House bill would authorize an increase of $2.0 million for common end-user equipment requirements for the Marine Corps Reserve in another line.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.0 million for common end-user equipment requirements for the Marine Corps Reserve, a total authorization of $82.6 million for communications and electronic infrastructure support.

Night vision equipment

The budget request included $14.4 million for Marine Corps night vision equipment.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $2.7 million for improved night/day fire-control observation devices (INOD) for Marine Corps ground forces and an increase of $2.0 million to procure M203 tilting brackets.

The conferees agree to authorize an increase of $2.0 million for INOD systems to support improvements to Marine Corps fire control requirements and an increase of $2.0 million for M203 tilting brackets.

Radio systems

The budget request included $3.1 million for Marine Corps radio system requirements.

The House bill would authorize an increase of $12.0 million for tactical handheld radios.

The Senate amendment would authorize an increase of $6.4 million for additional enhanced position location reporting system (EPLRS) equipment.

The conferees agree to authorize an increase of $13.4 million for a total authorization of $16.5 million. Of this amount, $7.0 million is for tactical handheld radio requirements and $6.4 million is for EPLRS.

5/4 ton truck high mobility multipurpose wheeled vehicles

The budget request included $124.4 million for Marine Corps high mobility multipurpose wheeled vehicles (HMMWV).

The House bill would authorize an increase of $23.0 million for HMMWVA2 vehicles.

The Senate amendment would authorize an increase of $2.0 million for additional HMMWV's necessary to field recruiter vehicle requirements.

The conferees agree to authorize an increase of $15.0 million for HMMWVA2 vehicles for the Marine Corps.

Material handling equipment

The budget request included $36.3 million for material handling equipment requirements.

The House bill would authorize an increase of $12.1 million for D–7G bulldozer and scraper remanufacture requirements.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $12.1 million for D–7G bulldozer and scraper remanufacture requirements.

Overview

The budget request for fiscal year 2001 included an authorization of $9,539.6 million for Aircraft Procurement, Air Force in the Department of Defense.

The House bill would authorize $10,267.2 million.

The Senate amendment would authorize $9,966.3 million.

The conferees recommended an authorization of $9,923.9 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT PROCUREMENT, AIR FORCE										
	COMBAT AIRCRAFT										
	TACTICAL FORCES										
1	F-22 RAPTOR	10	2,428,637	10	2,428,637	10	2,428,637	-	-	10	2,428,637
1	LESS: ADVANCE PROCUREMENT (PY)	-	(278,755)	-	(278,755)	-	(278,755)	-	-	-	(278,755)
2	ADVANCE PROCUREMENT (CY)	-	396,222	-	396,222	-	396,222	-	-	-	396,222
3	F-15A	-	24,290	2	174,090	-	24,290	2	149,800	2	174,090
3	LESS: ADVANCE PROCUREMENT (PY)	-	(24,290)	-	(24,290)	-	(24,290)	-	-	-	(24,290)
4	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
5	F-16 C/D (MYP)	-	23,317	3	75,017	-	23,317	2	51,700	2	75,017
5	LESS: ADVANCE PROCUREMENT (PY)	-	(23,317)	-	(23,317)	-	(23,317)	-	-	-	(23,317)
6	ADVANCE PROCUREMENT (CY)	-	-	-	-	-	-	-	-	-	-
	AIRLIFT AIRCRAFT										
	TACTICAL AIRLIFT										
7	C-17 (MYP)	12	2,555,223	12	2,581,123	12	2,555,223	-	(41,000)	12	2,514,223
7	LESS: ADVANCE PROCUREMENT (PY)	-	(343,300)	-	(343,300)	-	(343,300)	-	-	-	(343,300)
8	ADVANCE PROCUREMENT (CY)	-	266,800	-	266,800	-	266,800	-	(9,000)	-	257,800
9	C-17 ICS	-	412,200	-	412,200	-	412,200	-	-	-	412,200
	OTHER AIRLIFT										
10	WC-130	-	-	-	-	-	-	-	-	-	-
11	EC-130J	-	-	-	-	1	90,000	1	90,000	1	90,000
12	C-130H	-	-	-	-	-	-	-	-	-	-
13	C-130J	2	208,051	2	208,051	2	208,051	-	-	2	208,051
	TRAINER AIRCRAFT										
	OPERATIONAL TRAINERS										
14	JPATS	27	113,825	27	113,825	34	132,725	7	18,900	34	132,725
	OTHER AIRCRAFT										
	HELICOPTERS										
15	V-22 OSPREY	4	355,681	4	355,681	4	355,681	-	-	4	355,681
15	LESS: ADVANCE PROCUREMENT (PY)	-	(19,915)	-	(19,915)	-	(19,915)	-	-	-	(19,915)
16	ADVANCE PROCUREMENT (CY)	-	27,209	-	27,209	-	27,209	-	(4,535)	-	22,674

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSION SUPPORT AIRCRAFT										
17	SMALL VCX	-	-	-	-	-	-	-	-	-	-
18	C-32A	-	-	-	-	-	-	-	-	-	-
19	C-32B FEST/DEST AIRCRAFT	-	-	-	-	-	-	-	-	-	-
20	CIVIL AIR PATROL A/C	27	2,548	27	2,548	27	2,548	-	-	27	2,548
21	OPERATIONAL SUPPORT AIRCRAFT	-	-	-	-	-	-	-	-	-	-
	OTHER AIRCRAFT										
22	TARGET DRONES	-	32,915	-	32,915	-	32,915	-	-	-	32,915
23	E-8C	1	296,342	1	296,342	1	296,342	-	(10,000)	1	286,342
23	LESS: ADVANCE PROCUREMENT (PY)	-	(35,732)	-	(35,732)	-	(35,732)	-	-	-	(35,732)
24	ADVANCE PROCUREMENT (CY)	-	-	-	40,000	-	46,000	-	46,000	-	46,000
25	E-8C ICS	-	-	-	-	-	-	-	-	-	-
26	HAEUAV	-	22,388	-	22,388	-	-	-	-	-	22,388
27	PREDATOR UAV	7	22,078	7	34,078	7	22,078	-	10,000	7	32,078
	MODIFICATION OF INSERVICE AIRCRAFT										
	STRATEGIC AIRCRAFT										
28	B-2A	-	21,723	-	21,723	-	21,723	-	-	-	21,723
29	B-1B	-	48,793	-	48,793	-	48,793	-	-	-	48,793
30	B-52	-	8,425	-	8,425	-	20,425	-	9,000	-	17,425
31	F-117	-	32,005	-	32,005	-	32,005	-	-	-	32,005
	TACTICAL AIRCRAFT										
32	A-10	-	33,891	-	49,291	-	45,091	-	6,800	-	40,691
33	F-15	-	258,247	-	358,247	-	333,147	-	51,950	-	310,197
34	F-16	-	248,830	-	298,130	-	368,330	-	56,700	-	305,530
35	T/AT-37	-	83	-	83	-	83	-	-	-	83
	AIRLIFT AIRCRAFT										
36	C-5	-	95,401	-	95,401	-	95,401	-	-	-	95,401
37	C-9	-	3,271	-	3,271	-	3,271	-	-	-	3,271
38	C-17A	-	97,124	-	97,124	-	123,524	-	-	-	97,124
39	C-21	-	1,883	-	1,883	-	1,883	-	-	-	1,883
40	C-22	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
41	C-32A	-	23,568	-	23,568	-	23,568	-	(18,000)	-	5,568
42	C-37A	-	376	-	376	-	376	-	-	-	376
43	C-141	-	737	-	737	-	737			-	737
	TRAINER AIRCRAFT										
44	T-1	-	-	-	-	-	-	-	-	-	-
45	T-3 (EFS) AIRCRAFT	-	1,949	-	-	-	1,949	-	(1,949)	-	-
46	T-38	-	120,520	-	120,520	-	120,520	-	-	-	120,520
47	T-41 AIRCRAFT	-	89	-	89	-	89	-	-	-	89
48	T-43	-	4,929	-	4,929	-	4,929	-	-	-	4,929
	OTHER AIRCRAFT										
49	KC-10A (ATCA)	-	55,370	-	55,370	-	55,370	-	-	-	55,370
50	C-12	-	1,521	-	1,521	-	1,521	-	-	-	1,521
51	C-18	-	345	-	345	-	345	-	-	-	345
52	C-20 MODS	-	5,235	-	5,235	-	5,235	-	-	-	5,235
53	VC-25A MOD	-	98	-	98	-	98	-	-	-	98
54	C-130	-	91,524	-	107,524	-	91,524	-	-	-	91,524
55	C-135	-	328,232	-	386,232	-	328,232	-	52,000	-	380,232
56	DARP	-	165,540	-	243,740	-	168,540	-	(13,264)	-	152,276
57	E-3	-	88,654	-	88,654	-	88,654	-	-	-	88,654
58	E-4	-	31,559	-	29,859	-	31,559	-	-	-	31,559
59	E-8	-	33,389	-	33,389	-	33,389	-	-	-	33,389
60	H-1	-	3,535	-	3,535	-	3,535	-	-	-	3,535
61	H-60	-	23,648	-	23,648	-	23,648	-	-	-	23,648
62	OTHER AIRCRAFT	-	28,214	-	35,214	-	28,214	-	5,500	-	33,714
63	PREDATOR MODS	-	-	-	-	-	-	-	-	-	-
	OTHER MODIFICATIONS										
64	CLASSIFIED PROJECTS	-	16,729	-	16,729	-	16,729	-	-	-	16,729
	AIRCRAFT NAVIGATIONAL AND PASSENGER SAFETY EQUIPMENT			-	20,000						
	AIRCRAFT SPARES AND REPAIR PARTS										
	AIRCRAFT SPARES + REPAIR PARTS										
65	AIRCRAFT SPARES/REPAIR PARTS	-	356,856	-	356,856	-	356,856	-	-	-	356,856

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES										
	COMMON SUPPORT EQUIPMENT										
66	AIRCRAFT SUPPORT EQ & FACILITIES	-	177,943	-	175,943	-	177,943	-	-	-	177,943
	POST PRODUCTION SUPPORT										
67	A-10	-	-	-	-	-	-	-	-	-	-
68	B-2A	-	18,603	-	18,603	-	18,603	-	-	-	18,603
69	B-2B	-	42,700	-	42,700	-	42,700	-	-	-	42,700
70	C-5	-	-	-	-	-	-	-	-	-	-
71	C-130	-	1,365	-	25,065	-	1,365	-	-	-	1,365
72	E-4	-	1,463	-	1,463	-	1,463	-	-	-	1,463
73	F-15 POST PRODUCTION SUPPORT	-	7,267	-	7,267	-	7,267	-	-	-	7,267
74	F-16 POST PRODUCTION SUPPORT	-	25,464	-	49,464	-	25,464	-	6,000	-	31,464
	INDUSTRIAL PREPAREDNESS										
75	INDUSTRIAL PREPAREDNESS	-	25,352	-	24,352	-	25,352	-	-	-	25,352
	WAR CONSUMABLES										
76	WAR CONSUMABLES	-	43,015	-	43,015	-	87,115	-	15,000	-	58,015
	OTHER PRODUCTION CHARGES										
77	MISC PRODUCTION CHARGES	-	398,474	-	431,474	-	426,274	-	-	-	398,474
	COMMON ECM EQUIPMENT										
78	COMMON ECM EQUIPMENT	-	4,836	-	4,836	-	4,836	-	-	-	4,836
	OTHER PRODUCTION CHARGES - SOF										
79	CANCELLED ACCOUNT PY ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	DARP										
80	DARP	-	98,410	-	128,610	-	106,410	-	(87,336)	-	11,074
	ECONOMIC ADJUSTMENT						(32,743)			-	-
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE		9,539,602		10,267,153		9,966,271		384,266		9,923,868

F–16C aircraft

The budget request included no funding for the procurement of F–16C aircraft.

The House bill would authorize an increase of $51.7 million for the procurement of three block 50/52 F–16C aircraft, and would require the Department to combine $24.0 million of advance procurement funds appropriated in fiscal year 2000 for this purpose. The House report accompanying H.R. 4205 (H. Rept. 106–616) directed the Secretary of the Air Force to assign block 40 or later F–16 aircraft to Air National Guard fighter units whose capabilities have been downgraded as a result of the substitution of older block F–16 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $51.7 million for the procurement of two F–16 block 50/52 aircraft, recognizing that the fiscal year 2000 funds were rescinded. The conferees agree to accept the Air Force proposal to upgrade the capability of Air National Guard fighter units, whose capabilities have been downgraded, with F–16C block 30 or better aircraft equipped with advanced targeting pods. The conferees understand that these advanced targeting pods are necessary to enable the aircraft to accomplish precision strike missions. The conferees expect the Air Force will provide an adequate number of these advanced targeting pods for Air National Guard units to support peacetime training and, when tasked, operational deployments.

C–17 aircraft

The budget request included $2.212 billion for the procurement of 12 C–17 aircraft under a multi-year program.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $41.0 million in response to an Air Force request for transfer to advance procurement, a total authorization of $2.171 billion.

C–17 advance procurement

The budget request included $266.8 million for advance procurement for the C–17 multi-year program.

The House bill and the Senate amendment would authorize the budget request.

The conferees agree to authorize a decrease of $9.0 million, as follows:

(1) an increase of $41.0 million transferred from the C–17 aircraft program; and

(2) a decrease of $50.0 million due to a revision of advance procurement funding requirements.

EC–130J aircraft

The budget request included no funding for the procurement of the EC–130J aircraft.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $90.0 million for the procurement of one EC–130J aircraft.

The conferees agree to authorize $90.0 million for the procurement of one EC–130J aircraft. The conferees expect the Department of the Air Force to utilize these funds in the most effective manner for EC–130 fleet modernization in the event that EC–130J procurement contract savings for this aircraft materialize.

B–52 aircraft modifications

The budget request included $8.4 million for modifications to the B–52 aircraft.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $12.0 million for improved electronic countermeasures.

The conferees agree to authorize an increase of $9.0 million for improved electronic countermeasures for the B–52 aircraft, a total authorization of $17.4 million.

A–10 aircraft integrated flight and fire control computer

The budget request included $33.9 million for modifications to the A–10 aircraft, but included no funding for procurement of the integrated flight and fire control computer (IFFCC).

The House bill would authorize an increase of $6.8 million for IFFCCs and an increase of $8.6 million for situational awareness data link (SADL) upgrades for Air National Guard aircraft, a total increase of $15.4 million.

The Senate amendment would authorize an increase of $11.2 million for the procurement of IFFCCs.

The conferees agree to authorize an increase of $6.8 million for A–10 IFFCCs, a total authorization of $40.7 million.

F–15 modifications

The budget request included $258.2 million for F–15 modifications.

The House bill would authorize an increase of $100.0 million for F–15 modifications, as follows:

(1) an increase of $70.0 million for upgrading F–15 engines from the F100–PW–100 to the F100–PW–220E configuration for the Air National Guard; and

(2) an increase of $30.0 million to integrate the BOL countermeasure dispenser system on Air National Guard (ANG) F–15A and F–15B aircraft.

The Senate amendment would authorize an increase of $74.9 million, as follows:

(1) an increase of $48.0 million for additional F–15 engine upgrades; and

(2) an increase of $26.9 million for the procurement of BOL systems and countermeasures for the F–15 aircraft.

The conferees agree to authorize an increase of $52.0 million for F–15 modifications, as follows:

(1) an increase of $36.0 million for F–15 engine upgrades to the F100–PW–220E configuration;

(2) an increase of $26.4 million for the procurement of BOL systems and countermeasures for integration on ANG F–15A and F–15B aircraft; and

(3) a decrease of $10.4 million due to delays and technical problems with the ALQ–135.

F–16 aircraft modifications

The budget request included $248.8 million for modifications to the F–16 aircraft.

The House bill would authorize an increase of $49.3 million, for F–16 modifications, as follows:

(1) an increase of $25.0 million to procure additional F–16 precision targeting pods for the Air National Guard;

(2) an increase of $12.3 million to accelerate the procurement of ALE–50 towed decoy pylons; and

(3) an increase of $12.0 million to improve reliability and reduce costs for the F–16 airborne video tape recorder.

The Senate amendment would authorize an increase of $119.5 million for F–16 modifications, as follows:

(1) an increase of $16.5 million for the procurement of the digital terrain system;

(2) an increase of $34.0 million for the procurement of precision targeting pods; and

(3) an increase of $69.0 million for the retrofit of Air National Guard block 42 F–16 aircraft with F100–PW–229 engines.

The conferees agree to authorize an increase of $56.7 million for F–16 aircraft modifications, as follows:

(1) an increase of $12.0 million for the procurement of digital terrain systems;

(2) an increase of $48.7 million for the retrofit of Air National Guard block 42 F–16 aircraft with F100–PW–229 engines; and

(3) a decrease of $4.0 due to delays with the Joint Helmet Mounted Cueing System.

Defense airborne reconnaissance program modifications

The budget request included $165.5 million for the defense airborne reconnaissance program (DARP) for modifying various reconnaissance aircraft, including the RC–135 and U–2 aircraft.

The House bill would consolidate all RC–135 DARP items in this funding line, and transfer U–2 DARP items to the DARP aircraft support equipment funding line. The House bill would also authorize an increase of $78.2 million for DARP modifications, as follows:

(1) an increase of $44.0 million to convert two C–135 aircraft into RC–135 training aircraft configurations;

(2) an increase of $9.0 million for a motion-capable operational flight trainer;

(3) an increase of $28.4 million for equipment associated with meeting the requirements of global air traffic management (GATM);

(4) an increase of $10.0 million for the theater airborne warning system (TAWS);

(5) an increase of $5.1 million for RC–135 modifications transferred from the DARP aircraft support equipment line; and

(6) a decrease of $18.3 million for U–2 modifications transferred to the DARP aircraft support equipment line for consolidation.

The Senate amendment would authorize an increase of $3.0 million for the procurement of Senior Year electro-optic reconnaissance system (SYERS) equipment for the U–2 aircraft.

The conferees agree to consolidate all RC–135 aircraft DARP modifications in this line and transfer U–2 aircraft DARP modifications to the DARP aircraft support equipment line. The conferees acknowledge that funds for the RC–135 operational flight trainer were provided in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246). The conferees agree to a decrease of $13.2 million for RC–135 DARP for a total authorization of $152.3 million, as follows:

(1) an increase of $5.1 million for transfer of RC–135 aircraft DARP modifications from DARP aircraft support equipment; and

(2) a decrease of $18.3 million for transfer of U–2 aircraft DARP modifications to the DARP aircraft support equipment DARP line for consolidation.

Other aircraft modifications

The budget request included $28.2 million for other aircraft modifications.

The House bill would authorize an increase of $7.0 million for light weight environmentally sealed parachute assemblies and an increase of $20.6 million for the situational awareness data link (SADL) for Air National Guard (ANG) A–10, C–130, and C–135 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $5.5 million for the ANG SADL for A–10, C–130, and C–135 aircraft, a total authorization of $33.7 million for other aircraft modifications.

Defense airborne reconnaissance program aircraft support equipment

The budget request included $98.4 million for the defense airborne reconnaissance program for modifying various reconnaissance aircraft, including U–2 and RC–135 aircraft.

The House bill would consolidate all U–2 DARP items in this funding line, and transfer all RC–135 DARP items to the DARP modification funding line. The House bill would authorize an increase of $30.2 million for DARP, as follows:

(1) an increase of $3.0 million for the procurement of additional Senior Year electro-optic reconnaissance system (SYERS) equipment;

(2) an increase of $4.0 million for procurement of additional joint signals intelligence avionics family (JSAF) equipment;

(3) an increase of $10.0 million to convert one U–2S aircraft to a U–2ST trainer aircraft configuration;

(4) an increase of $18.3 million for U–2 aircraft DARP modifications transferred from elsewhere, consisting of increases of $9.9 million for a power upgrades and $8.4 million for dual data links; and

(5) a decrease of $5.1 million due to the transfer of RC–135 aircraft modifications to the DARP modifications funding line.

The Senate amendment would authorize an increase of $8.0 million in DARP aircraft support equipment for JSAF, specifically the U–2, and an increase of $3.0 million for SYERS, specifically the U–2 in the DARP modifications line.

The conferees agree to authorize a decrease of $87.3 million in DARP aircraft support equipment, as follows:

(1) an increase of $3.0 million for SYERS equipment;

(2) an increase of $8.0 million for JSAF;

(3) an increase of $18.3 million for U–2 aircraft DARP modifications transferred from elsewhere, consisting of increases of $9.9 million for power upgrades and $8.4 million for dual data links;

(4) a decrease of $5.1 million for transfer of RC–135 aircraft modifications to the DARP modifications line; and

(5) a decrease of $111.6 million for U–2 DARP modifications. These funds were provided in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246). Overview

The budget request for fiscal year 2001 included an authorization of $638.8 million for Ammunition Procurement, Air Force in the Department of Defense.

The House bill would authorize $638.8 million.

The Senate amendment would authorize $666.8 million.

The conferees recommended an authorization of $646.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT OF AMMUNITION, AIR FORCE										
	PROCUREMENT OF AMMO, AIR FORCE										
	ROCKETS										
1	ROCKETS	-	11,466	-	11,466	-	39,466	-	8,000	-	19,466
2	2.75 INCH ROCKET MOTOR	-	-	-	-	-	-	-	-	-	-
3	2.75 IN ROCKET, FLARE IR	-	-	-	-	-	-	-	-	-	-
4	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	CARTRIDGES										
5	CARTRIDGES	-	70,090	-	70,090	-	70,090	-	-	-	70,090
6	5.56 MM	-	-	-	-	-	-	-	-	-	-
7	30 MM TRAINING	-	-	-	-	-	-	-	-	-	-
8	CARTRIDGE CHAFF RR-180	-	-	-	-	-	-	-	-	-	-
9	CARTRIDGE CHAFF RR-188	-	-	-	-	-	-	-	-	-	-
10	SIGNAL MK-4 MOD 3	-	-	-	-	-	-	-	-	-	-
11	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	BOMBS										
12	PRACTICE BOMBS	-	32,731	-	32,731	-	32,731	-	-	-	32,731
13	GENERAL PURPOSE BOMBS	-	30,745	-	30,745	-	30,745	-	-	-	30,745
14	CAWCF CLOSURE COSTS	-	1,400	-	1,400	-	1,400	-	-	-	1,400
15	MK-82 INERT/BDU-50	-	-	-	-	-	-	-	-	-	-
16	GBU-28 HARD TARGET PENETRATOR	-	-	-	-	-	-	-	-	-	-
17	GBU - 37	-	-	-	-	-	-	-	-	-	-
18	GBU-15	-	-	-	-	-	-	-	-	-	-
19	BOMB PRACTICE 25 POUND	-	-	-	-	-	-	-	-	-	-
20	2000 LB HE BOMB MK-84	-	-	-	-	-	-	-	-	-	-
21	MK-84 BOMB-EMPTY	-	-	-	-	-	-	-	-	-	-
22	SENSOR FUZED WEAPON	300	107,201	300	107,201	300	107,201	-	-	300	107,201
23	JOINT DIRECT ATTACK MUNITION	9,098	219,848	9,098	219,848	9,098	219,848	-	-	9,098	219,848
24	WIND CORRECTED MUNITIONS DISPENSER	6,308	104,046	6,308	104,046	6,308	104,046	-	-	6,308	104,046
25	ITEMS LESS THAN $5,000,000	-	-	-	-	-	-	-	-	-	-
	FLARE, IR MJU-7B										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
26	ASTE (INFRARED EXPENDABLE)	-	-	-	-	-	-	-	-	-	-
27	FLARE, IR MJU-7B	-	-	-	-	-	-	-	-	-	-
28	MJU-10B	-	-	-	-	-	-	-	-	-	-
29	M-206 CARTRIDGE FLARE	-	-	-	-	-	-	-	-	-	-
30	CAD/PAD	-	-	-	-	-	-	-	-	-	-
31	LUU-19 FLARE	-	-	-	-	-	-	-	-	-	-
32	SPARES AND REPAIR PARTS	-	2,431	-	2,431	-	2,431	-	-	-	2,431
33	MODIFICATIONS <5M	-	196	-	196	-	196	-	-	-	196
34	ITEMS LESS THAN $5,000,000	-	7,806	-	7,806	-	7,806	-	-	-	7,806
	FUZES										
35	FLARES	-	37,432	-	37,432	-	37,432	-	-	-	37,432
36	JOINT PROGRAMMABLE FUSE(JPF)	-	9,342	-	9,342	-	9,342	-	-	-	9,342
	WEAPONS										
	SMALL ARMS										
37	SMALL ARMS	-	4,074	-	4,074	-	4,074	-	-	-	4,074
38	M-16 A2 RIFLE	-	-	-	-	-	-	-	-	-	-
39	9MM COMPACT PISTOL	-	-	-	-	-	-	-	-	-	-
40	M-9 PISTOL	-	-	-	-	-	-	-	-	-	-
41	ITEMS LESS THAN $5M	-	-	-	-	-	-	-	-	-	-
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE		638,808		638,808		666,808		8,000		646,808

Overview

The budget request for fiscal year 2001 included an authorization of $3,061.7 million for Missile Procurement, Air Force in the Department of Defense.

The House bill would authorize $3,046.7 million.

The Senate amendment would authorize $3,008.0 million.

The conferees recommended an authorization of $2,863.8 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	MISSILE PROCUREMENT, AIR FORCE										
	BALLISTIC MISSILES										
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC										
1	MISSILE REPLACEMENT EQ-BALLISTIC	-	42,308	-	42,308	-	42,308	-	(20,000)	-	22,308
	OTHER MISSILES										
	STRATEGIC										
2	ADVANCED CRUISE MISSILE	-	2,006	-	2,006	-	2,006	-	-	-	2,006
	TACTICAL										
3	JOINT STANDOFF WEAPON	174	90,828	174	90,828	174	90,828	-	(7,408)	174	83,420
4	AGM-130 POWERED GBU-15	-	96	-	96	-	96	-	-	-	96
5	AMRAAM	204	98,687	204	98,687	204	98,687	-	-	204	98,687
	TARGET DRONES										
6	TARGET DRONES	-	-	-	-	-	-	-	-	-	-
	INDUSTRIAL FACILITIES										
7	INDUSTRIAL FACILITIES	-	3,017	-	3,017	-	3,017	-	-	-	3,017
	MISSILE REPLACEMENT EQUIPMENT - OTHER										
8	MISSILE REPLACEMENT EQ-OTHER	-	2,623	-	2,623	-	2,623	-	-	-	2,623
	MODIFICATION OF INSERVICE MISSILES										
	CLASS IV										
9	ADVANCED CRUISE MISSILE	-	-	-	-	-	-	-	-	-	-
10	CONVENTIONAL ALCM	-	-	-	-	-	-	-	-	-	-
11	SIDEWINDER (AIM-9X)	-	28,428	-	28,428	-	28,428	-	-	-	28,428
12	MM III MODIFICATIONS	-	375,129	-	375,129	-	375,129	-	-	-	375,129
13	AGM-65D MAVERICK	-	2,042	-	7,042	-	4,142	-	4,000	-	6,042
14	AIR LAUNCH CRUISE MISSILE	-	4,066	-	4,066	-	4,066	-	-	-	4,066
15	PEACEKEEPER (M-X)	-	99	-	99	-	99	-	(99)	-	-
16	MODIFICATIONS UNDER $5.0M	-	99	-	99	-	99	-	-	-	99
	SPARES AND REPAIR PARTS										
	MISSILE SPARES + REPAIR PARTS										
17	MISSILE SPARES - REPAIR PARTS	-	44,026	-	44,026	-	44,026	-	(1,672)	-	42,354
	OTHER SUPPORT										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SPACE PROGRAMS										
18	ADVANCE PROCUREMENT (CY)	-	25,736	-	25,736	-	25,736	-	-	-	25,736
19	SPACEBORNE EQUIP (COMSEC)	-	9,765	-	9,765	-	9,765	-	-	-	9,765
20	GLOBAL POSITIONING (SPACE)	-	196,937	-	196,937	-	166,637	-	(39,800)	-	157,137
21	ADVANCE PROCUREMENT (CY)	-	13,404	-	13,404	-	13,404	-	4,500	-	17,904
22	NUDET DETECTION SYSTEM	-	1,478	-	1,478	-	1,478	-	-	-	1,478
23	INERTIAL UPPER STAGES(SPACE)	-	-	-	-	-	-	-	-	-	-
24	DEF METEOROLOGICAL SAT PROG(SPACE)	-	68,582	-	68,582	-	68,582	-	-	-	68,582
25	DEFENSE SUPPORT PROGRAM(SPACE)	-	106,356	-	106,356	-	106,356	-	-	-	106,356
26	DEFENSE SATELLITE COMM SYSTEM(SPACE)	-	22,770	-	22,770	-	22,770	-	-	-	22,770
27	TITAN SPACE BOOSTERS(SPACE)	-	469,720	-	459,720	-	459,720	-	(60,000)	-	409,720
28	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	3	287,996	3	287,996	3	287,996	-	(5,000)	3	282,996
29	MEDIUM LAUNCH VEHICLE(SPACE)	-	55,939	-	45,939	-	45,939	-	(12,858)	-	43,081
29	LESS: ADVANCE PROCUREMENT (PY)	-	-	-	-	-	-	-	-	-	-
	SPECIAL PROGRAMS										
30	CANCELLED ACCOUNT	-	-	-	-	-	-	-	-	-	-
31	SPECIAL PROGRAMS	-	968,498	-	968,498	-	968,498	-	(59,600)	-	908,898
32	SPECIAL UPDATE PROGRAMS	-	141,080	-	141,080	-	141,080	-	-	-	141,080
	ECONOMIC ADJUSTMENT						(5,500)			-	-
	TOTAL, MISSILE PROCUREMENT, AIR FORCE		3,061,715		3,046,715		3,008,015		(197,937)		2,863,778

Overview

The budget request for fiscal year 2001 included an authorization of $7,699.1 million for Other Procurement, Air Force in the Department of Defense.

The House bill would authorize $7,869.9 million.

The Senate amendment would authorize $7,717.5 million.

The conferees recommended an authorization of $7,711.6 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	OTHER PROCUREMENT, AIR FORCE										
	VEHICULAR EQUIPMENT										
	PASSENGER CARRYING VEHICLES										
1	SEDAN, 4 DR 4X2	16	254	16	254	16	254	-	-	16	254
2	STATION WAGON, 4X2	-	-	-	-	-	-	-	-	-	-
3	BUSES	66	4,101	66	4,101	66	4,101	-	-	66	4,101
4	AMBULANCES	8	646	8	646	8	646	-	-	8	646
5	LAW ENFORCEMENT VEHICLE	83	1,706	83	1,706	83	1,706	-	-	83	1,706
6	ARMORED SEDAN	1	200	1	200	1	200	(1)	(200)	-	-
	CARGO + UTILITY VEHICLES										
7	TRUCK, CARGO-UTILITY, 3/4T, 4X4	-	-	-	-	-	-	-	-	-	-
8	TRUCK, CARGO-UTILITY, 1/2T, 4X2	-	-	-	-	-	-	-	-	-	-
9	TRUCK, PICKUP, 1/2T, 4X2	-	-	-	-	-	-	-	-	-	-
10	TRUCK, PICKUP, COMPACT	-	-	-	-	-	-	-	-	-	-
11	TRUCK MULTI-STOP 1 TON 4X2	-	17,593	-	16,393	-	17,593	-	-	-	17,593
12	TRUCK CARRYALL	-	-	-	-	-	-	-	-	-	-
13	FAMILY MEDIUM TACTICAL VEHICLES	-	5,869	-	5,869	-	5,869	-	-	-	5,869
14	HIGH MOBILITY VEHICLE (MYP)	-	13,435	-	13,435	-	13,435	-	-	-	13,435
15	TRUCK TRACTOR, OVER 5T	-	-	-	-	-	-	-	-	-	-
16	TRUCK, UTILITY	-	-	-	-	-	-	-	-	-	-
17	CAP VEHICLES	-	768	-	768	-	768	-	-	-	768
18	ITEMS LESS THAN $5,000,000	-	29,235	-	29,235	-	29,235	-	-	-	29,235
	SPECIAL PURPOSE VEHICLES										
19	HMMWV, ARMORED	-	5,586	-	5,586	-	5,586	-	-	-	5,586
20	TRACTOR, TOW, FLIGHTLINE	-	5,042	-	5,042	-	5,042	-	-	-	5,042
21	ITEMS LESS THAN $5,000,000	-	18,373	-	18,373	-	18,373	-	-	-	18,373
	FIRE FIGHTING EQUIPMENT										
22	TRUCK CRASH P-19	-	8,761	-	7,461	-	8,761	-	-	-	8,761
23	ITEMS LESS THAN $5,000,000	-	3,700	-	3,700	-	3,700	-	-	-	3,700
	MATERIALS HANDLING EQUIPMENT										
24	TRUCK, F/L 6000 LB	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
25	TRUCK, F/L 10,000 LB	-	4,857	-	4,857	-	4,857	-	-	-	4,857
26	60K A/C LOADER	48	96,948	48	96,948	48	96,948	-	-	48	96,948
27	NEXT GENERATION SMALL LOADER(NGSL)	34	24,144	34	24,144	34	24,144	-	-	34	24,144
28	ITEMS LESS THAN $5,000,000	-	4,530	-	4,530	-	4,530	-	-	-	4,530
	BASE MAINTENANCE SUPPORT										
29	TRUCK, DUMP	-	1,763	-	1,763	-	1,763	-	-	-	1,763
30	RUNWAY SNOW REMOV AND CLEANING EQUIP	-	5,852	-	5,852	-	5,852	-	-	-	5,852
31	MODIFICATIONS	-	387	-	387	-	387	-	-	-	387
32	ITEMS LESS THAN $5,000,000	-	8,616	-	8,616	-	8,616	-	-	-	8,616
33	VEHICLE LEASES	-	-	-	-	-	-	-	-	-	-
	CANCELLED ACCOUNT ADJUSTM										
34	CANCELLED ACCOUNT ADJUSTMENTS	-	-	-	-	-	-	-	-	-	-
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP										
	COMM SECURITY EQUIPMENT(COMSEC)										
35	COMSEC EQUIPMENT	-	23,346	-	23,346	-	23,346	-	-	-	23,346
36	MODIFICATIONS (COMSEC)	-	491	-	491	-	491	-	-	-	491
	INTELLIGENCE PROGRAMS										
37	INTELLIGENCE DATA HANDLING SYS	-	-	-	-	-	-	-	-	-	-
38	INTELLIGENCE TRAINING EQUIPMENT	-	1,572	-	1,572	-	1,572	-	-	-	1,572
39	INTELLIGENCE COMM EQUIP	-	5,530	-	13,730	-	5,530	-		-	14,530
	SECURE TERMINAL EQUIPMENT								4,000		
XX	EAGLE VISION	-	-	-	5,000	-	-		5,000		
	ELECTRONICS PROGRAMS										
40	AIR TRAFFIC CTRL/LAND SYS (ATCALS)	-	-	-	-	-	-	-	-	-	-
41	NATIONAL AIRSPACE SYSTEM	-	58,663	-	58,663	-	58,663	-	-	-	58,663
42	THEATER AIR CONTROL SYS IMPROVEMENT	-	15,431	-	19,831	-	15,431	-	(434)	-	14,997
43	WEATHER OBSERV/FORCAST	-	33,515	-	33,515	-	33,515	-	(2,000)	-	31,515
44	STRATEGIC COMMAND AND CONTROL	-	20,858	-	20,858	-	20,858	-	-	-	20,858
45	CHEYENNE MOUNTAIN COMPLEX	-	602	-	602	-	602	-	-	-	602
46	TAC SIGINT SUPPORT	-	1,447	-	1,447	-	1,447	-	-	-	1,447
47	DRUG INTERDICTION PROGRAM	-	-	-	-	-	-	-	-	-	-

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	SPECIAL COMM-ELECTRONICS PROJECTS										
48	AUTOMATIC DATA PROCESSING EQUIP	-	74,771	-	84,771	-	74,771	-	7,000	-	81,771
49	AF GLOBAL COMMAND & CONTROL SYS	-	14,753	-	14,753	-	14,753	-	-	-	14,753
50	MOBILITY COMMAND AND CONTROL	-	8,495	-	8,495	-	8,495	-	-	-	8,495
51	AIR FORCE PHYSICAL SECURITY SYSTEM	-	34,519	-	34,519	-	34,519	-	-	-	34,519
52	COMBAT TRAINING RANGES	-	26,003	-	27,003	-	46,003	-	20,000	-	46,003
53	MINIMUM ESSENTIAL EMERGENCY COMM NET	-	1,584	-	1,584	-	1,584	-	-	-	1,584
54	C3 COUNTERMEASURES	-	15,681	-	19,681	-	15,681	-	-	-	15,681
55	JOINT SURVEILLANCE SYSTEM	-	-	-	-	-	-	-	-	-	-
56	BASE LEVEL DATA AUTO PROGRAM	-	23,788	-	23,788	-	23,788	-	-	-	23,788
57	THEATER BATTLE MGT C2 SYS	-	56,820	-	56,820	-	56,820	-	-	-	56,820
	AIR FORCE COMMUNICATIONS										
58	INFORMATION TRANSMISSION SYSTEMS	-	-	-	-	-	-	-	-	-	-
59	BASE INFORMATION INFRASTRUCTURE	-	177,283	-	177,283	-	177,283	-	-	-	177,283
60	USCENTCOM	-	7,335	-	7,335	-	7,335	-	-	-	7,335
61	DEFENSE MESSAGE SYSTEM (DMS)	-	17,947	-	17,947	-	17,947	-	-	-	17,947
	DISA PROGRAMS										
62	NAVSTAR GPS SPACE	-	9,112	-	9,112	-	9,112	-	(5,000)	-	4,112
63	DEFENSE METEOROLOGICAL SAT PROG SPAC	-	-	-	-	-	-	-	-	-	-
64	NUDET DETECTION SYS (NDS) SPACE	-	2,674	-	2,674	-	2,674	-	-	-	2,674
65	AF SATELLITE CONTROL NETWORK SPACE	-	39,094	-	39,094	-	39,094	-	-	-	39,094
66	SPACELIFT RANGE SYSTEM SPACE	-	92,714	-	92,714	-	92,714	-	-	-	92,714
67	MILSATCOM SPACE	-	53,027	-	53,027	-	53,027	-	(17,900)	-	35,127
68	SPACE MODS SPACE	-	25,959	-	25,959	-	25,959	-	-	-	25,959
	ORGANIZATION AND BASE										
69	TACTICAL C-E EQUIPMENT	-	101,222	-	101,222	-	101,222	-	(2,500)	-	98,722
70	COMBAT SURVIVOR/EVADER LOCATER RADIO	-	3,104	-	3,104	-	3,104	-	-	-	3,104
71	RADIO EQUIPMENT	-	16,630	-	16,630	-	16,630	-	-	-	16,630
72	TV EQUIPMENT (AFRTV)	-	2,005	-	2,005	-	2,005	-	-	-	2,005
73	CCTV/AUDIOVISUAL EQUIPMENT	-	3,227	-	3,227	-	3,227	-	-	-	3,227
74	BASE COMM INFRASTRUCTURE	-	74,301	-	74,301	-	74,301	-	-	-	74,301

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
75	CAP COM & ELECT	-	386	-	386	-	386	-	-	-	386
76	ITEMS LESS THAN $5,000,000	-	7,204	-	7,204	-	7,204	-	-	-	7,204
	MODIFICATIONS										
77	COMM ELECT MODS	-	54,372	-	69,372	-	54,372	-	-	-	54,372
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP										
	TEST EQUIPMENT										
78	BASE/ALC CALIBRATION PACKAGE	-	10,106	-	10,106	-	10,106	-	-	-	10,106
79	PRIMARY STANDARDS LABORATORY PACKAGE	-	1,105	-	1,105	-	1,105	-	-	-	1,105
80	ITEMS LESS THAN $5,000,000	-	9,541	-	9,541	-	9,541	-	-	-	9,541
	PERSONAL SAFETY AND RESCUE EQUIP										
81	NIGHT VISION GOGGLES	-	2,833	-	2,833	-	3,833	-	-	-	2,833
82	ITEMS LESS THAN $5,000,000	-	6,744	-	6,744	-	6,744	-	3,000	-	9,744
	DEPOT PLANT + MATERIALS HANDLING EQ										
83	MECHANIZED MATERIAL HANDLING EQUIP	-	15,118	-	27,118	-	15,118	-	8,000	-	23,118
84	ITEMS LESS THAN $5,000,000	-	9,241	-	9,241	-	9,241	-	-	-	9,241
	ELECTRICAL EQUIPMENT										
85	GENERATORS-MOBILE ELECTRIC	-	-	-	-	-	-	-	-	-	-
86	FLOODLIGHTS	-	10,718	-	10,718	-	10,718	-	-	-	10,718
87	ITEMS LESS THAN $5,000,000	-	7,187	-	7,187	-	7,187	-	-	-	7,187
	BASE SUPPORT EQUIPMENT										
88	BASE PROCURED EQUIPMENT	-	15,171	-	15,171	-	15,171	-	-	-	15,171
89	MEDICAL/DENTAL EQUIPMENT	-	17,025	-	17,025	-	17,025	-	-	-	17,025
90	ENVIRONMENTAL PROJECTS	-	941	-	941	-	941	-	-	-	941
91	AIR BASE OPERABILITY	-	1,838	-	1,838	-	1,838	-	-	-	1,838
92	BLADDERS FUEL	-	-	-	-	-	-	-	-	-	-
93	AERIAL BULK FUEL DELIVERY SYSTEM	-	-	-	-	-	-	-	-	-	-
94	PHOTOGRAPHIC EQUIPMENT	-	6,037	-	6,037	-	6,037	-	-	-	6,037
95	PRODUCTIVITY INVESTMENTS	-	8,259	-	8,259	-	8,259	-	-	-	8,259
96	MOBILITY EQUIPMENT	-	50,021	-	50,021	-	50,021	-	-	-	50,021
97	DEPLOYMENT/EMPLOYMENT CONTAINERS	-	-	-	-	-	-	-	-	-	-
98	AIR CONDITIONERS	-	6,217	-	6,217	-	6,217	-	-	-	6,217

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
99	ITEMS LESS THAN $5,000,000	-	25,350	-	25,350	-	25,350	-	-	-	25,350
	SPECIAL SUPPORT PROJECTS										
100	INTELLIGENCE PRODUCTION ACTIVITY	-	38,629	-	38,629	-	38,629	-	-	-	38,629
101	TECH SURV COUNTERMEASURES EQ	-	2,975	-	2,975	-	2,975	-	-	-	2,975
102	DARP RC135	-	12,785	-	28,285	-	12,785	-	-	-	12,785
103	DARP, MRIGS	-	89,049	-	89,049	-	89,049	-	-	-	89,049
104	SELECTED ACTIVITIES	-	5,794,849	-	5,888,025	-	5,794,849	-	(6,446)	-	5,788,403
105	SPECIAL UPDATE PROGRAM	-	136,317	-	141,317	-	140,117	-	-	-	136,317
106	DEFENSE SPACE RECONNAISSANCE PROGRAM	-	8,985	-	8,985	-	8,985	-	-	-	8,985
107	INDUSTRIAL PREPAREDNESS	-	1,148	-	1,148	-	1,148	-	-	-	1,148
108	MODIFICATIONS	-	177	-	177	-	177	-	-	-	177
109	FIRST DESTINATION TRANSPORTATION	-	11,294	-	11,294	-	11,294	-	-	-	11,294
	SPARE AND REPAIR PARTS										
	SPARES AND REPAIR PARTS										
110	SPARES AND REPAIR PARTS	-	31,636	-	31,636	-	31,636	-	-	-	31,636
	ECONOMIC ADJUSTMENT						(6,400)			-	-
	TOTAL, OTHER PROCUREMENT, AIR FORCE		7,699,127		7,869,903		7,717,527		12,520		7,711,647

Intelligence communications equipment

The budget request included $5.5 million for intelligence communications equipment.

The House bill would authorize an increase of $5.0 million for Eagle Vision and an increase of $4.0 million for secure terminal equipment.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.0 million in intelligence communications equipment, including an increase of $5.0 million for Eagle Vision and $4.0 million for secure terminal equipment, a total authorization of $14.5 million.

Combat training ranges

The budget request included $26.0 million for the procurement of equipment for combat training ranges, of which $18.4 million is for advanced threat upgrades.

The House bill would authorize an increase of $1.0 million for the advanced message-oriented data security module (AMODSM).

The Senate amendment would authorize an increase of $20.0 million to procure additional advanced threat emitters for combat training ranges.

The conferees agree to authorize an increase of $20.0 million to procure additional advanced threat emitters for combat training ranges, a total authorization of $46.0 million.

Items less than $5.0 million

The budget request included $6.7 million for the procurement of items less than $5.0 million.

The House bill would authorize $7.0 million in other aircraft modifications for the procurement of lightweight environmentally-sealed parachute assemblies (LESPAs).

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million for the procurement of LESPAs, a total authorization of $9.7 million.

Overview

The budget request for fiscal year 2001 included an authorization of $2,275.3 million for Defense-wide Procurement in the Department of Defense.

The House bill would authorize $2,309.1 million.

The Senate amendment would authorize $2,210.5 million.

The conferees recommended an authorization of $2,278.4 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	PROCUREMENT, DEFENSE-WIDE										
	MAJOR EQUIPMENT										
	MAJOR EQUIPMENT, OSD/WHS										
1	MOTOR VEHICLES	-	321	-	321	-	321	-	-	-	321
2	MAJOR EQUIPMENT, OSD	-	64,872	-	64,872	-	64,872	-	-	-	64,872
3	MAJOR EQUIPMENT, WHS	-	23,191	-	29,191	-	23,191	-	-	-	23,191
	MAJOR EQUIPMENT, NSA										
5	DEFENSE AIRBORNE RECONNAISSANCE PROGRAM	-	11,535	-	11,535	-	11,535	-	-	-	11,535
	MAJOR EQUIPMENT, DISA										
6	MOBILE SATELLITE SYSTEM TECH	-	-	-	-	-	-	-	-	-	-
7	INFORMATION SYSTEMS SECURITY	-	26,655	-	26,655	-	26,655	-	-	-	26,655
8	CONTINUITY OF OPERATIONS	-	3,233	-	3,233	-	3,233	-	-	-	3,233
9	DEFENSE MESSAGE SYSTEM	-	19,399	-	19,399	-	19,399	-	-	-	19,399
10	GLOBAL COMMAND AND CONTROL SYS	-	3,671	-	3,671	-	3,671	-	-	-	3,671
11	GLOBAL COMBAT SUPPORT SYSTEM	-	5,136	-	5,136	-	5,136	-	-	-	5,136
12	STANDARD TACTICAL ENTRY POINT	-	2,469	-	2,469	-	2,469	-	-	-	2,469
13	ITEMS LESS THAN $5 MILLION	-	14,429	-	14,429	-	14,429	-	-	-	14,429
14	DRUG INTERDICTION SUPPORT	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, DIA										
	MAJOR EQUIPMENT, DLA										
16	DEFENSE SUPPORT ACTIVITIES	-	82,863	-	82,863	-	82,863	-	-	-	82,863
	AUTOMATIC DOCUMENT CONVERSION SYSTEM			-	40,000				15,000	-	15,000
	MAJOR EQUIPMENT, DSS										
17	VEHICLES	-	-	-	-	-	-	-	-	-	-
18	OTHER CAPITAL EQUIPMENT	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, DCAA										
19	ITEMS LESS THAN $5 MILLION	-	4,714	-	4,714	-	4,714	-	-	-	4,714
	MAJOR EQUIPMENT, DSPO										
20	MAJOR EQUIPMENT, DSPO	-	-	-	-	-	-	-	-	-	-
	MAJOR EQUIPMENT, TJS										
21	MAJOR EQUIPMENT, TJS	-	28,171	-	28,171	-	28,171	-	-	-	28,171

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	BALLISTIC MISSILE DEFENSE ORGANIZATION										
22	PATRIOT PAC-3	40	365,457	48	430,657	40	365,457	-	-	40	365,457
23	NATIONAL MISSILE DEFENSE	-	74,530	-	74,530	-	74,530	-	-	-	74,530
24	C4I	-	3,975	-	3,975	-	3,975	-	-	-	3,975
25	NAVY AREA TBDM PROGRAM	-	-	-	-	-	-	-	-	-	-
	NATIONAL IMAGERY AND MAPPING AGENCY										
	DEFENSE THREAT REDUCTION AGENCY										
27	VEHICLES	-	145	-	145	-	145	-	-	-	145
28	OTHER MAJOR EQUIPMENT	-	44,034	-	44,034	-	44,034	-	-	-	44,034
	DEFENSE SECURITY COOPERATION AGENCY										
29	OTHER MAJOR EQUIPMENT	-	656	-	656	-	656	-	-	-	656
	MAJOR EQUIPMENT, AFIS										
30	MAJOR EQUIPMENT, AFIS	-	4,695	-	4,695	-	4,695	-	-	-	4,695
	MAJOR EQUIPMENT, DODDE										
31	MAJOR EQUIPMENT, DODDE	-	1,546	-	1,546	-	1,546	-	-	-	1,546
	SPECIAL OPERATIONS COMMAND										
	AVIATION PROGRAMS										
32	SOF ROTARY WING UPGRADES	-	68,480	-	68,480	-	87,380	-	10,000	-	78,480
33	SOF TRAINING SYSTEMS	-	2,364	-	2,364	-	2,364	-	-	-	2,364
34	MC-130H COMBAT TALON II	-	10,403	-	10,403	-	10,403	-	-	-	10,403
35	CV-22 SOF MODIFICATION	4	8,533	4	8,533	4	8,533	-	-	4	8,533
36	AC-130U GUNSHIP ACQUISITION	-	13,871	-	13,871	-	13,871	-	-	-	13,871
37	C-130 MODIFICATIONS	-	26,237	-	26,237	-	26,237	-	-	-	26,237
38	AIRCRAFT SUPPORT	-	2,186	-	2,186	-	2,186	-	-	-	2,186
	SHIPBUILDING										
39	ADVANCED SEAL DELIVERY SYS	-	33,477	-	33,477	-	36,777	-	3,300	-	36,777
39	LESS: ADVANCE PROCUREMENT (PY)	-	(7,977)	-	(7,977)	-	(7,977)	-	-	-	(7,977)
40	ADVANCE PROCUREMENT (CY)	-	22,472	-	22,472	-	22,472	-	-	-	22,472
41	MK VIII MOD 1 - SEAL DELIVERY VEH	-	-	-	-	-	7,000	-	-	-	-
42	SUBMARINE CONVERSION	-	1,559	-	1,559	-	1,559	-	-	-	1,559
	AMMUNITION PROGRAMS										

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
43	SOF ORDNANCE REPLENISHMENT	-	36,632	-	36,632	-	36,632	-	-	-	36,632
44	SOF ORDNANCE ACQUISITION	-	25,978	-	25,978	-	25,978	-	-	-	25,978
	OTHER PROCUREMENT PROGRAMS										
45	COMM EQUIPMENT & ELECTRONICS	-	74,444	-	74,444	-	74,444	-	-	-	74,444
46	SOF INTELLIGENCE SYSTEMS	-	32,309	-	38,309	-	32,309	-	3,000	-	35,309
47	SOF SMALL ARMS & WEAPONS	-	11,829	-	11,829	-	33,529	-	12,400	-	24,229
48	MARITIME EQUIPMENT MODS	-	909	-	909	-	909	-	-	-	909
49	NAVAL SPC WARFARE RIGID INFLATABLE BOAT	-	-	-	-	-	7,000	-	-	-	-
50	SOF COMBATANT CRAFT SYSTEMS	-	14,511	-	14,511	-	14,511	-	4,000	-	18,511
51	SPARES AND REPAIR PARTS	-	11,780	-	11,780	-	11,780	-	-	-	11,780
52	SOF MARITIME EQUIPMENT	-	5,801	-	5,801	-	5,801	-	-	-	5,801
53	DRUG INTERDICTION	-	-	-	-	-	-	-	-	-	-
54	MISCELLANEOUS EQUIPMENT	-	14,376	-	14,376	-	14,376	-	-	-	14,376
55	SOF PLANNING AND REHEARSAL SYSTEM	-	2,021	-	2,021	-	2,021	-	-	-	2,021
56	CLASSIFIED PROGRAMS	-	105,547	-	105,547	-	105,547	-	-	-	105,547
57	PSYOP EQUIPMENT	-	7,575	-	7,575	-	7,575	-	-	-	7,575
	CHEMICAL/BIOLOGICAL DEFENSE										
	CBDP										
58	INDIVIDUAL PROTECTION	-	108,725	-	108,725	-	108,725	-	2,500	-	111,225
59	DECONTAMINATION	-	12,195	-	12,195	-	12,195	-	-	-	12,195
60	JOINT BIO DEFENSE PROGRAM	-	141,781	-	141,781	-	141,781	-	-	-	141,781
61	COLLECTIVE PROTECTION	-	36,179	-	36,179	-	36,179	-	-	-	36,179
62	CONTAMINATION AVOIDANCE	-	175,056	-	175,056	-	179,356	-	900	-	175,956
999	CLASSIFIED PROGRAMS	9	490,358	9	406,924	9	370,358	-	(48,000)	9	442,358
	TOTAL, PROCUREMENT, DEFENSE-WIDE		2,275,308		2,309,074		2,210,508		3,100		2,278,408

Title I- Procurement

(Dollars in Thousands)

Ln No	Title	FY 2001 Request Qty	FY 2001 Request Cost	House Authorized Qty	House Authorized Cost	Senate Authorized Qty	Senate Authorized Cost	Change Qty	Change Cost	Conference Agreement Qty	Conference Agreement Cost
	CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE-WIDE										
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E										
	RESEARCH AND DEVELOPMENT										
1	CHEM DEMILITARIZATION - RDTE	-	-	-	164,200	-	274,400		-	-	-
	CHEM AGENTS & MUNITIONS DESTRUCT-PROC										
	PROCUREMENT										
2	CHEM DEMILITARIZATION - PROC	-	-	-	105,700	-	121,900		-	-	-
	ECONOMIC ADJUSTMENT										
	CHEM AGENTS & MUNITIONS DESTRUCT-O&M										
	OPERATION AND MAINTENANCE										
3	CHEM DEMILITARIZATION - O&M	-	-	-	607,200	-	607,200		-	-	-
	TOTAL, CHEM AGENTS & MUNITIONS DEST, DEF-WIDE		-		877,100		1,003,500		-		-
	Defense Health Program		290,006	-	290,006	-	290,006	-	-	-	290,006
	Office of the Inspector General		3,300	-	3,300	-	3,300	-	-	-	3,300

MH–60 aerial refueling probes and 200 gallon fuel tanks

The budget request included $68.5 million for Procurement, Defense-wide, Special Operations Forces (SOF) rotary wing upgrades, but included no funding to continue the effort to upgrade the entire MH–60 fleet with aerial refueling probes and new, internal fuel tanks.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $18.9 million to procure and install the aerial refueling probes and 200 gallon fuel tanks required to complete the upgrade of the SOF MH–60 fleet.

The conferees agree to authorize an increase of $10.0 million in Procurement, Defense-wide, for SOF rotary wing upgrades for the purpose of procuring and installing aerial refueling probes and 200 gallon fuel tanks to continue the upgrade of the SOF MH–60 fleet.

Special operations forces small arms and support equipment

The budget request included $11.8 million for Procurement, Defense-wide, Special Operations Forces (SOF) small arms and support equipment, but included no funding to continue the procurement of SOF body armor load carriage systems (BALCS), the modular integrated communications helmet (MICH), or the SOF peculiar modifications to the M–4 carbine (SOPMOD).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $21.7 million to procure approximately half of the equipment required to fully equip all SOF operators.

The conferees agree to authorize an increase of $12.4 million in Procurement, Defense-wide, SOF small arms and support equipment, including $4.9 million for BALCS, $2.5 million for MICH, and $5.0 million for SOPMOD.

ITEMS OF SPECIAL INTEREST

Air Mobility Command

The conferees are aware that regional commanders in chief (CINCs) continue to highlight a requirement for improved strategic lift capabilities, which remains the most compelling deficiency that our CINCs face in meeting their responsibility to execute the National Military Strategy. The conferees are also concerned to note the recent statements that confirm our total airlift capability is insufficient to execute the National Military Strategy. The conferees note that the Joint Chiefs of Staff Mobility Requirements Study of Fiscal Year 2005 (MRS–05) will not take into account certain fact-of-life changes in airlift requirements, specifically the transformation by the Army. The conferees direct the Secretary of the Air Force to deliver an analysis to the congressional defense committees by March 15, 2001. This analysis should use MRS–05 results and fiscal year 2000 readiness statistics for the C–141, C–5, and C–17 fleets. The analysis should determine readiness levels that are required to execute the National Military Strategy, and should explore alternatives to existing aircraft stationing plans for both active and reserve component airlift forces that are available to support existing lift requirements.

Intelligence, surveillance and reconnaissance programs

It is clear to the conferees that the Department of Defense (DoD) will place increasing reliance upon intelligence, surveillance and reconnaissance (ISR) programs in future operations. Experience in supporting DoD operations, including recent experience in the Balkans, has shown that relatively small numbers of ISR forces will be in high demand to provide information superiority. DoD has identified this information superiority as a ''critical enabler'' in the ongoing transformation of the Department.

The Department has identified shortages of some of these ''high demand/low density'' assets in various reports. The conferees are also aware that the Department has conducted and has underway studies on various pieces of the ISR puzzle, many at request of Congress.

The various reports of ''lessons learned'' from Kosovo operations, the fiscal year 2001 budget request, and the unfunded priority lists for fiscal year 2001 identified some specific fixes to specific problems. What is less clear is whether the Department, in view of these ''lessons learned'', has attempted to provide an overarching vision for ISR forces, to include sustaining and modernizing the current force, and improving ISR capabilities in the future.

Therefore, the conferees direct the Secretary of Defense to provide an analysis concurrent with the submission of the fiscal year 2002 budget request, that:

(1) evaluates the current ISR capability and forces;

(2) identifies those ISR capabilities and forces that need to be sustained and modernized;

(3) enumerates those capabilities that need to be created or enhanced to ensure that ISR forces can contribute to achieving the information superiority for the transformed military forces; and

(4) itemizes how the budget and the Future Years Defense Program supports these needs.

LPD–17 amphibious ships

The budget request included $1.5 billion for procurement of two San Antonio-class LPD–17 amphibious ships: LPD–21 and LPD–22. In addition, the budget request included $20.7 million for advance procurement for two San Antonio-class LPD–17 amphibious ships.

The House bill and the Senate amendment would authorize the budget request.

The conferees fully support the LPD–17 program and recognize the requirement to deliver these ships to the Navy and Marine Corps as soon as possible to support a key element of split amphibious ready group operations and the Marine Corps operational maneuver from the sea (OMFTS) concept.

Concerns regarding LPD–17 first ship design completion prior to transition to production led to congressional reassessment of the LPD–17 procurement request. The reassessment centered on the question of whether delays in the start of production of the lead ship would translate into schedule delays for subsequent ships, LPD–21 and LPD–22. This reassessment, in light of overall national defense budget realities, led to a shift in appropriations procurement strategy for LPD–21 and LPD–22.

However, subsequent to passage of the Department of Defense Appropriations Act for Fiscal Year 2001, the following significant actions occurred which led authorization conferees to conduct a further review of the progress of the LPD–17 program:

(1) The Navy commenced full rate construction of the lead ship, LPD–17, based on an extensive Production Readiness Review;

(2) Unprecedented levels of design completion were achieved prior commencing full production of LPD–17; and

(3) The Secretary of the Navy stated that fiscal year 2001 full funding for the LPD–21 and LPD–22 will permit the Navy to execute construction on schedule due to the achievement of 75 percent total ship design completion and 95 percent individual ship unit design completion prior to initial construction.

Based on this new information regarding significant program actions, the conferees agree to authorize the budget request.

The conferees expect the Navy to submit budget requests that include full funding for future San Antonio-class LPD–17 ships and adequate advance procurement to ensure that production continues at an efficient level and without interruption.

The conferees note with concern the adverse impact that reducing ship procurement has on the requirement for annual investment of $10.0 to $12.0 billion for ship construction necessary to maintain a Naval force structure of 300 ships. Therefore, the conferees support appropriation of additional procurement funds for LPD–17 in fiscal year 2001 should additional appropriations for the Department of Defense become available.

Multipurpose individual munition

The conferees believe the capabilities represented by the multipurpose individual munition (MPIM) system are critical to future requirements associated with the national military strategy. The conferees are concerned with recent actions taken by the Secretary of the Army to begin termination of the MPIM program after a significant investment and an extensive research and development effort. The Army has noted that the system has not met specified weight requirements and has historically suffered from technical and performance difficulties. While the conferees believe that most of the technical issues can be resolved, weapon system weight appears to be the compelling reason for program termination. The conferees believe, however, in light of the fact there is no other system in the inventory to fulfill MPIM requirements, no clarity on the final weight alternatives, and no program exists to meet these requirements, the Army should not terminate the MPIM program until these facts are reviewed.

The conferees agree with Army requirements documents that suggest there are clear and compelling needs to field a system, such as MPIM, to support soldiers for either combat or peacekeeping missions. Therefore, the conferees expect the Secretary of the Army to conduct a final, thorough review of the status of this program, alternatives to the status quo, and provide a plan to the congressional defense committees, no later than January 30, 2001, on how these requirements will be met as soon as practicable.

Shipbuilding overview

The conferees note that on June 26, 2000, the Secretary of Defense delivered to Congress the long-range shipbuilding report required by section 1013 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

The conferees agree that the report provides a framework for discussion of new ship construction plans necessary to maintain the number of ships required to carry out the national security strategy through fiscal year 2030. The report of the Secretary concludes that a steady state building rate of 8.7 ships annually is required to maintain at least 306 ships. The Secretary's report states that, ''. . . the annual funding required to sustain the force . . . will require an average of $14 billion per year.'' The report of the Secretary also acknowledges the discrepancy between: (1) the requirement to buy 8.7 new construction ships annually to maintain at

least 306 ships; and (2) according to the Secretary's report, ''. . . the President's Budget for FY 2001–2005 which funds an average of 7.8 ships.''

The conferees note two deficiencies in the report of the Secretary. Consistent with the 1999 attack submarine study developed by the Chairman of the Joint Chiefs of Staff, the report of the Secretary uses a larger nuclear attack submarine (SSN) force structure of 55 SSNs, versus the original Quadrennial Defense Review (QDR) goal of 50 SSNs. However, the shipbuilding plan in the report does not achieve a force level of 18 Virginia-class SSNs that the CJCS report states is required in fiscal year 2015 to counter the technologically pacing threat. The shipbuilding plan in the report would only provide 16 Virginia-class submarines by fiscal year 2015.

The second flaw in the report of the Secretary is its supposition that a delay in required annual investments is possible due to the size of the fleet and the average age of the ships in the fleet.

The Secretary's report fails to assess the risks associated with having to ramp-up to a higher level of investment later in the planning period. The report discusses risks associated with deviation from the long-range shipbuilding plan, but focuses primarily on the shipbuilding industrial base. There is no discussion of the risks associated with pursuing the shipbuilding plan's uneven investment strategy, particularly a plan that defers near-term investment and requires that the Navy double the annual shipbuilding procurement rate by fiscal year 2013 just to support the currently envisioned force structure. Whereas the report acknowledges that there may be additional future requirements for ships (i.e. for ballistic missile defense and sea-based land attack), it does not include an evaluation of the risks of not including the additional ships in the shipbuilding plan.

The conferees are concerned with the gap between the requirement stated in the long-range shipbuilding plan and the ships included in recent budget requests submitted to Congress by the President. Unfortunately, the Secretary's long-range shipbuilding report does not provide a clear plan to maintain the force structure recommended in the report, required to carry out the national security strategy. The conferees expect the Secretary of Defense to address these concerns in the fiscal year 2002 budget request.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 101–106)

The House bill contained provisions (secs. 101–107) that would authorize the recommended fiscal year 2001 funding levels for procurement for the Army, Navy, and Marine Corps, Air Force, Defense-Wide Activities, Defense Inspector General, Chemical Demilitarization Program, and the Defense Health Program.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Subtitle B—Army Programs

Multiyear procurement authority (sec. 111)

The House bill contained a provision (sec. 111) that would authorize the Secretary of the Army to enter into a multiyear procurement contract for the M2A3 Bradley fighting vehicle, the UH–60 Blackhawk helicopter, and, acting as executive agent for the Department of the Navy, the CH–60 Knighthawk helicopter.

The Senate amendment contained a similar provision (sec. 111).

The Senate recedes.

The conferees agree that the Secretary of the Army shall certify that the M2A3 Bradley fighting vehicle has successfully completed the initial operational test and evaluation and milestone III review prior to awarding the multiyear contract.

Increase in limitation on number of bunker defeat munitions that may be acquired (sec. 112)

The House bill contained a provision (sec. 112) that would amend section 116 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) to increase the quantity of bunker defeat munitions by 2,500 that the Army is authorized to procure.

The Senate amendment contained no similar provision.

The Senate recedes.

Reports and limitations relating to Army transformation (sec. 113)

The Senate amendment contained a provision (sec. 112) that would require the Secretary of the Army to provide reports on the process associated with the development of an objective force and the fielding of an interim force for the Army transformation initiative. The provision also required the Secretary of the Army to conduct a comparative evaluation of interim armored vehicles (IAV) to be selected for the fielding of interim brigade combat teams (IBCT) with equipment already in the Army inventory.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Army to conduct an evaluation, as described in the conference agreement, at a level to be determined in conjunction with the Director of Operational Test and Evaluation prior to the obligation of funding for a third IBCT.

The conferees strongly support efforts designed by the Chief of Staff of the Army to transform the service into a lighter, more lethal, and survivable force able to deal effectively with the wide range of national security challenges that will face our nation in the 21st Century. The conferees look forward to receiving a well-defined road map that lays out the course of the Army transformation initiative through fiscal year 2012. The conferees continue to be concerned about the level of funding provided to the Army by the Department of Defense in support of the transformation initiative. The conferees do not understand how the Secretary of Defense can assert his support for the Army initiative while providing inadequate funding to facilitate the transformation process.

The conferees would expect the evaluation called for in the conference agreement to illustrate differences in capabilities that new IAVs may provide when compared to vehicles the Army currently has fielded. The conferees expect the Army to provide a plan to conduct a comparative evaluation, which will be subject to the approval of the Director of Operational Test and Evaluation prior to execution.

The conferees understand the IBCT force is designed to operate across the full spectrum of conflict. Current Army plans call for the first IBCT to be evaluated at the Joint Readiness Training Center in a range of environments largely focused on low intensity conflict and peacekeeping. The conferees believe it is important that the Army also plan and conduct an operational evaluation of these forces in a high intensity conflict environment. The Chief of Staff of the Army has highlighted a critical requirement for a new force that is able to quickly deploy with greater lethality and survivability than our light forces possessed during Operation Desert Shield when the 82nd Airborne Division was quickly deployed in response to Iraqi forces moving south toward Saudi Arabia. An operational evaluation of IBCTs in this type of an environment would facilitate an understanding of the overall capabilities that these forces possess to meet this type of challenge. The conferees, therefore, direct the Army to evaluate the capabilities of IBCTs in a high intensity combat environment and provide a report on the demonstrated combat capabilities these forces possess.

Subtitle C-Navy Programs

CVNX–1 nuclear aircraft carrier program (sec. 121)

The budget request included $21.9 million for advance procurement and advance construction of long lead time components for CVNX–1.

The Senate amendment contained a provision (sec. 121) that would authorize the budget request, authorize the Secretary of the Navy to procure the nuclear aircraft carrier designated CVNX–1, and to enter into a contract for the advance procurement and advance construction of that ship.

The House bill contained no similar provision.

The House recedes.

Arleigh Burke class destroyer program (sec. 122)

The House bill contained a provision (sec. 124) that would authorize an extension of the existing multiyear procurement contract for the DDG–51 destroyer program through fiscal year 2005. The provision would also authorize the procurement of three ships per year through fiscal year 2001 and the procurement of up to three ships per year from fiscal year 2002 through 2005.

The Senate amendment contained a provision (sec. 122) that would authorize an increase of $143.2 million in advance procurement for DDG–51. In addition, the provision would provide the following: (1) authorize the Secretary of the Navy to extend the 1997 multiyear contract to include the fiscal year 2004 and fiscal year 2005 DDG–51 procurements; (2) express the sense of Congress that the most economical rate for procurement is three ships per year; and (3) direct the Secretary to update the Arleigh Burke (DDG–51) Class Industrial Base Study of 1993 and further direct the Comptroller General to review the update performed by the Secretary.

The House recedes with an amendment that would authorize an increase of $100.0 million in advance procurement for DDG–51.

Virginia class submarine program (sec. 123)

The budget request included $1,711.2 million for the Virginia class submarine program including the procurement of material in economic order quantities when cost savings are achievable.

The House bill contained a provision (sec. 122) that would authorize the Navy to enter into a contract for the procurement of five Virginia class submarines during fiscal years 2003 through 2006.

The Senate amendment contained a similar provision (sec. 123) which would authorize the budget request and would require the Secretary of Defense to submit a fast attack submarine force structure report to the congressional defense committees.

The House recedes with an amendment that would authorize $1,706.2 million for Virginia class submarines, including the procurement of material in economic order quantities when cost savings are achievable.

Limitation during fiscal year 2001 on changes in submarine force structure (sec. 124)

The House bill contained a provision (sec. 121) that would prohibit the retirement of any Los Angeles-class nuclear powered attack submarine with less than 30 years of active commissioned service. This provision would also require the President to report to Congress on the submarine force structure required to support the national military strategy and the acquisition and overhaul requirements necessary to achieve and maintain such a force.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit to fiscal year 2001 the prohibition on retirement of Los Angeles-class submarines and would extend the prohibition on fiscal year 2001 retirements to Ohio-class submarines.

ADC(X) ship program (sec. 125)

The Senate amendment contained a provision (sec. 124) that would authorize the Secretary of the Navy to procure ADC(X)-class ships using the contracting authority that is most cost effective.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Refueling and complex overhaul program of the U.S.S. Dwight D. Eisenhower (sec. 126)

The budget request included $703.4 million to commence the overhaul of CVN–69.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 125) that would authorize the budget request and authorize the Secretary of the Navy to enter into a contract and commence overhaul of the U.S.S. Dwight D. Eisenhower (CVN–69) nuclear aircraft carrier during fiscal year 2001.

The House recedes with an amendment that would authorize $698.4 million for CVN–69 overhaul.

Analysis of certain shipbuilding programs (sec. 127)

The House bill contained a provision (sec. 125) that would require an economic analysis of procurement mechanisms for funding large aviation-capable naval vessels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would broaden the reporting requirement to include various vessel classes and additional considerations other than economic issues in evaluating funding mechanisms.

Helicopter support of FFG–7 frigates during fiscal year 2001 (sec. 128)

The House bill contained a provision (sec. 123) that would require the Secretary of the Navy to configure and equip the Naval Reserve FFG–7 Flight I and II frigates remaining in active service with the complete organic weapon system for those vessels as specified in the operational requirements document of the Navy and to retain operational assets integral to the FFG–7 weapons system in their current locations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to operate one squadron of SH–2G aircraft in the Navy in fiscal year 2001. The conferees direct that the Navy fully man and equip the SH–2G aircraft in a manner consistent with normal fleet operations.

V–22 cockpit aircraft voice and flight data recorders (sec. 129)

The House bill contained a provision (sec. 1037) that would require the Secretary of Defense to require all V–22 aircraft to be equipped with state-of-the-art cockpit voice and flight data recorders.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees recommend that appropriate measures be taken to ensure that the design, integration, and use of these recorders take into account the security of potentially sensitive tactical information.

Subtitle D—Air Force Programs

Annual Report on the B–2 bomber (sec. 131)

The House bill contained a provision (sec. 131) that would require the Secretary of Defense to provide an annual report on the operational status and technology insertion plans for the B–2 bomber and would repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189).

The Senate amendment contained a provision (sec. 131) that would repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991.

The Senate recedes with an amendment that would require the Secretary of Defense to provide an annual report on: (1) the capability of the B–2 bomber to carry out assigned missions; (2) ongoing and planned technology efforts to improve B–2 capabilities; (3) new technologies to meet any expanded threats; and (4) a fiscally-phased program for each of these technology efforts in three funding scenarios. The funding scenarios include the President's budget, the President's budget plus funding for the Department of Defense unfunded priority list, and maximum executable funding consistent with the need to maintain the B–2 in an operationally ready status. The provision would also repeal the requirement for an annual report on B–2 production contained in section 112 of the National Defense Authorization Act for Fiscal Years 1990 and 1991.

Report on modernization of Air National Guard F–16A units (sec. 132)

The Senate amendment contained a provision (sec. 1070) that would express the sense of the Senate that certain Air National Guard units were flying F–16A aircraft without the upgrades that would allow them to be effectively deployed to contingency theaters of operation, and that the Air Force should provide a plan to Congress on how these units could be modernized.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Air Force to submit a report to Congress on how Air National Guard units flying F–16A aircraft will be modernized and upgraded.

Subtitle E—Joint Programs

Study of final assembly and checkout alternatives for the joint strike fighter program (sec. 141)

The House bill contained a provision (sec. 141) that would require the Secretary of Defense to provide a report on various production alternatives for the joint strike fighter.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would defer submission of the report until after the ongoing competition for the engineering and manufacturing development phase of the joint strike fighter program is completed.

Subtitle F—Chemical Demilitarization

Pueblo Chemical Depot chemical agent ammunitions destruction technologies (sec. 151)

The Senate amendment contained a provision (sec. 141) that would provide for the destruction of the stockpile of lethal chemical agents at the Pueblo Chemical Depot, Colorado, either by incineration or by any technology demonstrated by the Assembled Chemical Weapons Assessment on, or before, May 1, 2000.

The House bill contained no similar provision.

The House recedes.

Report on assessment of need for Federal economic assistance for communities impacted by chemical demilitarization activities (sec. 152)

The conferees agree to include a provision that would direct the Secretary of Defense to submit, by April 1, 2001, a report to the Armed Services Committees of the Senate and the House of Representatives on the assessment of the need for community economic assistance as a result of chemical weapons stockpile demilitarization activities.

Prohibition against disposal of non-stockpile chemical warfare material at Anniston chemical stockpile disposal facility (sec. 153)

The conferees note that Section 141 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) authorized the destruction of non-stockpile chemical agents, munitions, or related materials specifically designated by the Secretary of Defense at chemical stockpile disposal facilities if the states in which those facilities reside have issued the appropriate permits.

The conferees agree to a provision that would prohibit use of the chemical stockpile disposal facility at Anniston, Alabama, for disposal of non-stockpile chemical warfare material that is not currently stored on the Anniston Army Depot.

LEGISLATIVE PROVISIONS NOT ADOPTED

AGM–65 modifications

The budget request included $2.0 million to convert 200 AGM–65G missiles to the AGM–65K configuration.

The House bill would authorize an increase of $5.0 million for the conversion to both the AGM–65H and K configurations, of which some missiles would be procured for Air National Guard pilot training.

The Senate amendment contained a provision (sec. 132) that would authorize an increase of $2.1 million for AGM–65 modifications.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $4.0 million for AGM–65 modifications, a total authorization of $6.0 million for the active and reserve components.

Anti-personnel obstacle breaching system

The Senate amendment contained a provision (sec. 127) that would provide $4.0 million for the procurement of the anti-personnel obstacle breaching system.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $4.0 million in the Procurement Marine Corps Ammunition account for the purchase of the anti-personnel obstacle breaching system.

C–135 modifications

The budget request included $328.2 million for C–135 modifications.

The House bill contained a provision (sec. 132) that would authorize an increase of $52.0 million for reengining two KC–135 aircraft for the Air Force Reserve Command. The House bill would also authorize an increase of $6.0 million for the situational awareness data link (SADL).

The Senate amendment contained no similar provision, and would authorize the budget request.

The House recedes on the provision.

The conferees agree to authorize an increase of $52.0 million for reengining two KC–135 aircraft for the Air Force Reserve Command, a total authorization of $380.2 million for C–135 modifications.

Integrated bridge system for Naval systems special warfare rigid inflatable boats and high-speed assault craft

The Senate amendment contained a provision (sec. 142) that would authorize an increase of $7.0 million in Procurement, Defense-wide for the purpose of procuring and installing an integrated bridge system (IBS) for Special Operations Forces (SOF), Naval special warfare rigid inflatable boats and high-speed assault craft.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $4.0 million in Procurement, Defense-wide, SOF combatant craft systems for the procurement and installation of IBS on SOF combatant watercraft.

Rapid intravenous infusion pumps

The budget request included no funding for rapid intravenous infusion pumps.

The House bill included an increase of $8.0 million to procure rapid intravenous infusion pumps.

The Senate amendment contained a provision (sec. 113) that would authorize an increase of $6.0 million to procure rapid intravenous infusion pumps.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $5.0 million for rapid intravenous infusion pumps.

Remanufactured AV–8B aircraft

The budget request included $282.1 million for the procurement of 10 remanufactured AV–8B aircraft.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 126) that would authorize an increase of $92.0 million for the procurement of four AV–8B aircraft.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $35.6 million for AV–8B aircraft, as follows:

(1) an increase of $52.0 million for the procurement of two additional remanufactured AV–8B aircraft;

(2) a decrease of $12.0 million for non-recurring cost; and

(3) a decrease of $4.4 million for cost growth in production engineering support.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, Development, Test, and Evaluation Overview

The budget request for fiscal year 2001 contained an authorization of $37,862.4 million for Research and Development in the Department of Defense.

The House bill would authorize $39,309.2 million.

The Senate amendment would authorize $39,330.8 million.

The conferees recommended an authorization of $38,936.7 million. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE II					
RESEARCH, DEVELOPMENT, TEST & EVALUATION					
Research, Development, Test & Evaluation, Army	5,260,346	5,500,246	5,501,446	308,136	5,568,482
Research, Development, Test & Evaluation, Navy	8,476,677	8,834,477	8,665,865	238,658	8,715,335
Research, Development, Test & Evaluation, Air Force	13,685,576	13,677,108	13,897,336	93,568	13,779,144
Research, Development, Test & Evaluation, Defense-wide	10,238,242	11,077,763	11,043,142	443,410	10,681,652
Operational Test & Evaluation, Defense	201,560	219,560	223,060	(9,500)	192,060
Total Research, Development, Test & Evaluation	37,862,401	39,309,154	39,330,849	1,074,272	38,936,673

Overview

The budget request for fiscal year 2001 contained an authorization of $5,260.3 million for Army, Research and Development in the Department of Defense.

The House bill would authorize $5,500.2 million.

The Senate amendment would authorize $5,501.4 million.

The conferees recommended an authorization of $5,568.5 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY					
0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	14,459	14,459	14,459	-	14,459
0601102A	2	DEFENSE RESEARCH SCIENCES	132,164	132,164	135,164	-	135,164
		Counter-Terrorism Research			[+3,000]	3,000	
0601104A	3	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	54,365	54,365	54,365	-	54,365
0602104A	4	TRACTOR ROSE		-	-	-	-
0602105A	5	MATERIALS TECHNOLOGY	11,557	11,557	17,557	-	17,557
		Composite Materials			[+6,000]	6,000	
0602120A	6	SENSORS AND ELECTRONIC SURVIVABILITY	20,722	24,722	20,722	-	23,222
		Passive Millimeter Wave Camera		[+4,000]		2,500	
0602122A	7	TRACTOR HIP	7,226	7,226	7,226	-	7,226
0602211A	8	AVIATION TECHNOLOGY	31,080	33,080	31,080	-	31,080
		Future Rotorcraft Technology		[+2,000]			
0602270A	9	EW TECHNOLOGY	17,310	17,310	17,310	-	17,310
0602303A	10	MISSILE TECHNOLOGY	47,183	52,183	52,183	-	56,183
		Hypersonic Wind Tunnel		[+1,000]			
		IMU-GPS		[+4,000]		4,000	
		Advanced missile composite components/Acceleration of Dev & Testing			[+5,000]	5,000	
0602307A	11	ADVANCED WEAPONS TECHNOLOGY	993	10,993	993	-	493
		Solid State Laser Development (Authorized in PE 0605605A)		[+10,000]			
		Transfer to High Energy Laser in RDT&E, DW				(500)	
0602308A	12	MODELING AND SIMULATION TECHNOLOGY	30,479	30,479	30,479	-	30,479
0602601A	13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	63,589	63,589	67,089	-	67,089
		Smart Truck Initiative			[+3,500]	3,500	
0602618A	14	BALLISTICS TECHNOLOGY	49,750	49,750	49,750	-	49,750
0602622A	15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,530	3,530	3,530	-	3,530
0602623A	16	JOINT SERVICE SMALL ARMS PROGRAM	5,415	5,415	5,415	-	5,415
0602624A	17	WEAPONS AND MUNITIONS TECHNOLOGY	33,761	33,761	33,761	-	33,761
0602705A	18	ELECTRONICS AND ELECTRONIC DEVICES	23,869	23,869	25,369	-	25,369
		Bi-polar Wafer Cell Nickel-Metal Hydride Technology		[1,000]		-	
		Portable Hybrid Electric Power Research			[+1,500]	1,500	
0602709A	19	NIGHT VISION TECHNOLOGY	20,465	25,465	20,465	-	23,965
		Combustion-Driven Eye Safe Self Powered Laser		[+5,000]		3,500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602712A	20	COUNTERMINE SYSTEMS	12,386	12,386	14,886	-	14,886
		Acoustic Mine Dectection			[+2,500]	2,500	
0602716A	21	HUMAN FACTORS ENGINEERING TECHNOLOGY	15,786	19,486	15,786	-	18,286
		Medical Errors Reduction Research		[+3,700]		2,500	
0602720A	22	ENVIRONMENTAL QUALITY TECHNOLOGY	13,994	13,994	13,994	-	13,994
0602782A	23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	23,314	23,314	23,314	-	23,314
0602783A	24	COMPUTER AND SOFTWARE TECHNOLOGY	3,987	3,987	3,987	-	3,987
0602784A	25	MILITARY ENGINEERING TECHNOLOGY	42,344	42,344	47,344	-	47,344
		Thermoelectric Power Generation for Military Applications			[+1,000]	1,000	
		Operational Support			[+4,000]	4,000	
0602785A	26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	11,869	11,869	11,869	-	11,869
0602786A	27	WARFIGHTER TECHNOLOGY	24,659	24,659	24,659	-	26,159
		Thermal Fluid based Combat Feeding System (Transfer from PE 0603747A)				1,500	
0602787A	28	MEDICAL TECHNOLOGY	75,729	85,729	75,729	-	78,229
		Real Time Heart Rate Variability		[+5,000]		2,500	
		Volumetrically Controlled Manufacturing Technology (Authorized in PE 0603002A)		[+5,000]		-	
0602789A	29	ARMY ARTIFICIAL INTELLIGENCE TECHNOLOGY	1,338	1,338	1,338	-	1,338
0602805A	30	DUAL USE SCIENCE AND TECHNOLOGY	10,154	10,154	10,154	-	10,154
0603001A	31	WARFIGHTER ADVANCED TECHNOLOGY	15,469	15,469	15,469	-	15,469
0603002A	32	MEDICAL ADVANCED TECHNOLOGY	16,512	16,512	16,512	-	26,012
		Life Support for Trauma and Transportation (LSTAT) (Transfer from PE 0604807A)				4,000	
		Anti-malarial research/Tafenoquine Antimalarial Agent (Transfer from PE 0603807A)				2,000	
		Volumetrically Controlled Manufacturing/Artificial Hip (Transfer from PE 0602787A)				3,500	
0603003A	33	AVIATION ADVANCED TECHNOLOGY	28,810	28,810	28,810	-	28,810
0603004A	34	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	29,738	37,238	29,738	-	29,738
		Trajectory Correctable Munitions (Authorized in PE 0603639A)		[+7,500]			
0603005A	35	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	148,114	197,114	206,414	-	139,114
		National Automotive Center - University Innovative Research		[+3,000]		3,000	
		Equipment Readiness			[+8,000]	8,000	
		Fuel Cell Auxilary Power Units			[+4,000]	3,000	
		Enabling Technologies for Future Combat Systems		[+46,000]	[+46,300]	46,000	
		Future Scout & Calvary System				(69,000)	
0603006A	36	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	21,505	21,505	28,505	-	24,505

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Big Crow			[+7,000]	3,000	
0603007A	37	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	3,072	6,072	3,072	-	5,072
		Aircrew Coordination Training		[+3,000]		2,000	
0603009A	38	TRACTOR HIKE	12,217	12,217	12,217	-	12,217
0603013A	39	TRACTOR DIRT		-	-	-	-
0603017A	40	TRACTOR RED	984	984	984	-	984
0603020A	41	TRACTOR ROSE	10,892	10,892	10,892	-	10,892
0603105A	42	MILITARY HIV RESEARCH	5,889	5,889	5,889	-	5,889
0603122A	43	TRACTOR HIP	980	980	980	-	980
0603238A	44	GLOBAL SURVEILLANCE/AIR DEF/PRECISION STRIKE TECH DEMO	21,307	21,307	21,307	-	21,307
0603270A	45	EW TECHNOLOGY	15,359	15,359	15,359	-	15,359
0603280A	46	JOINT TACTICAL RADIO SYSTEM		-	-	-	-
0603313A	47	MISSILE AND ROCKET ADVANCED TECHNOLOGY	25,107	25,107	25,107	-	25,107
0603322A	48	TRACTOR CAGE	3,083	3,083	3,083	-	3,083
0603606A	49	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	20,894	20,894	20,894	-	20,894
0603607A	50	JOINT SERVICE SMALL ARMS PROGRAM	4,469	4,469	4,469	-	4,469
0603654A	51	LINE-OF-SIGHT TECHNOLOGY DEMONSTRATION	50,727	50,727	50,727	-	50,727
0603710A	52	NIGHT VISION ADVANCED TECHNOLOGY	33,341	37,141	33,341	-	37,141
		Helmet Mounted Infrared Sensor		[+3,800]		3,800	
0603728A	53	ENVIRONMENTAL QUALITY TECHNOLOGY DEVELOPMENT	1,616	1,616	1,616	-	1,616
0603734A	54	MILITARY ENGINEERING ADVANCED TECHNOLOGY	5,207	5,207	5,207	-	5,207
0603772A	55	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECH	15,613	15,613	15,613	-	15,613
0603308A	56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (DEM/VAL)	12,573	17,573	75,773	-	70,273
		Simulation Centers Upgrades			[+4,500]	-	
		Family of Systems Simulators			[+3,000]	3,000	
		Army Space Control			[+5,000]	3,000	
		Missile Defense Flight Experiment/Northern Edge Range			[+14,700]	17,700	
		THEL		[+5,000]	[+15,000]	15,000	
		Acoustic Technology			[+4,000]	4,000	
		Radar Power Technology			[+4,000]	4,000	
		Scramjet Acoustic Combustion Enhancement			[+2,000]	1,500	
		Aero-Acoustic Instrumentation			[+4,000]	3,000	
		Supercluster Distributed Memory			[+2,000]	1,500	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		SMDC Battlelab			[+5,000]	5,000	
0603619A	57	LANDMINE WARFARE AND BARRIER - ADV DEV	22,803	22,803	22,803	-	22,803
0603639A	58	TANK AND MEDIUM CALIBER AMMUNITION	30,139	30,139	30,139	-	33,139
		Trajectory Correctable Muntion				3,000	
0603653A	59	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	118,139	118,139	158,139	-	268,139
		Transformation Initiative			[+40,000]	150,000	
0603713A	60	ARMY DATA DISTRIBUTION SYSTEM	17	17	17	-	17
0603747A	61	SOLDIER SUPPORT AND SURVIVABILITY	13,574	15,074	13,574	-	13,574
		Thermal Fluid Based Combat Feeding System (Authorized in PE 0602786A)		[+1,500]			
0603774A	62	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	10,968	10,968	10,968	-	10,968
0603779A	63	ENVIRONMENTAL QUALITY TECHNOLOGY DEM/VAL	4,897	4,897	4,897	-	4,897
0603790A	64	NATO RESEARCH AND DEVELOPMENT	1,920	1,920	1,920	-	1,920
0603801A	65	AVIATION - ADV DEV	5,848	5,848	5,848	-	5,848
0603802A	66	WEAPONS AND MUNITIONS - ADV DEV	28,679	28,679	28,679	-	28,679
0603804A	67	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	6,317	6,317	6,317	-	6,317
0603805A	68	COMBAT SERVICE SUPPORT CONTROL SYS EVAL & ANALYSIS	13,753	13,753	13,753	-	13,753
0603807A	69	MEDICAL SYSTEMS - ADV DEV	15,259	15,259	17,259	-	15,259
		Anti-malarial Research (Authorized in PE 0603002A)			[+2,000]	-	
0603851A	70	TRACTOR CAGE (DEM/VAL)	979	979	979	-	979
0603854A	71	ARTILLERY SYSTEMS - DEM/VAL	355,309	355,309	355,309	-	355,309
0603856A	72	SCAMP BLOCK II DEM/VAL	20,277	20,277	20,277	-	20,277
0603889A	73	COUNTERDRUG RDT&E PROJECTS		-	-	-	-
0604201A	74	AIRCRAFT AVIONICS	42,280	42,280	42,280	-	42,280
0604220A	75	ARMED, DEPLOYABLE OH-58D	532	532	532	-	532
0604223A	76	COMANCHE	614,041	614,041	614,041	-	614,041
0604270A	77	EW DEVELOPMENT	61,056	61,056	91,556	-	70,056
		SIRFC/ATIRCM			[+38,500]	9,000	
0604280A	78	JOINT TACTICAL RADIO	62,218	62,218	62,218	-	62,218
0604321A	79	ALL SOURCE ANALYSIS SYSTEM	44,084	44,084	44,084	-	44,084
0604328A	80	TRACTOR CAGE	2,916	2,916	2,916	-	2,916
0604329A	81	MODERNIZED HELLFIRE	4,969	4,969	4,969	-	4,969
0604601A	82	INFANTRY SUPPORT WEAPONS	2	2	2	-	2
0604604A	83	MEDIUM TACTICAL VEHICLES	1,959	1,959	1,959	-	1,959

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604609A	84	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ENG DEV	3,461	3,461	3,461	-	3,461
0604611A	85	JAVELIN	490	490	490	-	490
0604619A	86	LANDMINE WARFARE	15,902	15,902	15,902	-	15,902
0604622A	87	FAMILY OF HEAVY TACTICAL VEHICLES		-	-	-	-
0604633A	88	AIR TRAFFIC CONTROL	2,026	2,026	2,026	-	2,026
0604641A	89	TACTICAL UNMANNED GROUND VEHICLE (TUGV)		-	-	-	-
0604642A	90	LIGHT TACTICAL WHEELED VEHICLES	9,893	9,893	9,893	-	9,893
0604645A	91	ARMORED SYSTEMS MODERNIZATION (ASM)-ENG. DEV.	2,200	2,200	2,200	-	2,200
0604649A	92	ENGINEER MOBILITY EQUIPMENT DEVELOPMENT		59,600	-	-	15,000
		Breacher		[+59,600]		15,000	
0604710A	93	NIGHT VISION SYSTEMS - ENG DEV	32,574	32,574	32,574	-	32,574
0604713A	94	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	86,321	86,321	86,321	-	86,321
0604715A	95	NON-SYSTEM TRAINING DEVICES - ENG DEV	73,295	73,295	73,295	-	73,295
0604716A	96	TERRAIN INFORMATION - ENG DEV	6,082	6,082	6,082	-	6,082
0604726A	97	INTEGRATED METEOROLOGICAL SUPPORT SYSTEM	1,771	1,771	1,771	-	1,771
0604739A	98	INTEGRATED BROADCAST SERVICE	6,060	6,060	6,060	-	6,060
0604741A	99	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE - ENG DEV	16,462	16,462	16,462	-	16,462
0604746A	100	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	12,956	12,956	12,956	-	12,956
0604760A	101	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - ENG DEV	20,689	20,689	20,689	-	20,689
0604766A	102	TACTICAL EXPLOITATION OF NATIONAL CAPABILITIES - EMD (TIARA)	57,419	60,419	57,419	-	58,419
		Semi-Automated Imagery Processor		[+3,000]		2,000	
		Lower Priority Projects				(1,000)	
0604768A	103	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	96,102	96,102	96,102		98,102
		P-31 Seeker for BAT				2,000	
0604770A	104	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM	17,898	13,998	17,898	-	21,898
		Common Ground Station		[-7,900]			
		Surveillance Control Data Link (SCDL)		[+4,000]		4,000	
0604778A	105	POSITIONING SYSTEMS DEVELOPMENT (SPACE)	2,420	2,420	2,420	-	2,420
0604780A	106	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	18,498	18,498	18,498	-	18,498
0604801A	107	AVIATION - ENG DEV	7,104	7,104	7,104	-	7,104
0604802A	108	WEAPONS AND MUNITIONS - ENG DEV	22,505	26,005	22,505	-	22,505
		Multi Purpose Individual Munition		[+3,500]			
0604804A	109	LOGISTICS AND ENGINEER EQUIPMENT - ENG DEV	20,457	20,457	20,457	-	20,457

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604805A	110	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - ENG DEV	49,316	62,316	49,316	-	61,816
		Communications and Networking Technologies		[+13,000]		12,500	
0604807A	111	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEF EQUIP - ENG DEV	6,318	10,318	6,318	-	6,318
		Life Support for Trauma and Transport (Authorized in PE 0603002A)		[+4,000]			
0604808A	112	LANDMINE WARFARE/BARRIER - ENG DEV	69,584	69,584	69,584	-	69,584
0604814A	113	SENSE AND DESTROY ARMAMENT MISSILE - ENG DEV	52,848	52,848	52,848	-	31,805
		SADARM P31				(21,043)	
0604817A	114	COMBAT IDENTIFICATION	5,362	10,362	5,362	-	5,362
		Combat Identification Dismounted Solider		[+5,000]			
0604818A	115	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	33,420	33,420	33,420	-	33,420
0604819A	116	LOSAT	26,800	26,800	26,800	-	26,800
0604820A	117	RADAR DEVELOPMENT	8,429	8,429	8,429	-	8,429
0604823A	118	FIREFINDER	37,363	37,363	37,363	-	37,363
0604824A	119	DUAP COMMERCIAL OPERATIONS AND SUPPORT SAVINGS		-	-	-	-
0604854A	120	ARTILLERY SYSTEMS - EMD	20,105	20,105	20,105	-	20,105
0605013A	121	INFORMATION TECHNOLOGY DEVELOPMENT	94,170	94,170	94,170	-	94,170
0604256A	122	THREAT SIMULATOR DEVELOPMENT	13,901	13,901	18,501	-	15,801
		Threat Virtual Mine Simulator			[+2,500]	2,500	
		Threat Information Operations Attack Simulator			[+2,100]	2,100	
		XM18S				(2,700)	
0604258A	123	TARGET SYSTEMS DEVELOPMENT	13,346	13,346	13,346	-	10,346
		Aerial Targets				(3,000)	
0604759A	124	MAJOR T&E INVESTMENT	44,019	44,019	44,019	-	44,019
0605103A	125	RAND ARROYO CENTER	19,872	19,872	19,872	-	19,872
0605301A	126	ARMY KWAJALEIN ATOLL	153,326	153,326	153,326	-	153,326
0605326A	127	CONCEPTS EXPERIMENTATION PROGRAM	15,410	15,410	20,410	-	18,910
		Mounted Maneuver Battle Lab (MMBL)			[+5,000]	3,500	
0605502A	128	SMALL BUSINESS INNOVATIVE RESEARCH		-	-	-	-
0605601A	129	ARMY TEST RANGES AND FACILITIES	119,657	119,657	119,657	-	114,657
		Stinger Blk II				(5,000)	
0605602A	130	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	33,156	33,156	33,156	-	33,156
0605604A	131	SURVIVABILITY/LETHALITY ANALYSIS	27,248	27,248	27,248	-	27,248
0605605A	132	DOD HIGH ENERGY LASER TEST FACILITY	14,521	19,521	14,521	-	27,521

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		High-Energy Laser Test Facility		[+5,000]		3,000	
		Solid State High Energy Laser (transfer from PE 0602307A)				10,000	
0605606A	133	AIRCRAFT CERTIFICATION	3,200	3,200	3,200	-	3,200
0605702A	134	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,927	6,927	6,927	-	6,927
0605706A	135	MATERIEL SYSTEMS ANALYSIS	8,737	8,737	8,737	-	8,737
0605709A	136	EXPLOITATION OF FOREIGN ITEMS	3,582	3,582	3,582	-	3,582
0605712A	137	SUPPORT OF OPERATIONAL TESTING	71,079	71,079	71,079	-	68,779
		Joint Testing Operational Testing				(2,300)	
0605716A	138	ARMY EVALUATION CENTER	26,337	26,337	26,337	-	26,337
0605801A	139	PROGRAMWIDE ACTIVITIES	73,811	73,811	73,811	-	73,811
0605803A	140	TECHNICAL INFORMATION ACTIVITIES	26,749	26,749	26,749	-	26,749
0605805A	141	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	11,276	11,276	11,276	-	11,276
0605853A	142	ENVIRONMENTAL CONSERVATION		-	-	-	-
0605854A	143	POLLUTION PREVENTION		-	-	-	-
0605856A	144	ENVIRONMENTAL COMPLIANCE		-	-	-	-
0605857A	145	ARMY ACQUISITION POLLUTION PREVENTION PROGRAM	5,418	5,418	5,418	-	5,418
0605876A	146	MINOR CONSTRUCTION (RPM) - RDT&E		-	-	-	-
0605878A	147	MAINTENANCE AND REPAIR (RPM) - RDT&E		-	-	-	-
0605879A	148	REAL PROPERTY SERVICES (RPS) - RDT&E		-	-	-	-
0605896A	149	BASE OPERATIONS - RDT&E		-	-	-	-
0605898A	150	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	5,371	5,371	5,371	-	5,371
0909999A	151	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS		-	-	-	-
0603778A	152	MLRS PRODUCT IMPROVEMENT PROGRAM	59,523	59,523	75,523	-	69,523
		Cost Reduction Effort MLRS/HIMARS			[+16,000]	10,000	
0102419A	153	AEROSTAT JOINT PROJECT OFFICE	24,996	24,996	26,996	-	26,996
		Design and Manufacturing Program for JLENS			[+2,000]	2,000	
0203610A	154	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION		3,000	-	-	3,000
		Emergency Preparedness Training/National Terrorism Preparedness Institute		[+3,000]		3,000	
0203726A	155	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	36,816	36,816	36,816	-	36,816
0203735A	156	COMBAT VEHICLE IMPROVEMENT PROGRAMS	99,423	99,423	99,423	-	85,523
		Engine Upgrades				(20,000)	
		Transfer of System Technical Support Funding from WTCV A				6,100	
0203740A	157	MANEUVER CONTROL SYSTEM	48,910	48,910	48,910	-	48,910

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0203744A	158	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	95,829	116,229	95,829	-	107,829
		Apache Longbow Focused Modernization Program		[+18,400]		10,000	
		Guardrail Common Sensor/Tactical Integrated Broadcast System		[+2,000]		2,000	
0203752A	159	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	2,929	2,929	2,929	-	2,929
0203758A	160	DIGITIZATION	29,671	29,671	29,671	-	29,671
0203759A	161	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	63,601	63,601	63,601	-	63,601
0203761A	162	FORCE TWENTY-ONE (XXI), WARFIGHTING RAPID ACQUISITION PROG	6,021	6,021	6,021	-	-
		Termination				(6,021)	
0203801A	163	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	12,365	12,365	12,365	-	12,365
0203802A	164	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	64,418	64,418	64,418	-	56,418
		Tube Launched Optically Tracked Wire Guided Missile				(8,000)	
0203808A	165	TRACTOR CARD	3,837	3,837	3,837	-	3,837
0208010A	166	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	38,926	38,926	38,926	-	38,926
0208053A	167	JOINT TACTICAL GROUND SYSTEM	6,267	6,267	6,267	-	6,267
0301359A	168	SPECIAL ARMY PROGRAM	5,215	5,215	5,215	-	5,215
0303028A	169	SECURITY AND INTELLIGENCE ACTIVITIES		-	-	-	-
0303140A	170	INFORMATION SYSTEMS SECURITY PROGRAM	8,140	11,940	13,140	-	10,140
		Land Information Warfare Activities		[+3,800]		2,000	
		Center for Communications and Networking			[+5,000]	-	
0303141A	171	GLOBAL COMBAT SUPPORT SYSTEM	71,955	71,955	71,955	-	71,955
0303142A	172	SATCOM GROUND ENVIRONMENT (SPACE)	43,229	43,229	43,229	-	43,229
0303150A	173	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	14,234	14,234	14,234	-	14,234
0305114A	174	TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM	783	783	783	-	783
0305204A	175	TACTICAL UNMANNED AERIAL VEHICLES	29,427	33,427	29,427	-	33,427
		Army Tactical Unmanned Aerial Vehicles PIP		[+4,000]		4,000	
0305206A	176	AIRBORNE RECONNAISSANCE SYSTEMS	4,898	4,898	4,898	-	4,898
0305208A	177	DISTRIBUTED COMMON GROUND SYSTEMS	7,894	7,894	7,894	-	7,894
0708045A	178	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	57,906	67,906	57,906	-	67,906
		ManTech		[+10,000]		10,000	
1001018A	179	NATO JOINT STARS		-	-		-
		ECONOMIC ADJUSTMENT		-	(19,000)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	5,260,346	5,500,246	5,501,446	308,136	5,568,482

Tactical High Energy Laser

The budget request included no funding to complete development and testing of the Tactical High Energy Laser (THEL) program.

The House bill would authorize $5.0 million in PE 63308A for mobile THEL development.

The Senate amendment would authorize $15.0 million in PE 63308A to support continued THEL testing and deployment preparation activities.

The conferees agree to authorize $15.0 million in PE 63308A to support continued THEL development and testing.

The conferees note that the current THEL configuration lacks the mobility to be a truly effective operational system. Therefore, the conferees agree that, of the funds authorized to be appropriated for THEL, up to $5.0 million may be made available to evaluate and develop technologies that would support eventual development of a mobile THEL system.

Emergency preparedness training

The budget request included no funding in PE 23610A for domestic preparedness against weapons of mass destruction.

The House bill would authorize an increase of $3.0 million in PE 23610A to continue the development for Selected Reserve component forces of training programs for response to, and management of, the consequences of potential terrorism involving weapons of mass destruction.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $3.0 million in PE 23610A.

High energy laser research and development

The budget request included no funding in defense-wide science and technology accounts for high energy laser (HEL) research and development, no funding in PE 62307A for solid state laser research, $10.5 million in PE 62605F for solid state laser research, no funding in the Navy science and technology accounts for solid state laser research, no funding in PE 62111N for free electron laser (FEL) research, and $14.5 million in PE 65803A for the High Energy Laser System Test Facility (HELSTF).

The House bill included approval of the Department of Defense Laser Master Plan of March 24, 2000, and emphasized greater attention to, and priority for, HEL research and development (R&D) investments. Consequently, the House bill would authorize $10.0 million in PE 61108D and $25.0 million in PE 62890D8Z for HEL research and development, an increase of $10.0 million in PE 62307A for solid state laser research, the budget request in PE 62605F, an increase of $5.0 million in PE 62111N for FEL development, and an increase of $5.0 million in PE 65803A for research and development activities at HELSTF.

The Senate bill would authorize the budget request in PE 62307A, the budget request in PE 65803A for HELSTF, an increase of $5.0 million in PE 62111N for FEL development, the budget request in PE 62605F, and no funding in defense-wide science and technology accounts for HEL research and development. As described elsewhere in this report, the Senate bill also included approval of the Department of Defense Laser Master plan.

The conferees agree to authorize $30.0 million in PE 62890D8Z for HEL research and development, the budget request in PE 62307A, the budget request in PE 62605F, an increase of $5.0 million in PE 62111N for FEL development, an increase of $13.0 million in PE 65803A at HELSTF, of which $10.0 million is for solid state laser research and $3.0 million is for research and development activity at HELSTF. The conferees, as described elsewhere in this report, endorse the implementation of the management plan developed by the Secretary of Defense and submitted to Congress on March 24, 2000. The conferees continue to support service management of laser programs, but recognize the central role of the Office of the Secretary of Defense in developing and implementing an overall strategy to manage laser research effectively.

Funding actions related to the Tactical High Energy Laser, the Airborne Laser, and Space Based Laser are described elsewhere in this report.

Advanced tank armament system

The budget request included $118.1 million for advanced tank armament system research and development requirements.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $40.0 million to support Army transformation initiative test and evaluation requirements.

The conferees agree to authorize an increase of $150.0 million for Army transformation research and development requirements.

Defense manufacturing technology program

The budget request contained a total of $149.1 million for the Department of Defense manufacturing technology (ManTech) program, including $29.3 million in PE 78045A for the Army ManTech program, $59.6 million in PE 78011N for the Navy program, $53.1 million in PE 78011F for the Air Force program, and $7.1 million in PE 78011S for the Defense Logistics Agency's ManTech program.

The House bill would authorize an increase of $10.0 in PE 78045A for the Army manufacturing technology program, an increase of 10.0 million for the Navy ManTech program, and an increase of $4.5 million in PE 78011F in the Air Force program.

The Senate would authorize the budget request.

The conferees agree to authorize an increase of $10.0 million in PE 78045A for the Army ManTech program, an increase of $10.0 million in PE 78011N for the Navy ManTech program, and an increase of $3.8 million in PE 78011F for the Air Force ManTech program, as recommended in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Section 217 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) established as the overall purpose of the Department of Defense ManTech program the development and application of advanced manufacturing technologies and processes to reduce acquisition and support costs, and manufacturing and repair cycle times for defense weapons systems. Section 217 emphasized the program's focus on the development and application of advanced manufacturing technology and processes that are essential to national defense, including repair and re-manufacturing operations, in support of systems commands, depots, air logistics centers, and shipyards. Section 217 also required the participation of the prospective users of the technology in the establishment of requirements for, and the periodic review of advanced manufacturing technologies or processes. Finally, Section 217 also included the requirement for an assessment of program effectiveness, cost sharing, and technology and process implementation plans in the annual update of the program's five-year plan. In the statement of managers accompanying the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (H. Rept. 105–736), the conferees expressed the expectation that additional funds provided for the manufacturing technology program would be awarded using competitive procedures established by the military departments for their respective manufacturing technology programs.

The conferees direct the Comptroller General to conduct an assessment of the implementation of the manufacturing technology program within the Department of Defense with regard to the achievement of the goals established for the program and execution of the program in accordance with the provisions of the public law and the intent of Congress, as stated in the statement of manager's language with regard to competitive award procedures. The conferees direct the Comptroller General to submit the results of that assessment to the congressional defense committees by March 31, 2001.

Overview

The budget request for fiscal year 2001 contained an authorization of $8,476.7 million for Navy, Research and Development in the Department of Defense.

The House bill would authorize $8,834.5 million.

The Senate amendment would authorize $8,665.9 million.

The conferees recommended an authorization of $8,715.3 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY					
0601152N	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	16,343	16,343	16,343	-	16,343
0601153N	2	DEFENSE RESEARCH SCIENCES	381,139	381,889	381,139	-	381,139
		Marine Mammal Research		[+750]			
0602111N	3	AIR AND SURFACE LAUNCHED WEAPONS TECHNOLOGY	37,966	48,466	42,966	-	42,466
		Transfer to High Energy Laser				(500)	
		Free Electron Laser		[+5,000]	[+5,000]	5,000	
		Integrated Semiconductor Bridge Based Fuze		[+1,500]		-	
		Propulsion Development (Authorized in PE 0603217N)		[+4,000]		-	
0602121N	4	SHIP, SUBMARINE & LOGISTICS TECHNOLOGY	44,563	44,563	48,813	-	47,813
		Biodegradable Polymers			[+1,250]	1,250	
		Bioenvironmental Hazards Research			[+3,000]	2,000	
0602122N	5	AIRCRAFT TECHNOLOGY	21,057	23,057	21,057	-	21,057
		New Composite Materials for Aircraft Canopies		[+2,000]			
0602131M	6	MARINE CORPS LANDING FORCE TECHNOLOGY	9,793	9,793	11,793	-	11,793
		Nontraditional Warfare Initiatives/Center for Emerging Threats and Opportunties			[+2,000]	2,000	
0602228N	7	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU)			-	-	-
0602232N	8	COMMUNICATIONS, COMMAND AND CONTROL, INTELL, SURVEIL.	79,905	90,405	82,905	-	82,905
		Hyperspectral Research		[+5,000]	[+3,000]	3,000	
		Hybrid Fiberoptic/Wireless Communications Technology (Authorized in PE 0602234N)		[+2,500]		-	
		Optically Multiplexed Wideband Radar Beam-Forming Array (Authorized in PE 0603582N)		[+3,000]		-	
0602233N	9	HUMAN SYSTEMS TECHNOLOGY	30,939	30,939	33,939	-	32,939
		Cognitive Research			[+3,000]	2,000	
0602234N	10	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	68,076	78,076	73,076	-	78,076
		Intermediate Modulus Carbon Fiber		[+2,000]		2,000	
		Silicon Carbide and Gallium Nitride Semiconductor Substrates and Materials		[+5,000]		4,000	
		Single Flux Quantum Electronics		[+3,000]		-	
		Vacuum Electronics		[10,000]		(2,500)	
		Nanoscale Sensor Research			[+3,000]	2,500	
		Ceramic and Carbon Based Composites			[+2,000]	2,000	
		Hybrid Fiberoptic wireless communications				2,000	
0602270N	11	ELECTRONIC WARFARE TECHNOLOGY	26,043	29,043	26,043	-	26,043
		High Performance Sigma-Delta Waveform Generator		[+3,000]			

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602314N	12	UNDERSEA WARFARE SURVEILLANCE TECHNOLOGY	52,488	52,488	52,488	-	52,488
0602315N	13	MINE COUNTERMEASURES, MINING AND SPECIAL WARFARE	50,864	50,864	50,864	-	50,864
0602435N	14	OCEANOGRAPHIC AND ATMOSPHERIC TECHNOLOGY	60,320	68,320	63,320	-	70,320
		Adv Sensors for Mine Countermeasures & Oceanography/Chem, optical & phy sensor sys		[+6,000]		6,000	
		Distributed Marine Environment Forecast System		[+2,000]		2,000	
		Littoral Area Acoustic Demo			[+3,000]	2,000	
0602633N	15	UNDERSEA WARFARE WEAPONRY TECHNOLOGY	35,028	35,028	37,028	-	39,028
		Torpedoes/Unmanned Underwater Vehicles				2,000	
		Computational Engineering Design			[+2,000]	2,000	
0602805N	16	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,067	10,067	10,067	-	10,067
0603217N	17	AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY	39,667	49,167	39,667	-	45,167
		DP-2 Thrust Vectoring Sys Proof of Concept Demonstration		[+9,500]		4,500	
		IHPTET				1,000	
0603238N	18	PRECISION STRIKE AND AIR DEFENSE TECHNOLOGY	68,555	68,555	68,555	-	68,555
0603270N	19	ADVANCED ELECTRONIC WARFARE TECHNOLOGY	17,583	17,583	17,583	-	17,583
0603508N	20	SURFACE SHIP & SUBMARINE HM&E ADVANCED TECHNOLOGY	37,432	49,232	57,232	-	57,932
		Power Node Control Centers (Authorized in PE 0604300N)		[+3,000]		-	
		Project M		[+3,000]		3,000	
		Ship Service Fuel Cell Program		[+2,800]		2,000	
		Supply Chain Best Practices (Authorized in PE 0605804N)			[+2,000]	-	
		Virtual Testbed for Reconfigurable Ship/Advanced Electrical Ship Systems		[+3,000]	[+2,000]	2,500	
		Modular Composite Hull			[+4,000]	3,000	
		Composite Helo Hangar Door			[+5,000]	4,000	
		Advanced Waterjet-21			[+4,000]	4,000	
		Laser Welding and Cutting			[+2,800]	2,000	
0603640M	21	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	54,749	55,749	54,749	-	55,749
		Remote Precision Gun		[+1,000]		1,000	
0603706N	22	MEDICAL DEVELOPMENT	10,110	13,110	10,110	-	13,110
		Fleet Health Technology		[+3,000]		3,000	
		Malaria DNA Vaccine		[1,500]		-	
		Occupational Lung Disease (Authorized in PE 0603738D)		[500]		-	
0603707N	23	MANPOWER, PERSONNEL AND TRAINING ADV TECH DEV	26,988	26,988	26,988	-	26,988
0603712N	24	ENVIRONMENTAL QUALITY AND LOGISTICS ADV TECHNOLOGY	24,002	24,002	24,002	-	28,752

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Hybrid Light Detection Range Lidar				3,000	
		Aviation Depot Maint Tec Demo(transfer from PE 0603721N)				1,750	
0603727N	25	NAVY TECHNICAL INFORMATION PRESENTATION SYSTEM	49,506	49,506	55,506	-	51,506
		Joint Experimentation			[+6,000]	2,000	
0603747N	26	UNDERSEA WARFARE ADVANCED TECHNOLOGY	58,296	58,296	58,296	-	58,296
0603782N	27	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	45,618	45,618	48,618	-	48,618
		Ocean Modeling for Mine and Expeditionary Warfare			[+3,000]	3,000	
0603792N	28	ADVANCED TECHNOLOGY TRANSITION	76,333	101,333	91,333	-	83,833
		Littoral Support Fast Patrol Craft (Authorized in PE 0604567N)		[+22,000]			
		Hybrid Light Detection and Ranging LIDAR (Authorized in PE 0603712N)		[+3,000]			
		Vectored Thrust Ducted Propeller		[11,300]		[11,300]	
		USMC ATT Initiative			[+15,000]	7,500	
0603794N	29	C3 ADVANCED TECHNOLOGY	29,673	29,673	29,673	-	29,673
0603207N	30	AIR/OCEAN TACTICAL APPLICATIONS	30,337	30,337	30,337	-	30,337
0603216N	31	AVIATION SURVIVABILITY	7,536	12,036	7,536	-	7,536
		Aircraft Survivability Study		[+500]			
		Flight Worthy Transparent Armor System		[+2,000]			
		Lightweight Environmentally Sealed Parachute Assembly (LESPA)		[+2,000]			
0603254N	32	ASW SYSTEMS DEVELOPMENT	19,680	24,680	19,680	-	23,680
		Beartrap		[+5,000]		4,000	
0603261N	33	TACTICAL AIRBORNE RECONNAISSANCE	1,956	1,956	1,956	-	1,956
0603382N	34	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,943	6,943	6,943	-	6,943
0603502N	35	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	97,929	103,429	102,929	-	101,429
		Synthetic Aperture Sonar Development		[+5,500]		-	
		Minesweeper Integrated Combat Weapons System			[+5,000]	3,500	
0603504N	36	ADVANCED SUBMARINE COMBAT SYSTEMS DEVELOPMENT			-	-	-
0603506N	37	SURFACE SHIP TORPEDO DEFENSE		8,400	-	-	8,400
		Surface Ship Torpedo Defense		[+8,400]		8,400	
0603512N	38	CARRIER SYSTEMS DEVELOPMENT	148,952	148,952	148,952	-	148,952
		CVNX Aircraft Carrier Design Product Model (Authorized in PE 0604567N)		[5,000]			
0603513N	39	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	244,437	238,437	244,437	-	244,437
		Program Decrease		[-6,000]			
0603525N	40	PILOT FISH	107,598	107,598	107,598	-	107,598

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603526N	41	ADVANCED SOFTWARE AND COMPUTING TECHNOLOGY			-	-	-
0603527N	42	RETRACT LARCH	11,895	11,895	11,895	-	11,895
0603536N	43	RETRACT JUNIPER			-	-	-
0603542N	44	RADIOLOGICAL CONTROL	572	572	572	-	572
0603553N	45	SURFACE ASW	6,752	6,752	6,752	-	6,752
0603559N	46	SSGN CONVERSION	34,762	34,762	43,762	-	37,762
		SSBN to SSGN Conversion Design Options			[+9,000]	3,000	
0603561N	47	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	113,269	123,469	117,769	-	123,269
		Common Towed Array		[+10,200]		6,000	
		Electric Motor Brush Technology			[+2,000]	2,000	
		Advanced Composite Sail Technology			[+2,500]	2,000	
0603562N	48	SUBMARINE TACTICAL WARFARE SYSTEMS	4,356	4,356	4,356	-	4,356
0603563N	49	SHIP CONCEPT ADVANCED DESIGN	162	162	162	-	162
0603564N	50	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	46,896	43,896	50,496	-	56,896
		Program Decrease		[-3,000]			
		Shipboard Simulation for Marine Corps Operations			[+20,000]	20,000	
		JCC(X) Analysis of Alternatives			[-16,400]	(10,000)	
0603570N	51	ADVANCED NUCLEAR POWER SYSTEMS	168,483	168,483	168,483	-	168,483
0603573N	52	ADVANCED SURFACE MACHINERY SYSTEMS	5,635	5,635	5,635	-	5,635
0603576N	53	CHALK EAGLE	64,770	64,770	64,770	-	64,770
0603582N	54	COMBAT SYSTEM INTEGRATION	32,966	32,966	42,966	-	44,966
		Common Command and Decision Functions			[+10,000]	10,000	
		Optically multiplexed wideband radar beamformer				2,000	
0603609N	55	CONVENTIONAL MUNITIONS	28,619	33,619	28,619	-	28,619
		Optical Correlation Technology for Automatic Target Recognition		[+5,000]			
0603611M	56	MARINE CORPS ASSAULT VEHICLES	137,981	165,481	160,481	-	150,481
		Advanced Amphibious Assault Vehicle		[+27,500]	[+27,500]	12,500	
0603612M	57	MARINE CORPS MINE/COUNTERMEASURES SYSTEMS - ADV DEV			-	-	-
0603635M	58	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	23,216	43,716	40,516	-	23,216
		High Mobility Artillery Rocket System (Authorized in PE 0206623M)		[+17,300]	[+17,300]	-	
		Lightweight 155		[+3,200]			
0603654N	59	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	13,131	13,131	13,131	-	13,131
0603658N	60	COOPERATIVE ENGAGEMENT	119,257	119,257	119,257	-	119,257

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603713N	61	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	15,371	15,371	15,371	-	15,371
0603721N	62	ENVIRONMENTAL PROTECTION	62,194	63,944	62,194	-	62,194
		Aviation Depot Maintenance Technology (Authorized in PE 0603712N)		[+1,750]			
0603724N	63	NAVY ENERGY PROGRAM	4,942	4,942	4,942	-	4,942
0603725N	64	FACILITIES IMPROVEMENT	1,824	1,824	1,824	-	1,824
0603734N	65	CHALK CORAL	52,886	52,886	52,886	-	52,886
0603739N	66	NAVY LOGISTIC PRODUCTIVITY			-	-	-
0603746N	67	RETRACT MAPLE	125,222	125,222	125,222	-	125,222
0603748N	68	LINK PLUMERIA	42,372	42,372	42,372	-	42,372
0603751N	69	RETRACT ELM	13,541	13,541	13,541	-	13,541
0603755N	70	SHIP SELF DEFENSE - DEM/VAL	6,610	6,610	6,610	-	6,610
0603764N	71	LINK EVERGREEN	9,712	9,712	9,712	-	9,712
0603787N	72	SPECIAL PROCESSES	62,510	62,510	62,510	-	62,510
0603790N	73	NATO RESEARCH AND DEVELOPMENT	8,992	8,992	8,992	-	8,992
0603795N	74	LAND ATTACK TECHNOLOGY	143,044	143,044	153,044	-	139,244
		Extended Range Guided Munition		[39,100]	[+10,000]	7,000	
		Advanced Land Attack Missile (ALAM)				(10,800)	
0603800N	75	JOINT STRIKE FIGHTER (JSF) - DEM/VAL	131,566	131,566	343,666	-	243,050
		Extend DEM/VAL			[+212,100]	111,484	
0603851M	76	NONLETHAL WEAPONS - DEM/VAL	23,580	23,580	31,580	-	27,580
		Nonlethal Research and Technology Development			[+8,000]	4,000	
0603857N	77	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (ASCIET)	13,110	13,110	13,110	-	13,110
0603889N	78	COUNTERDRUG RDT&E PROJECTS			-	-	-
0604327N	79	HARD & DEEPLY BURIED TARGET DEFEAT SYS (HDBTDS) PROG			-	-	-
0604707N	80	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENG SUP	34,100	34,100	38,100	-	38,100
		Collaborative Integrated Information Technology (NAVCIITI)			[+4,000]	4,000	
0603208N	81	TRAINING SYSTEM AIRCRAFT			-	-	-
0604212N	82	OTHER HELO DEVELOPMENT	24,393	24,393	34,393	-	24,393
		Parametric Airborne Dipping Sonar			[+10,000]	-	-
0604214N	83	AV-8B AIRCRAFT - ENG DEV	38,061	38,061	38,061	-	24,961
		Laser Spot Tracker				(13,100)	
0604215N	84	STANDARDS DEVELOPMENT	95,814	95,814	95,814	-	95,814
0604216N	85	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	69,946	69,946	77,946	-	74,946

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Advanced Threat Infrared Countermeasures			[+8,000]	5,000	
0604217N	86	S-3 WEAPON SYSTEM IMPROVEMENT	455	12,455	455	-	455
		Surveillance System Upgrade		[+12,000]			
0604218N	87	AIR/OCEAN EQUIPMENT ENGINEERING	6,051	6,051	6,051	-	6,051
0604221N	88	P-3 MODERNIZATION PROGRAM	2,906	7,806	2,906	-	2,906
		Advanced Concept Systems Development		[+3,000]			
		New Electrical System		[+1,900]			
0604231N	89	TACTICAL COMMAND SYSTEM	57,817	57,817	57,817	-	57,817
0604245N	90	H-1 UPGRADES	139,680	139,680	139,680	-	139,680
0604261N	91	ACOUSTIC SEARCH SENSORS	20,766	20,766	20,766	-	20,766
0604262N	92	V-22A	148,168	148,168	148,168	-	148,168
0604264N	93	AIR CREW SYSTEMS DEVELOPMENT	17,466	25,466	17,466	-	18,527
		Integrated Aviat Life Sup Sys/Mod flight helmet/Adv visionics helmet sys/(HAILSS)		[+8,000]		4,000	
		K-36 Ejection Seat Program				(6,439)	
		Joint helmet mounted cueing system				3,500	
0604270N	94	EW DEVELOPMENT	97,281	103,281	97,281		100,281
		Location of Global Positioning Jammers		[+6,000]		3,000	
0604300N	95	SC-21 TOTAL SHIP SYSTEM ENGINEERING	305,274	305,274	318,274	-	292,274
		Power Node Control Center			[+3,000]	3,000	
		Advanced Food Service Technology (Authorized in PE 0604307N)			[+2,000]	-	
		SPY-3 and Volume Search Radar			[+8,000]	4,000	
		Development cost growth				(20,000)	
0604307N	96	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	179,684	179,684	179,684	-	181,684
		Advanced Food Service Technology				2,000	
0604311N	97	LPD-17 CLASS SYSTEMS INTEGRATION	273	273	273	-	273
0604312N	98	TRI-SERVICE STANDOFF ATTACK MISSILE	2,024	2,024	2,024	-	2,024
0604366N	99	STANDARD MISSILE IMPROVEMENTS	1,194	1,194	1,194	-	1,194
0604373N	100	AIRBORNE MCM	47,312	64,312	47,312	-	48,312
		AN/AQS-20/X Mine Hunting Sonar		[+17,000]		1,000	
0604503N	101	SSN-688 AND TRIDENT MODERNIZATION	34,801	49,801	54,801	-	54,801
		Multi-Purpose Processor		[+15,000]	[+15,000]	15,000	
		Antenna Technology Improvements			[+5,000]	5,000	
0604504N	102	AIR CONTROL	13,538	13,538	13,538	-	13,538

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604507N	103	ENHANCED MODULAR SIGNAL PROCESSOR	875	875	875	-	875
0604512N	104	SHIPBOARD AVIATION SYSTEMS	9,833	9,833	9,833	-	9,833
0604518N	105	COMBAT INFORMATION CENTER CONVERSION	3,720	3,720	3,720	-	3,720
0604524N	106	SUBMARINE COMBAT SYSTEM	3,642	3,642	3,642	-	3,642
0604528N	107	SWATH (SM WATERPLANE AREA TWIN HULL) OCEANOGRAPHIC SHIP			-	-	-
0604558N	108	NEW DESIGN SSN	207,091	209,091	212,091	-	209,091
		Submarine Sonar Dome Window		[+2,000]		-	
		Submarine Common Architecture			[+5,000]	2,000	
0604561N	109	SSN-21 DEVELOPMENTS	6,617	6,617	6,617	-	6,617
0604562N	110	SUBMARINE TACTICAL WARFARE SYSTEM	20,492	20,492	24,492	-	24,492
		Advanced Tactical Software Integration			[+4,000]	4,000	
0604567N	111	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	62,204	62,204	72,204	-	78,204
		CVN-77, CVNX, and Nimitz Class Smart Product Model			[+10,000]	8,000	
		Littoral support fast patrol craft				8,000	
0604574N	112	NAVY TACTICAL COMPUTER RESOURCES	3,291	3,291	3,291	-	3,291
0604601N	113	MINE DEVELOPMENT	1,968	1,968	1,968	-	1,968
0604603N	114	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS	2,581	2,581	2,581	-	2,581
0604610N	115	LIGHTWEIGHT TORPEDO DEVELOPMENT	9,347	9,347	9,347	-	9,347
0604612M	116	MARINE CORPS MINE COUNTERMEASURES SYSTEMS - ENG DEV			-	-	-
0604618N	117	JOINT DIRECT ATTACK MUNITION	26,151	26,151	26,151	-	26,151
0604654N	118	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,102	7,102	7,102	-	7,102
0604703N	119	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	1,271	1,271	1,271	-	1,271
0604710N	120	NAVY ENERGY PROGRAM	5,531	5,531	5,531	-	5,531
0604721N	121	BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	2,232	2,232	2,232	-	2,232
0604727N	122	JOINT STANDOFF WEAPON SYSTEMS	20,823	20,823	20,823	-	20,823
0604755N	123	SHIP SELF DEFENSE - EMD	85,049	85,049	87,149	-	87,149
		NULKA Dual Band Spatially Distributed Infrared Signature			[+2,100]	2,100	
0604771N	124	MEDICAL DEVELOPMENT	5,273	7,273	5,273	-	6,773
		Mobile Integrated Diagnostic and Data Analysis System		[+2,000]		1,500	
0604777N	125	NAVIGATION/ID SYSTEM	18,487	18,487	18,487	-	18,487
0604784N	126	DISTRIBUTED SURVEILLANCE SYSTEM	20,710	30,710	20,710	-	30,710
		Advanced Deployable System		[+10,000]		10,000	
0604800N	127	JOINT STRIKE FIGHTER (JSF) - EMD	295,962	295,962	-	-	101,275

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Extend DEM/VAL			[-295,962]	(194,687)	
0604805N	128	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			-	-	-
0604910N	129	SMART CARD DEV/MOD	1,240	1,240	1,240	-	1,240
0605013M	130	INFORMATION TECHNOLOGY DEVELOPMENT	6,833	6,833	6,833	-	6,833
0605013N	131	INFORMATION TECHNOLOGY DEVELOPMENT	15,259	15,259	23,259	-	23,259
		Single Integrated Human Resources Strategy/Human Resources Enterprise Strategy			[+8,000]	8,000	
0508713N	132	NAVY STANDARD INTEGRATED PERSONNEL SYSTEM (NSIPS)	5,917	5,917	5,917	-	5,917
0604256N	133	THREAT SIMULATOR DEVELOPMENT	24,293	24,293	24,293	-	24,293
0604258N	134	TARGET SYSTEMS DEVELOPMENT	41,138	41,138	41,138	-	41,138
0604759N	135	MAJOR T&E INVESTMENT	40,707	40,707	40,707	-	40,707
0605152N	136	STUDIES AND ANALYSIS SUPPORT - NAVY	8,056	8,056	8,056	-	6,056
		Freeze to fiscal year 2000 level				(2,000)	
0605154N	137	CENTER FOR NAVAL ANALYSES	43,889	43,889	43,889	-	43,889
0605155N	138	FLEET TACTICAL DEVELOPMENT	2,886	2,886	2,886	-	2,886
0605502N	139	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605804N	140	TECHNICAL INFORMATION SERVICES	949	4,949	949	-	4,949
		Supply Chain Management and Development Best Practices		[+4,000]		4,000	
0605853N	141	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	17,644	17,644	17,644	-	17,644
0605856N	142	STRATEGIC TECHNICAL SUPPORT	2,403	2,403	2,403	-	2,403
0605861N	143	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	53,380	53,380	53,380	-	53,380
0605862N	144	RDT&E INSTRUMENTATION MODERNIZATION	12,045	12,045	12,045	-	12,045
0605863N	145	RDT&E SHIP AND AIRCRAFT SUPPORT	76,128	76,128	76,128	-	76,128
0605864N	146	TEST AND EVALUATION SUPPORT	270,327	270,327	270,327	-	270,327
0605865N	147	OPERATIONAL TEST AND EVALUATION CAPABILITY	8,957	8,957	8,957	-	8,957
0605866N	148	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	3,262	3,262	3,262	-	3,262
0605867N	149	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	12,694	12,694	12,694	-	11,694
		Lower priority TENCAP projects				(1,000)	
0605873M	150	MARINE CORPS PROGRAM WIDE SUPPORT	8,091	8,091	11,091	-	9,091
		Marine Corps Research University			[+3,000]	1,000	
0305885N	151	TACTICAL CRYPTOLOGIC ACTIVITIES	4,666	4,666	4,666	-	4,666
0909999N	152	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			-	-	-
0603660N	153	ADVANCED DEVELOPMENT PROJECTS	207,000	207,000	207,000	-	207,000
0603661N	154	RETRACT VIOLET	30,161	30,161	30,161	-	30,161

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0604227N	155	HARPOON MODIFICATIONS			-	-	-
0604805N	156	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	12,485	12,485	12,485	-	12,485
0101221N	157	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	42,687	42,687	44,687	-	44,687
		Reentry System Application Program			[+2,000]	2,000	
0101224N	158	SSBN SECURITY TECHNOLOGY PROGRAM	31,173	31,173	31,173	-	31,173
0101226N	159	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	879	879	879	-	879
0204136N	160	F/A-18 SQUADRONS	248,093	274,093	248,093	-	243,093
		Joint Helmet Mounted Cueing System (Authorized in PE 0604264N)		[+8,000]		-	
		SHARP (Authorized in PE 0305207N)		[+18,000]			
		ATFLIR Reserve				(4,000)	
		JHMCS Contract Savings				(1,000)	
0204152N	161	E-2 SQUADRONS	18,698	20,698	18,698	-	24,698
		E2-C2 Rotordome and Control Surface Improvements		[+2,000]		2,000	
		E2-C2 eight blade composite propeller				4,000	
0204163N	162	FLEET TELECOMMUNICATIONS (TACTICAL)	12,012	12,012	12,012	-	12,012
0204229N	163	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	91,436	91,436	91,436	-	91,436
0204311N	164	INTEGRATED SURVEILLANCE SYSTEM	16,928	16,928	16,928	-	16,928
0204413N	165	AMPHIBIOUS TACTICAL SUPPORT UNITS	7,911	7,911	7,911	-	7,911
0204571N	166	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	27,059	40,059	32,059	-	36,059
		Battle Force Tactical Trainer		[+5,000]		5,000	
		Joint Tactical Combat Training System		[+8,000]	[+5,000]	4,000	
0204575N	167	ELECTRONIC WARFARE (EW) READINESS SUPPORT	9,924	9,924	9,924	-	9,924
0205601N	168	HARM IMPROVEMENT	21,355	26,355	21,355	-	26,355
		Advanced Anti-Radiation Guided Missile		[+5,000]		5,000	
0205604N	169	TACTICAL DATA LINKS	26,245	26,245	26,245	-	26,245
0205620N	170	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,585	29,585	29,585	-	29,585
0205632N	171	MK-48 ADCAP	15,853	15,853	15,853	-	15,853
0205633N	172	AVIATION IMPROVEMENTS	51,018	57,018	51,018	-	51,018
		C-2 Eight-Blade Composite Propeller System (Authorized in PE 0204152N)		[+6,000]			
0205667N	173	F-14 UPGRADE	1,228	1,228	10,228	-	10,228
		SAR Reconnaissance System Demonstrator			[+9,000]	9,000	
0205675N	174	OPERATIONAL NUCLEAR POWER SYSTEMS	53,435	53,435	53,435	-	53,435
0206313M	175	MARINE CORPS COMMUNICATIONS SYSTEMS	96,153	104,653	96,153	-	101,153

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Mobile Electronic Warfare Support System		[+8,500]		5,000	
0206623M	176	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	22,124	22,124	22,124	-	39,424
		High Mobility Artillery Rocket System (HIMARS)				17,300	
0206624M	177	MARINE CORPS COMBAT SERVICES SUPPORT	2,854	2,854	2,854	-	2,854
0207161N	178	TACTICAL AIM MISSILES	21,705	21,705	21,705	-	21,705
0207163N	179	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	12,140	12,140	12,140	-	12,140
0303109N	182	SATELLITE COMMUNICATIONS (SPACE)	37,778	37,778	37,778	-	37,778
0303140N	183	INFORMATION SYSTEMS SECURITY PROGRAM	21,530	21,530	21,530	-	21,530
0303150N	184	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM			-	-	-
0305160N	186	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	19,730	19,730	19,730	-	19,730
0305188N	187	JOINT C4ISR BATTLE CENTER (JBC)	7,795	7,795	9,795	-	9,795
		Interoperability Process Software Tools			[+2,000]	2,000	
0305192N	188	JOINT MILITARY INTELLIGENCE PROGRAMS	7,000	7,000	7,000	-	7,000
0305204M	189	TACTICAL UNMANNED AERIAL VEHICLES		5,000	-	-	-
		Dragon Warrior Unmanned Aerial Vehicle		[+5,000]			
0305204N	190	TACTICAL UNMANNED AERIAL VEHICLES	113,052	121,052	113,052	-	121,052
		Joint Forces Command Operational Testbed		[+1,000]		1,000	
		TUAV MSAG Technology		[+7,000]		7,000	
0305206N	191	AIRBORNE RECONNAISSANCE SYSTEMS	4,759	4,759	4,759	-	12,759
		Long-Range Optical Sensor Technology/Upgrade to an 18" Lens--TARPS Pod				5,000	
		Solid State Shutter Mechanism/Focal Plane Array				3,000	
0305207N	192	MANNED RECONNAISSANCE SYSTEMS	27,479	38,079	27,479	-	46,479
		Long-Range Optical Sensor Technology (Authorized in PE 0305207N)		[+5,000]		-	
		P-3 Squadron Sensor Upgrade		[+2,600]		1,000	
		Solid-State Shutter Mechanism (Authorized in PE 0305207M)		[+3,000]		-	
		SHARP				18,000	
0305208N	193	DISTRIBUTED COMMON GROUND SYSTEMS	4,482	4,482	4,482	-	4,482
0305927N	194	NAVAL SPACE SURVEILLANCE	2,038	1,438	2,038	-	1,438
		Naval Space Surveillance		[-600]		(600)	
0305972N	195	SPACE ACTIVITIES			2,000	-	2,000
		SPAWAR SATCOM Systems Integration Initiative			[+2,000]	2,000	
0308601N	196	MODELING AND SIMULATION SUPPORT	9,106	12,106	14,106	-	14,106
		C4ISR Modeling and Simulation/Distributed Engineering Plant		[+3,000]	[+5,000]	5,000	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0702207N	197	DEPOT MAINTENANCE (NON-IF)	34,166	34,166	34,166	-	34,166
0708011N	198	INDUSTRIAL PREPAREDNESS	59,626	69,626	59,626	-	69,626
		ManTech		[+10,000]		10,000	
0708730N	199	MARITIME TECHNOLOGY (MARITECH)	9,366	15,366	9,366	-	9,366
		MARITECH		[+6,000]			
XXXXXX	999	Classified Programs	531,940	531,940	531,940	15,000	546,940
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	8,476,677	8,834,477	8,665,865	238,658	8,715,335

Biodegradable polymers

The budget request included no funding for biodegradable polymers (PE 62121N).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $1.25 million in PE 62121N to aid in the development of polymer membrane methods for treating graywater (kitchen, shower, and cleaning solution), blackwater (sewage), and bilge water (oily contaminants) to acceptable levels prior to shipboard release.

The conferees agree to authorize an increase of $1.25 million in PE 62121N for biodegradable polymers.

Torpedoes and unmanned undersea vehicles

The budget request included $35.0 million in PE 62633N for undersea warfare weapons technology development.

The House bill and the Senate amendment would authorize the budget request for improvements to torpedoes and unmanned undersea vehicles.

The conferees agree to an increase of $2.0 million in PE 62633N for development of improvements for current and future torpedoes and unmanned undersea vehicles.

DP–2 thrust vectoring system proof-of-concept demonstration

The budget request included $39.7 million in PE 63217N for air systems and weapons advanced technology development and $9.0 million for NATO research and development. The budget request did not include funds for continuation of the DP–2 thrust vectoring system proof-of-concept demonstration. The budget request did include $6.4 million for the vectoring extremely short takeoff and landing (ESTOL) control tailless operation research (VECTOR) program, an international cooperative research program between the United States and the Federal Republic of Germany, as follows: $4.1 million in PE 63217N and $2.3 million in PE 63790N.

The House bill would authorize an increase of $9.5 million in PE 63217N to continue the DP–2 development program leading to a proof-of-concept demonstration of a one-half scale flight test vehicle.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $4.5 million for DP–2 demonstration in PE 63790N.

The conferees direct the Secretary of the Navy to provide an assessment of the program progress, plans and funding requirements for completion of the flight-test demonstration to the congressional defense committees with the submission of the fiscal year 2002 budget request.

The conferees are aware that a funding shortfall has developed in the VECTOR program. Given the cooperative nature of this program, along with the substantial benefits to future carrier aviation development, the conferees urge the Secretary of the Navy to review the program funding deficiencies and, if necessary, request a reprogramming action.

Virtual test bed for reconfigurable ship

The budget request included no funding for a virtual test bed for a reconfigurable ship.

The House bill would authorize an increase of $3.0 million in PE 63508N for a virtual test bed for advanced electrical ship systems.

The Senate amendment would authorize an increase of $2.0 million in PE 63508N for a virtual test bed for a reconfigurable ship.

The conferees agree to authorize an increase of $2.0 million in PE 63508N for a virtual test bed for a reconfigurable ship, as recommended in the House report accompanying H.R. 4205 (H. Rept. 106–616) and the Senate report accompanying S. 2549 (S. Rept. 106–292).

Fleet health technology and occupational lung disease

The budget request included $10.1 million in PE 63706N for medical development, including $4.8 million for the fleet health technology program.

The House bill would authorize an increase of $3.0 million in PE 63706N, including $500,000 to establish an occupational lung disease assessment program to determine if the incidence of sarcoidosis among naval personnel could be attributable to service aboard Navy ships. The House bill also noted and expressed concern about the reduction in the Department of the Navy's fleet health technology program from previous years' funding levels and in the priority given to the medical and occupational health and safety of Navy and Marine Corps personnel.

The Senate amendment would authorize the budget request.

The conferees note that recent developments of immune therapies by investigators at the Naval Medical Research Center have been shown to prevent the rejection of transplants without the need for continuous immunosuppressive drugs. The ability to transplant massive tissue segments without rejection could revolutionize the treatment of combat casualties who suffer significant tissue loss or organ damage from blast, missile fragments, or burns. Results obtained from testing in the laboratory show promise and the Chief of Naval Research has initiated a program to capitalize on these newly developed methods of treatment. The conferees believe that the further development of these therapies and confirmation of these therapies in definitive clinical trials could have profound effects upon the treatment of combat casualties and of civilians with organ failure.

The conferees agree to authorize an increase of $3.0 million in PE 63706N for fleet health technology for the Navy's program for the development of new immune strategies and procedures for tissue transplantation for the treatment of combat casualties with massive tissue loss.

The conferees also agree to authorize an increase of $500,000 in PE 63738D for the conduct of the occupational lung disease assessment as discussed in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Common towed array

The budget request included $113.3 million in PE 63561N for advanced submarine systems development, including $4.5 million for the development of advanced towed array technology for submarines and surface ships.

The House bill would authorize an increase of $10.2 million in PE 63561N to accelerate the development and demonstration of advanced towed array systems for surface ships and submarines. The House report accompanying H.R. 4205 (H. Rept. 106–616) indicated that these additional funds were to be particularly focused on developing multiple-line and fiber optic affordable towed array technology that could result in high gain, volumetric towed arrays with significantly improved sonar system performance for both submarines and surface vessels.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $6.0 million in PE 63561N to accelerate the development and demonstration of advanced towed array systems for surface ships and submarines. The conferees agree that these funds are not being designated for a specific program effort or contractor program, but that the Navy should use the additional funds to continue the efforts as described in the House report accompanying H.R. 4205 (H. Rept. 106–616).

Advanced land attack missile

The budget request included $19.8 million for research and development of the advanced land attack missile (ALAM) in PE 63795N.

The House bill and the Senate amendment would authorize the budget request.

The conferees note that the House report accompanying H.R. 1401 (H. Rept. 106–162) directed the Secretary of the Navy to report to the congressional defense committees the program plan and funding requirements for development of an advanced land attack missile (ALAM) system for the DD–21 land attack destroyer and other Naval combatants with the submission of the fiscal year 2001 budget request. The conferees also note the letter from the Under Secretary of Defense (Acquisition and Technology) to the Chairman, House Armed Services Committee, dated August 25, 1999, which stated that the Navy would pursue a multi-team industry competition for development of ALAM, and the Milestone 0 Acquisition Decision Memorandum, dated February 22, 2000, that designated the ALAM as a major defense acquisition program. The conferees further note that the Navy's ALAM program plan and funding included in the fiscal year 2001 budget request provide for completion of an ALAM analysis of alternatives and entry into the program risk and reduction phase in fiscal year 2001, competition and early prototyping by three to four contractors leading to an ALAM down-select/''fly-off'' by the end of fiscal year 2003, engineering and manufacturing development, initial procurement, and delivery of the ALAM system to the fleet in early fiscal year 2009 for the DD–21 Zumwalt-class destroyer.

The conferees agree to authorize a decrease of $10.8 million in PE 63795N for ALAM based on information made available to the conferees subsequent to passage of the House bill and the Senate amendment. The conferees place a high priority on completing the analysis of alternatives to determine the appropriate course of action for providing Naval fire support. The conferees direct the Secretary of the Navy to report to the congressional defense committees concurrent with the submission of the fiscal year 2002 budget request on recommended revisions to the ALAM program plan and the funding required to deploy a system as soon as technically feasible.

Joint strike fighter

The budget request included $131.6 million in PE 63800N and $129.5 million in PE 63800F to complete the demonstration and validation (DEMVAL) phase for the joint strike fighter (JSF) program. The budget request also included $296.0 million in PE 64800N and $299.5 million in PE 64800F to initiate the engineering and manufacturing development (EMD) phase for the JSF.

The House bill would authorize the budget request and contained several provisions related to JSF discussed elsewhere in this conference agreement.

The Senate amendment would authorize an increase of $212.1 million in PE 63800N and an increase of $212.1 million in PE 63800F to extend the DEMVAL phase. The Senate amendment would also authorize a decrease of all funding requested for the EMD phase, $296.0

million in PE 64800N and $299.5 million in PE 64800F, due to slips in program schedule. The Senate amendment contained a JSF provision discussed elsewhere in this conference agreement.

The conferees agree to authorize an overall decrease of $168.0 million in the JSF program, as follows:

(1) an increase of $111.5 million in PE 63800N;

(2) an increase of $113.5 million in PE 63800F;

(3) a decrease of $194.7 million in PE 64800N; and

(4) a decrease of $198.3 million in PE 64800F.

The conferees remain concerned about the readiness of the JSF program to enter the EMD phase, and note that significant delays in the schedule, particularly the flight program for the short take-off, vertical landing (STOVL) variant of the JSF, further increase the technical risk for entry into the EMD phase. A JSF provision discussed elsewhere in this conference agreement addresses conferee concerns surrounding the technical risk of premature entry into EMD.

The conferees are also concerned about the apparent pattern of additional contractor funding required to sustain the current DEMVAL activities of the program. Since the JSF program is potentially one of the largest acquisition programs in the Department of Defense, both competing contractors in this winner-take-all competition realize the significance of winner selection. However, the conferees are opposed to the requirement for industry to make additional, unreimbursed investments in the JSF program beyond existing contractual agreements. The conferees view the additional DEMVAL funding as necessary to provide for the execution of those projects presented in the budget request on the extended schedule. The conferees expect that risk mitigation projects, including the alternate engine, will be funded to the levels presented in the budget request.

Nonlethal research and technologies

The budget request included no funding for nonlethal research and technologies in PE 63851M.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $8.0 million for nonlethal research and technologies in PE 63851M.

The conferees agree to authorize an increase of $4.0 million in PE 63851M. Of the increased amount, $2.0 million will be used to develop a program in nonlethal environmental effects and remediation as recommended in the Senate report accompanying S. 2549 (S. Rept. 106–292).

Power node control centers

The budget request included no funding for power node control centers (PNCC) for integrating shipboard power functions such as switching, conversion, distribution, and system operation and protection.

The House bill would authorize an increase of $3.0 million in PE 63508N for PNCC.

The Senate amendment would authorize an increase of $3.0 million in PE 64300N for PNCC.

The conferees agree to authorize an increase of $3.0 million in PE 64300N for PNCC.

Advanced food service technology

The budget request included no funding for research and development of technologies that could lead to manpower reductions resulting from altering food service operations on ships.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $2.0 million in PE 64300N for advanced food service technology testing.

The conferees agree to authorize a an increase of $2.0 million in PE 64307N for advanced food service technology testing.

F–14 tactical reconnaissance

The budget request included $1.2 million for operational systems development of the F–14 aircraft.

The House bill would authorize an increase of $7.0 million in aircraft procurement for the integration and demonstration of a commercial synthetic aperture radar (SAR) in the F–14 tactical airborne reconnaissance pod system (TARPS). This demonstration was intended to mitigate the risk associated with the development of a SAR capability for the shared airborne reconnaissance program (SHARP).

The Senate amendment would authorize an increase of $9.0 million in PE 25667N for a similar purpose.

The conferees agree to authorize an increase of $9.0 million in PE 25677N to demonstrate the military utility of a tactical SAR reconnaissance capability by modifying and integrating non-developmental SAR technology into the F–14 TARPS.

The conferees note that this effort is specifically intended to mitigate the risk associated with providing an all-weather capability for SHARP. The conferees agree that these funds are not being designated for a specific contractor's program. The conferees also agree that, if the technology proves attractive during the risk mitigation program, the Navy should select SAR technology for the SHARP application using appropriate competitive procedures.

Marine Corps ground combat/supporting arms systems

The budget request included $22.1 million for Marine Corps ground combat and supporting arms systems research and development requirements.

The House bill would authorize an increase of $17.3 million in PE 63635M to support efforts by the Marine Corps to evaluate the potential that the high mobility artillery rocket system (HIMARS) might have to meet critical Marine Corps fire support requirements.

The Senate amendment would authorize an identical increase.

The conferees agree to authorize an increase of $17.3 million in PE 26623M to support Marine Corps plans to evaluate the ability of HIMARS to address deficiencies in organic fire support for Marine Corps forces ashore.

Tactical unmanned aerial vehicles

The budget request included $113.1 million for tactical unmanned aerial vehicles (TUAVs).

The House bill would authorize an increase of $1.0 million for the joint operational test bed (JOTB), and an increase of $7.0 million for TUAV multi-function, self-aligned gate array (MSAG) technology.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for the JOTB and an increase of $7.0 million for TUAV MSAG technology, a total authorization of $121.1 million in PE 35204N.

The conferees note that the Joint Forces Command is tasked with ensuring interoperability among military forces. The conferees are aware that the Joint Requirements Oversight Council endorsed the tactical control system (TCS) to provide this interoperability among unmmanned aerial vehicles (UAVs), and that the Joint Forces Command has recently established the JOTB to develop this capability, using a TCS and two Predator UAVs. The conferees strongly support UAV interoperability, the establishment of the JOTB, and the use of TCS and Predator UAVs to achieve this goal.

The conferees are also encouraged by results of MSAG antenna technology testing, and reaffirm their support for the ongoing MSAG advanced concept technology demonstration (ACTD). The JROC approved this ACTD based on the recommendation of the operational commanders in chief, who rated the MSAG effort number one of twelve candidates. The conferees are aware that the Navy may consider withdrawing its sponsorship of the ACTD. The conferees believe that the MSAG ACTD program should move forward. The conferees direct the Secretary of Defense to ensure that no change in the ACTD content or schedule will be effected by a change in sponsorship of the program.

Overview

The budget request for fiscal year 2001 contained an authorization of $13,685.6 million for Air Force, Research and Development in the Department of Defense.

The House bill would authorize $13,677.1 million.

The Senate amendment would authorize $13,897.3 million.

The conferees recommended an authorization of $13,779.1 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF					
0601102F	1	DEFENSE RESEARCH SCIENCES	206,149	209,149	206,149	-	209,149
		Upper Atmospheric and Astronomical Research		[+3,000]		3,000	
0602102F	2	MATERIALS	72,815	80,065	81,815	-	85,615
		Special Aerospace Materials and Manufacturing Processes		[+5,250]		4,500	
		Ultra-High Thermal Conductivity Graphite Materials		[+2,000]		1,800	
		Resin Systems for Engine Applications			[+2,000]	1,300	
		Laser Processing Tools			[+4,000]	3,200	
		Thermal Protection Systems			[+1,500]	1,000	
		Weathering and Corrosion on Aircraft Surfaces and Parts			[+1,500]	1,000	
0602201F	3	AEROSPACE FLIGHT DYNAMICS	48,775	49,775	54,775	-	50,775
		Composite Affordability Initiative		[+1,000]			
		Aeronautical Research			[+6,000]	2,000	
0602202F	4	HUMAN EFFECTIVENESS APPLIED RESEARCH	62,619	62,619	62,619	-	62,619
0602203F	5	AEROSPACE PROPULSION	116,262	122,262	124,262	-	119,462
		IHPTET/IHPRPT		[+6,000]		3,800	
		Variable Displacement Vane Pump			[+3,000]	1,800	
		PBO Membrane Fuel Cell			[+5,000]	2,600	
		Rocket Propulsion Technology				(5,000)	
0602204F	6	AEROSPACE SENSORS	65,644	65,644	65,644	-	65,644
0602269F	7	HYPERSONIC TECHNOLOGY PROGRAM			-	-	-
0602601F	8	SPACE TECHNOLOGY	57,687	57,687	68,287	-	64,487
		Tech-Sat 21Transfer			[-5,000]	-	
		Aluminum Aerostructures			[+3,000]	1,800	
		Space Survivability			[+5,600]	3,000	
		HAARP			[+7,000]	7,000	
		Integrated Microsatellite Technology Concept				(5,000)	
0602602F	9	CONVENTIONAL MUNITIONS	45,223	45,223	45,223	-	53,223
		XSS-10 Microsatellite Technology				8,000	
0602605F	10	DIRECTED ENERGY TECHNOLOGY	32,337	32,337	32,337	-	32,337
0602702F	11	COMMAND CONTROL AND COMMUNICATIONS	78,749	78,749	78,749	-	78,749
0602805F	12	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,144	10,144	10,144	-	10,144
0603106F	13	LOGISTICS SYSTEMS TECHNOLOGY	13,895	13,895	13,895	-	13,895

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603112F	14	ADVANCED MATERIALS FOR WEAPON SYSTEMS	21,678	26,928	21,678	-	26,178
		Special Aerospace Materials and Manufacturing Processes		[+5,250]		4,500	
0603202F	15	AEROSPACE PROPULSION SUBSYSTEMS INTEGRATION	34,440	34,440	34,440	-	34,440
0603203F	16	ADVANCED AEROSPACE SENSORS	28,311	30,311	34,311	-	31,811
		Combat Identification		[+2,000]		-	
		Integrated Demonstrations & Applications Laboratory (IDAL)			[+6,000]	3,500	
0603205F	17	FLIGHT VEHICLE TECHNOLOGY	2,445	2,445	4,445	-	3,845
		Fiber Optic Control Technologies			[+2,000]	1,400	
0603211F	18	AEROSPACE STRUCTURES	12,961	12,961	12,961	-	12,961
0603216F	19	AEROSPACE PROPULSION AND POWER TECHNOLOGY	41,964	41,964	41,964	-	41,964
0603227F	20	PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY	6,491	6,491	6,491	-	6,491
0603231F	21	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	12,479	14,479	12,479	-	12,479
		Aircrew Laser Eye Protection		[+2,000]			
0603245F	22	FLIGHT VEHICLE TECHNOLOGY INTEGRATION	13,184	69,184	13,184	-	12,126
		21st Century Affordable Aircraft Thrust Demonstration Project		[+56,000]			
		Control Technologies and Adaptive Flight Control Algorithms				(1,058)	
0603253F	23	ADVANCED SENSOR INTEGRATION	5,350	5,350	5,350	-	5,350
0603270F	24	ELECTRONIC COMBAT TECHNOLOGY	25,882	25,882	25,882	-	25,882
0603302F	25	SPACE AND MISSILE ROCKET PROPULSION	24,283	57,983	24,283	-	24,283
		High Energy Propulsion Systems (Authorized in 0305182F)		[+23,700]			
		Low Cost Launch Technology (Authorized in 0603401F/0603173C)		[+10,000]			
0603311F	26	BALLISTIC MISSILE TECHNOLOGY		12,000	-	-	12,000
		Ballistic Missile Technology		[+12,000]		12,000	
0603401F	27	ADVANCED SPACECRAFT TECHNOLOGY	97,327	102,327	146,327	-	60,602
		Miniature Satellite Threat Reporting System (MSTRS)		[+5,000]	[+5,000]	1,500	
		Upper Stage Flight Experiment			[+5,000]	5,000	
		Scorpius/Low Cost Launch			[+5,000]	6,500	
		Space Maneuver Vehicle			[+15,000]	6,500	
		Solar Orbital Transfer Vehicle (SOTV)			[+5,000]	2,600	
		Micro-Satellite Technology (XSS-10) (Authorized in 0602602F)			[+12,000]	-	
		Composite Payload Fairings and Shrouds			[+2,000]	-	
		Second Integrated Space Technology Demonstration				(4,585)	
		Discoverer II				(54,240)	

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603410F	28	SPACE SYSTEMS ENVIRONMENTAL INTERACTIONS TECHNOLOGY	3,412	3,412	3,412	-	3,412
0603444F	29	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	4,625	4,625	4,625	-	4,625
0603601F	30	CONVENTIONAL WEAPONS TECHNOLOGY	22,731	22,731	22,731	-	22,731
0603605F	31	ADVANCED WEAPONS TECHNOLOGY	33,371	33,371	33,371	-	25,371
		Transfer to Joint High Energy Laser Program				(8,000)	
0603707F	32	WEATHER SYSTEMS TECHNOLOGY			-	-	-
0603723F	33	ENVIRONMENTAL ENGINEERING TECHNOLOGY			-	-	-
0603726F	34	AEROSPACE INFO TECH SYS INTEGRATION	7,429	7,429	7,429	-	7,429
0603728F	35	BATTLESPACE C2 TECHNOLOGY			-	-	-
0603789F	36	C3I ADVANCED DEVELOPMENT	19,468	19,468	19,468	-	19,468
0603876F	37	SPACE-BASED LASER	63,216	63,216	93,216	-	73,216
		SBL Integrated Flight Experiment (IFX)			[+30,000]	10,000	
0603260F	38	INTELLIGENCE ADVANCED DEVELOPMENT	4,401	4,401	4,401	-	4,401
0603319F	39	AIRBORNE LASER PROGRAM	148,637	-	241,037	-	233,637
		Transfer to 0603XXXC		[-148,637]			
		Program Restoration			[+92,400]	85,000	
0603430F	40	ADVANCED EHF MILSATCOM (SPACE)	246,396	246,396	246,396	-	246,396
0603432F	41	POLAR MILSATCOM (SPACE)	26,068	26,068	26,068	-	26,068
0603434F	42	NAT POLAR-ORBITING OP ENVIRON SATELLITE SYS (SPACE)	76,654	76,654	76,654	-	76,654
0603438F	43	SPACE CONTROL TECHNOLOGY	9,728	9,728	9,728	-	9,728
0603441F	44	SPACE BASED INFRARED ARCHITECTURE (SPACE) - DEM/VAL			-	-	-
0603617F	45	COMMAND, CONTROL, AND COMMUNICATION APPLICATIONS	7,828	7,828	7,828	-	7,828
0603690F	46	INFORMATION OPERATIONS TECHNOLOGY	991	991	991	-	-
		Transfer funds to 0303140F				(991)	
0603742F	47	COMBAT IDENTIFICATION TECHNOLOGY	10,933	10,933	10,933	-	10,933
0603790F	48	NATO RESEARCH AND DEVELOPMENT(H)	5,509	5,509	5,509	-	5,509
0603800F	49	JOINT STRIKE FIGHTER	129,538	144,538	341,638	-	243,050
		JSF Alternate Engine Program		[+15,000]			
		Extend DEM/VAL			[+212,100]	113,512	
0603850F	50	INTEGRATED BROADCAST SERVICE (DEM/VAL)	24,488	15,788	24,488	-	15,788
		Integrated Broadcast Service		[-8,700]		(8,700)	
0603851F	51	INTERCONTINENTAL BALLISTIC MISSILE - DEM/VAL	39,246	39,246	58,446	-	51,446
		RSLP GPS Range Safety/Northern Edge Exercise Support			[+19,200]	12,200	

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603854F	52	WIDEBAND MILSATCOM (SPACE)	134,029	134,029	116,029	-	121,029
		Wideband Gapfiller Satellite Design			[-18,000]	(8,000)	
		Global Broadcast System				(5,000)	
0603856F	53	AIR FORCE/NATIONAL PROGRAM COOPERATION (AFNPC)	3,370	1,370	3,370	-	2,370
		Air Force/ NRO Partnership		[-2,000]		(1,000)	
0603859F	54	POLLUTION PREVENTION (DEM/VAL)	2,543	2,543	2,543	-	2,543
0603860F	55	JOINT PRECISION APPROACH AND LANDING SYSTEMS - DEM/VAL	18,092	18,092	18,092	-	18,092
0603876F	56	SPACE-BASED LASER			-	-	-
0604237F	57	VARIABLE STABILITY IN-FLIGHT SIMULATOR TEST AIRCRAFT			-	-	-
0604327F	58	HARD & DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROG			-	-	-
0604012F	59	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	1,312	1,312	1,312	-	1,312
0604201F	60	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	712	712	712	-	-
		Program reduction				(712)	
0604222F	61	NUCLEAR WEAPONS SUPPORT	10,133	10,133	10,133	-	10,133
0604226F	62	B-1B	168,122	178,122	168,122	-	158,122
		Link 16 Data Link		[+10,000]		-	
		IDECM delays				(10,000)	
0604227F	63	DISTRIBUTED MISSION TRAINING (DMT)	3,782	3,782	3,782	-	3,782
0604233F	64	SPECIALIZED UNDERGRADUATE PILOT TRAINING	23,853	23,853	23,853	-	23,853
0604239F	65	F-22 EMD	1,411,786	1,411,786	1,411,786	-	1,411,786
0604240F	66	B-2 ADVANCED TECHNOLOGY BOMBER	48,313	142,313	53,313	-	115,313
		Smart Bomb Rack/500lb JDAM Integration		[+56,000]		56,000	
		Link 16/Center Instrument Display		[+38,000]		11,000	
		SATCOM Connectivity			[+5,000]	-	
0604270F	67	EW DEVELOPMENT	58,198	82,898	66,198	-	49,598
		Precision Location and Identification Technology (PLAID)		[+17,700]	[+8,000]	10,000	
		MALD		[+7,000]		1,200	
		CMWS- Air Force withdrawl from program.				(19,800)	
0604441F	68	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	569,188	569,188	569,188	-	569,188
0604442F	69	SPACE BASED INFRARED SYSTEM (SBIRS) LOW EMD	241,021	-	241,021	-	241,021
		Transfer to BMDO PE 0603871C		[-241,021]			
0604479F	70	MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)	236,841	237,841	232,841	-	237,341
		Automated Communication Satellite Management		[+5,000]		4,500	

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		MILSTAR/Excess Satellite Engineering Effort		[-4,000]	[-4,000]	(4,000)	
0604480F	71	GLOBAL POSITIONING SYSTEM BLOCK IIF (SPACE)			-	-	-
0604600F	72	MUNITIONS DISPENSER DEVELOPMENT			-	-	-
0604602F	73	ARMAMENT/ORDNANCE DEVELOPMENT	8,876	23,876	8,876	-	20,876
		Miniaturized Munitions Capability		[+15,000]		12,000	
0604604F	74	SUBMUNITIONS	4,775	4,775	4,775	-	4,775
0604617F	75	AGILE COMBAT SUPPORT	668	668	668	-	3,414
		Civil, Fire, Environment, Shelter Engineering				2,746	
0604618F	76	JOINT DIRECT ATTACK MUNITION	1,157	26,157	1,157	-	11,157
		500lb JDAM		[+25,000]		10,000	
0604703F	77	AEROMEDICAL/CHEMICAL DEFENSE SYSTEMS	5,929	5,929	5,929	-	5,929
0604706F	78	LIFE SUPPORT SYSTEMS	14,758	7,858	14,758	-	12,208
		Joint Ejection Seat Program		[-10,900]		-	
		Standardized Cockpit and Crew Seats		[+4,000]		3,700	
		K-36 Ejection Seat Qualification				(6,250)	
0604708F	79	CIVIL, FIRE, ENVIRONMENTAL, SHELTER ENGINEERING	2,746	2,746	2,746	-	-
		Transfer to Agile Combat Support (PE 0604617F)				(2,746)	
0604727F	80	JOINT STANDOFF WEAPONS SYSTEMS	1,498	1,498	1,498	-	1,498
0604735F	81	COMBAT TRAINING RANGES	12,559	16,559	12,559	-	16,559
		AMODSM		[+4,000]		4,000	
0604740F	82	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	214	214	214	-	214
0604750F	83	INTELLIGENCE EQUIPMENT	1,298	1,298	1,298	-	1,298
0604754F	84	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	8,745	8,745	8,745	-	8,745
0604762F	85	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOVERS)	11,621	11,621	11,621	-	11,621
0604779F	86	JOINT INTEROPERABILITY OF TACTICAL C2 SYS (JINTACCS)	5,825	5,825	5,825	-	5,825
0604800F	87	JOINT STRIKE FIGHTER EMD	299,540	299,540	-	-	101,275
		Extend DEM/VAL			[-299,540]	(198,265)	
0604805F	88	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	19,851	19,851	19,851	-	19,851
0604851F	89	INTERCONTINENTAL BALLISTIC MISSILE - EMD	18,325	18,325	18,325	-	18,325
0604853F	90	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) - EMD	332,952	332,952	332,952	-	332,952
0604XXXF	XX	EXTENDED RANGE CRUISE MISSILE		86,100			
		Increase (Authorized in PE 0207323F)		[+86,100]			
0605011F	91	RDT&E FOR AGING AIRCRAFT	14,204	26,204	14,204	-	24,204

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Aging Landing Gear Life Extension		[+12,000]		10,000	
0207249F	92	PRECISION ATTACK SYSTEMS	3,965	3,965	3,965	-	3,965
0305176F	93	COMBAT SURVIVOR EVADER LOCATOR	10,842	10,842	10,842	-	10,842
0604256F	94	THREAT SIMULATOR DEVELOPMENT	34,785	34,785	34,785	-	34,785
0604258F	95	TARGET SYSTEMS DEVELOPMENT	191	191	191	-	-
		Program reduction				(191)	
0604759F	96	MAJOR T&E INVESTMENT	54,057	54,057	54,057	-	54,057
0605101F	97	RAND PROJECT AIR FORCE	24,080	24,080	24,080	-	22,080
		Central Funding				(2,000)	
0605306F	98	RANCH HAND II EPIDEMIOLOGY STUDY	4,356	4,356	4,356	-	4,356
0605502F	99	SMALL BUSINESS INNOVATION RESEARCH			-	-	-
0605712F	100	INITIAL OPERATIONAL TEST & EVALUATION	28,238	28,238	28,238	-	28,238
0605807F	101	TEST AND EVALUATION SUPPORT	386,205	386,205	386,205	-	386,205
0605808F	102	DEVELOPMENT PLANNING			-	-	-
0605854F	103	POLLUTION PREVENTION			-	-	-
0605860F	104	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	7,906	7,906	7,906	-	7,906
0605864F	105	SPACE TEST PROGRAM (STP)	46,476	46,476	46,476	-	46,476
0909900F	106	FINANCING FOR EXPIRED ACCOUNT ADJUSTMENTS			-	-	-
1001004F	107	INTERNATIONAL ACTIVITIES	3,773	3,773	3,773	-	3,773
0101113F	108	B-52 SQUADRONS	50,787	50,787	50,787	-	50,787
0101120F	109	ADVANCED CRUISE MISSILE	4,182	4,182	4,182	-	4,182
0101122F	110	AIR-LAUNCHED CRUISE MISSILE (ALCM)	6,457	6,457	6,457	-	6,457
0102325F	111	JOINT SURVEILLANCE SYSTEM			-	-	-
0102326F	112	REG/SECTOR OPERATION CONTROL CENTER MOD PROG	992	992	992	-	992
0102411F	113	NORTH ATLANTIC DEFENSE SYSTEM			-	-	-
0102445F	114	COUNTERDRUG AEROSTATS			-	-	-
0207027F	115	AIR AND SPACE COMMAND AND CONTROL AGENCY (ASC2A)	24,769	24,769	24,769	-	24,769
0207131F	116	A-10 SQUADRONS	8,615	8,615	8,615	-	8,615
0207133F	117	F-16 SQUADRONS	124,903	124,903	124,903	-	119,903
		Auto GCAS				(5,000)	
0207134F	118	F-15E SQUADRONS	61,260	68,860	68,860	-	68,860
		BOL Countermeasures Integration		[+7,600]	[+7,600]	7,600	
0207136F	119	MANNED DESTRUCTIVE SUPPRESSION	14,670	14,670	14,670	-	14,670

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(Dollars in Thousands)

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0207141F	120	F-117A SQUADRONS	3,912	3,912	3,912	-	3,912
0207161F	121	TACTICAL AIM MISSILES	21,706	21,706	21,706	-	21,706
0207163F	122	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	53,707	53,707	53,707	-	53,707
0207247F	123	AF TENCAP	9,826	13,826	11,826	-	13,826
		Hyperspectral Technology		[+4,000]	[+2,000]	-	-
		Hyperspectral research on Predator UAV				2,000	
		Hyperspectral research on high altitude reconnaissance platforms				2,000	
0207248F	124	SPECIAL EVALUATION PROGRAM	75,443	75,443	75,443	-	75,443
0207253F	125	COMPASS CALL	5,834	5,834	5,834	-	5,834
0207268F	126	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	166,926	166,926	166,926	-	166,926
0207277F	XXX	EAGLE VISION (Authorized in PE 0305208F)		4,500			
0207320F	127	SENSOR FUSED WEAPONS			-	-	-
0207323F	127A	EXTENDED RANGE CRUISE MISSILE			46,100	40,000	40,000
0207325F	128	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	120,281	120,281	120,281	-	116,281
		Defer pre-production operational test units per GAO recommendation				(4,000)	
0207412F	129	THEATER AIR CONTROL SYSTEMS	19,873	19,873	19,873	-	19,873
0207414F	130	COMBAT INTELLIGENCE SYSTEM			-	-	-
0207417F	131	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	35,653	35,653	35,653	-	35,653
0207423F	132	ADVANCED COMMUNICATIONS SYSTEMS	2,867	2,867	2,867	-	2,867
0207424F	133	EVALUATION AND ANALYSIS PROGRAM	81,027	81,027	81,027	-	81,027
0207433F	134	ADVANCED PROGRAM TECHNOLOGY	90,713	93,713	90,713	-	90,713
0207438F	135	THEATER BATTLE MANAGEMENT (TBM) C4I	41,068	41,068	41,068	-	41,068
0207581F	136	JOINT SURVEILLANCE & TARGET ATTACK RADAR SYS (JOINT STARS)	144,118	146,618	151,318	-	149,118
		Global Air Traffice Management (GATM)			[+7,200]	5,000	
0207590F	137	SEEK EAGLE	19,472	19,472	19,472	-	19,472
0207591F	138	ADVANCED PROGRAM EVALUATION	266,458	280,958	266,458	(900)	265,558
0207601F	139	USAF MODELING AND SIMULATION	17,624	17,624	17,624	-	17,624
0207605F	140	WARGAMING AND SIMULATION CENTERS	3,874	3,874	3,874	-	3,874
0208006F	141	MISSION PLANNING SYSTEMS	20,755	20,755	20,755	-	20,755
0208021F	142	INFORMATION WARFARE SUPPORT	1	1	1	-	-
		Program reduction				(1)	
0208031F	143	WAR RESERVE MATERIEL - EQUIPMENT/SECONDARY ITEMS	1,475	1,475	1,475	-	1,475
0208060F	144	THEATER MISSILE DEFENSES	19,824	19,824	19,824	-	19,824

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0208160F	145	TECHNICAL EVALUATION SYSTEM	98,263	98,263	98,263	-	98,263
0208161F	146	SPECIAL EVALUATION SYSTEM	74,240	74,240	74,240	-	74,240
0301357F	151	NUDET DETECTION SYSTEM			-	-	-
0302015F	153	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	34,410	34,410	34,410	-	34,410
0303110F	154	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPACE)	7,328	7,328	7,328	-	7,328
0303112F	155	AIR FORCE COMMUNICATIONS (AIRCOM)	11,478	11,478	11,478	-	11,478
0303131F	156	MIN ESSENTIAL EMERG COMMUNICATIONS NETWORK (MEECN)	15,302	20,302	15,302	-	15,302
		B-52 MMRT Configurations		[+5,000]			
0303140F	157	INFORMATION SYSTEMS SECURITY PROGRAM	7,212	7,212	12,212	-	12,003
		Lighthouse Cyber-Security			[+5,000]	3,800	
		Transfer from 0603690F				991	
0303141F	158	GLOBAL COMBAT SUPPORT SYSTEM	46,369	46,369	46,369	-	46,369
0303150F	159	GLOBAL COMMAND AND CONTROL SYSTEM	3,743	3,743	3,743	-	3,743
0303401F	160	COMMUNICATIONS SECURITY (COMSEC)	4,857	4,857	4,857	-	4,857
0303601F	161	MILSATCOM TERMINALS	17,797	17,797	20,797	-	17,797
		B-2 Connectivity			[+3,000]	-	-
0304311F	163	SELECTED ACTIVITIES			-	-	-
0305099F	164	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	8,508	8,508	8,508	-	8,508
0305110F	165	SATELLITE CONTROL NETWORK (SPACE)	58,643	58,643	58,643	-	58,643
0305111F	166	WEATHER SERVICE	19,942	19,942	19,942	-	19,942
0305114F	167	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYS (ATCALS)	18,093	18,093	18,093	-	18,093
0305119F	168	MEDIUM LAUNCH VEHICLES (SPACE)			-	-	-
0305128F	169	SECURITY AND INVESTIGATIVE ACTIVITIES	467	467	467	-	467
0305137F	170	NATIONAL AIRSPACE SYSTEM (NAS) PLAN	200	200	200	-	-
		Program Reduction				(200)	
0305138F	171	INERTIAL UPPER STAGE (IUS)			-	-	-
0305144F	173	TITAN SPACE LAUNCH VEHICLES (SPACE)	25,815	25,815	25,815	-	25,815
0305158F	174	TACTICAL TERMINAL	238	238	238	-	-
		Program reduction				(238)	
0305159F	175	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	45,149	38,049	45,149	-	41,599
		Defense Reconnaissance Support Program		[-7,100]		(3,550)	
0305160F	176	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	25,372	25,372	25,372	-	25,372
0305164F	177	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	66,975	66,975	66,975	-	66,975

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0305165F	178	NAVSTAR GLOBAL POSITIONING SYS (SPACE & CONTROL SEGMENTS)	250,197	250,197	260,897	-	260,980
		Transfer from Missile Procurement			[+10,700]	-	-
		Amended budget submission				10,783	
0305182F	180	SPACELIFT RANGE SYSTEM (SPACE)	53,654	59,854	53,654	-	83,554
		New Flight Termination System		[700]		700	
		Space Launch Operations Complex		[+5,500]		5,500	
		High Energy Propulsion Systems/Edwards AFB test stands				23,700	
0305202F	181	DRAGON U-2 (JMIP)	27,546	31,546	33,546	-	32,546
		U-2 SYERS/SYERS Polarization Project		[+4,000]	[+6,000]	5,000	
0305205F	182	ENDURANCE UNMANNED AERIAL VEHICLES	109,215	109,215	127,215	-	109,215
		Improved Radar for Global Hawk			[+6,000]	-	-
		Global Hawk Air Surveillance Demonstration			[+12,000]	-	-
		Global Hawk EO/IR Sen Pkg/Repl of EO/IR Sen on Global Hawk UAV				[12,000]	
0305206F	183	AIRBORNE RECONNAISSANCE SYSTEMS	136,913	136,913	136,913	-	143,913
		Wideband integrated common data link				7,000	
0305207F	184	MANNED RECONNAISSANCE SYSTEMS		2,000	-	-	9,500
		Multi Link Antenna System		[+2,000]			
		ECARS				9,500	
0305208F	185	DISTRIBUTED COMMON GROUND SYSTEMS	21,330	21,330	21,330	-	25,830
		Eagle Vision IV				4,500	
0305906F	186	NCMC - TW/AA SYSTEM	19,309	19,309	19,309	-	19,309
0305910F	187	SPACETRACK (SPACE)	2,553	2,553	2,553	-	2,553
0305911F	188	DEFENSE SUPPORT PROGRAM (SPACE)	9,462	9,462	9,462	-	9,462
0305913F	189	NUDET DETECTION SYSTEM (SPACE)	17,088	17,088	17,088	-	12,088
		Program reduction				(5,000)	
0305917F	190	SPACE ARCHITECT			-	-	-
0305953F	191	EVOLVED EXPENDABLE LAUNCH VEHICLE (EELV) (SPACE)			-	-	-
0308601F	192	MODELING AND SIMULATION SUPPORT	1,177	1,177	1,177	-	1,177
0308699F	193	SHARED EARLY WARNING (SEW)	4,219	4,219	4,219	-	4,219
0401115F	194	C-130 AIRLIFT SQUADRON	60,496	60,496	60,496	-	60,496
0401119F	195	C-5 AIRLIFT SQUADRONS	92,530	92,530	92,530	-	92,530
0401130F	196	C-17 AIRCRAFT	176,439	176,439	176,439	-	176,439
0401214F	197	AIR CARGO MATERIAL HANDLING (463-L) (NON-IF)			-	-	-

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0401218F	198	KC-135S	487	487	487	-	487
0401219F	199	KC-10S	19,526	19,526	19,526	-	19,526
0404011F	200	SPECIAL OPERATIONS FORCES	1,109	1,109	1,109	-	1,109
0702207F	201	DEPOT MAINTENANCE (NON-IF)	1,515	1,515	1,515	-	1,515
0708011F	202	INDUSTRIAL PREPAREDNESS	53,082	57,582	53,082	-	56,882
		Specialty Aerospace Metals		[+4,500]		3,800	
0708026F	203	PROD, RELIABILITY, AVAILABILITY, MAINTAIN. PROG OFC (PRAMPO)	15,227	15,227	15,227	-	15,227
0708071F	204	JOINT LOGISTICS PROGRAM - AMMUNITION STANDARD SYSTEM	11,238	11,238	11,238	-	11,238
0708611F	205	SUPPORT SYSTEMS DEVELOPMENT	32,258	32,258	32,258	-	32,258
0708612F	206	COMPUTER RESOURCES SUPPORT IMP PROGRAM (CRSIP)	2,356	2,356	2,356	-	2,356
0901218F	207	CIVILIAN COMPENSATION PROGRAM	7,209	7,209	7,209	-	7,209
1001018F	208	NATO JOINT STARS	3,270	3,270	3,270	-	3,270
XXXXXX	999	Classified Programs	4,123,225	4,051,315	4,135,725	(109,037)	4,014,188
		ECONOMIC ADJUSTMENT		-	(42,100)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	13,685,576	13,677,108	13,897,336	93,568	13,779,144

XSS–10 micro-satellite technology demonstration

The budget request included no funding to complete and launch the XSS–10 micro-satellite technology demonstration.

The House bill would authorize the budget request.

The Senate amendment would authorize $12.0 million in PE 63401F to complete, launch, and operate the XSS–10 technology demonstration satellite.

The conferees agree to authorize $8.0 million in PE 62602F to complete the XSS–10 technology demonstration satellite. The conferees are aware that additional funds may be required to fully fund the launch and operation of the XSS–10. Therefore, the conferees direct the Secretary of the Air Force to reallocate the funds to complete the XSS–10 satellite and support its launch and operation from within funds authorized to be appropriated in PE 62601F and PE 63401F, as necessary.

Specialty aerospace metals

The budget request included $72.8 million for PE 62102F for applied research, $21.7 million in PE 63112F for advanced development of materials technologies for aerospace systems, and $53.1 million in PE 78011F for the Air Force's manufacturing technology program. The budget request included $57.7 million in 62601F for space technology.

The House bill would authorize a total increase of $15.0 million as follows: $5.25 million in PE 62102F; $5.25 million in PE 63112F; and $4.5 million in PE 78011F to establish an integrated program for the development and demonstration of special aerospace materials and materials manufacturing processes. The House bill would also encourage the Secretary of the Air Force to establish a continuing program for special aerospace metals and alloys as an integral part of the Air Force's science and technology and manufacturing technology programs.

The Senate amendment would authorize an increase of $3.0 million in PE 62601F for the aluminum aerostructures initiative.

The conferees agree to authorize an increase of $1.8 million in PE 62601F for the aluminum aerostructures and an increase of $12.8 million for aerospace specialty metals, of which $1.2 million would be used for the aluminum aerostructures initiative. The $12.8 million would be distributed as follows: $4.5 million in PE 62102F; $4.5 million in PE 63112F; and, $3.8 million in PE 78011F.

The conferees note the continuing need for advances in special aerospace metals and metal alloys for aircraft and space vehicle structures, propulsion, components, and weapon systems. Both the Navy and the Air Force are seeking access to materials that are lightweight, high strength, high performance, and capable of withstanding the stressing environments that are experienced by aerospace systems, and for the development and optimization of manufacturing processes for these materials. The conferees support the Air Force's efforts to develop and demonstrate a methodology for producing advanced aluminum aerostructures generating improved affordability, maintainability, and enhanced performance of current and future Air Force systems within the Advanced Aluminum Aerostructures initiative.

The conferees request that the Secretary of the Air Force assess requirements for advanced special aerospace metals and alloys and to report to the congressional defense committees on the plan for meeting those requirements with the submission of the fiscal year 2002 budget request.

Space-based radar

The budget request included $129.0 million for the Discoverer II space-based radar (SBR) program.

The House bill would authorize the budget request.

The Senate amendment would authorize the budget request.

The conferees agree to authorize $30.0 million for continued SBR risk reduction and technology development.

The conferees strongly support an effort to develop the technologies and operational concepts that could enable deployment of an SBR system to perform ground moving target indications (GMTI), digital terrain elevation data (DTED) collection, and synthetic aperture radar (SAR) imaging. The conferees believe that such a system may offer a cost-effective way to provide valuable new technical capabilities while complementing, and perhaps replacing, the capabilities of other existing systems. The conferees believe that the Secretary of Defense should evaluate options for eventual development and deployment of an operational SBR system. In addition, the conferees believe that the Air Force, U.S. Space Command, the Defense Advanced Research Projects Agency, and the National Reconnaissance Office should continue to work together to mature the necessary technologies, conduct an analysis of alternatives, and develop operational concepts to provide better information for this evaluation and to support a potential deployment.

Therefore, the conferees direct the Secretary of Defense to prepare an SBR roadmap to guide this overall effort. The roadmap should address several concerns: (1) the operational requirements for space-based GMTI, DTED, and SAR capabilities; (2) the relationship of an SBR system to other current and planned air and space-based assets that might provide such capabilities; (3) the technologies needed to enable an affordable and operationally effective SBR system; and (4) if a requirement for an SBR system is established, whether a space-based technology demonstrator would be cost-beneficial prior to an SBR system acquisition. The conferees direct the Secretary to submit a report to the congressional defense committees on the SBR roadmap by May 1, 2001.

Space maneuver vehicle

The budget request included no funding for the Space Maneuver Vehicle (SMV).

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $15.0 million in PE 63401F for the SMV program.

The conferees agree to authorize an increase of $6.5 million in PE 63401F for acquisition of the ''second tail number'' X–40B demonstrator.

The conferees note that SMV development has been funded through congressional increases and are disappointed at the failure of the Secretary of the Air Force to request funding or provide efficient management for this program, notwithstanding repeated statements by Air Force and U.S. Space Command leaders indicating the importance of this program. The conferees urge the Air Force to request funding in future budget requests to support expeditious development.

The conferees also note that the full benefit of the Military Spaceplane concept, including the SMV, will not be realized without a low-cost reusable lower stage booster. The conferees direct the Secretary of the Air Force to provide a report to the congressional defense committees by April 1, 2001, on concepts, critical development paths, and applications for such a booster, and how it could fit into an overall Military Spaceplane system.

Space Based Laser program

The budget request included $137.7 million for the Space Based Laser (SBL) program, $63.2 million in the Air Force budget and $74.5 million in the Ballistic Missile Defense Organization budget.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $30.0 million in PE 63876F to support acceleration of the SBL Integrated Flight Experiment (IFX) and the SBL integrated test facility.

The conferees agree to authorize an increase of $10.0 million in PE 63876F to support acceleration of the IFX and the integrated test facility.

Electronic warfare development

The budget request included $58.2 million in PE 64270F for electronic warfare development.

The House bill would authorize an increase of $17.7 million in PE 64270F to continue development of the precision location and identification (PLAID) program, and an increase of $7.0 million in PE 64270F to increase the suitability of the miniature air-launched decoy (MALD) for operational use.

The Senate amendment contained a provision (sec. 226) that would authorize an increase of $8.0 million in PE 64270F for continued development of PLAID.

The Senate recedes on the provision.

The conferees agree to authorize a decrease of $8.6 million in PE 64270F, a total authorization of $49.6 million in electronic warfare development, as follows:

(1) an increase of $10.0 million for PLAID;

(2) an increase of $1.2 million for MALD; and

(3) a decrease of $19.8 million to reflect reapplication of prior year funds available due to Air Force withdrawal from the common missile warning system (CMWS) program.

Satellite control network

The budget request included $58.6 million in PE 35110F for satellite control network research and development.

The House bill would authorize the budget request and would require that $1.5 million be used for the Space Battlelab to evaluate the utility of commercial antenna networks for satellite control.

The Senate amendment would authorize the budget request.

The conferees agree to authorize the budget request without the restriction contained in the House bill.

The conferees direct the Secretary of the Air Force to conduct an evaluation of commercial technologies and services relevant to modernization of the satellite control network. The conferees believe that commercial technology may offer significant possibilities for modernizing the network, including its antennas, in a cost effective manner. The conferees direct the Secretary of the Air Force to submit a report on his evaluation to the congressional defense committees by April 1, 2001.

Manned reconnaissance systems

The budget request included no funding in PE 35207F for manned reconnaissance systems.

The House bill would authorize an increase of $2.0 million to complete a multi-link antenna system demonstration program on RC–135 aircraft.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $9.5 million to demonstrate the potential to integrate the data from an offboard intelligence sensor controlled by RC–135 Combat Sent aircraft into the Combat Sent processing system. This concept would involve adapting the expeditionary common automatic recovery system (ECARS) to control and precisely position the offboard platform to technically extend the reach of the Combat Sent aircraft into denied areas during a conflict. This concept would also provide for the safe, unassisted recovery of the offboard sensor. Since this data can be critical to responding to emerging threats during high intensity operations, the conferees believe that this effort should be supported.

Overview

The budget request for fiscal year 2001 contained an authorization of $10,238.2 million for Defense-Wide, Research and Development in the Department of Defense.

The House bill would authorize $11,077.8 million.

The Senate amendment would authorize $11,043.1 million.

The conferees recommended an authorization of $10,681.7 million. Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSE-WIDE					
0601101D	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,007	2,007	2,007	-	2,007
0601101E	2	DEFENSE RESEARCH SCIENCES	90,415	90,415	90,415	-	100,415
		Advanced Photonics Research/Advanced Photonics Composite Res			[3,000]	[3,000]	
		Spin Electronics				10,000	
0601103D	3	UNIVERSITY RESEARCH INITIATIVES	253,627	263,127	259,127	-	257,627
		MEMS Sensors		[+9,500]		9,500	
		Military Personnel Research Institute			[+4,000]	4,000	
		Infrasound Detection Basic			[+1,500]	1,000	
		Spin Electronics				(10,000)	
		Transfer High Energy Laser				(500)	
0601105D	4	GULF WAR ILLNESS	16,978	16,978	16,978	-	16,978
0601108D	xx	HIGH ENERGY LASER RESEARCH DEVELOPMENT		10,000			
		High Energy Lasers (Transfer to PE 0602890D)		[+10,000]			
0601111D	5	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RES	6,715	6,715	6,715	-	6,715
0601114D	6	DEF EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RES	9,859	19,859	24,859	-	22,000
		DEPSCoR		[+10,000]	[+15,000]	12,141	
0601384BP	7	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	33,197	37,697	38,197	-	39,897
		Chemical and Biological Defense		[+3,000]		3,000	
		Chemical Agent Detection-Optical Computing		[+1,500]	[+2,000]	2,000	
		Thin Film Technology			[+3,000]	1,700	
0602110E	8	NEXT GENERATION INTERNET	15,000	15,000	15,000	-	15,000
0602173C	9	SUPPORT TECHNOLOGIES - APPLIED RESEARCH	37,747	47,747	49,747	-	39,747
		Wide Band Gap Materials		[+10,000]	[+2000]	2,000	
		NTW Follow-On Kill Vehicle Technology			[+10,000]	-	
0602227D	10	MEDICAL FREE ELECTRON LASER	15,029	15,029	15,029	-	15,029
0602228D	11	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	14,236	14,236	14,236	-	14,236
0602234D	12	LINCOLN LABORATORY RESEARCH PROGRAM	18,602	18,602	20,702	-	20,102
		Bio-Defense Research			[+2,100]	1,500	
0602301E	13	COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY	376,592	331,592	361,292	-	331,592
		Computing Systems and Communications Technology		[-45,000]		-	
		Mobile Autonomous Robot Software				(15,000)	
		Program reduction due to program growth				(30,000)	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0602302E	14	EXTENSIBLE INFORMATION SYSTEMS	69,282	49,282	69,282	-	52,282
		Extensible Information Systems		[-20,000]		-	
		Program reduction due to program growth				(17,000)	
0602383E	15	BIOLOGICAL WARFARE DEFENSE	162,064	142,064	162,064	-	147,064
		Biological Warfare Defense		[-20,000]		-	
		Program Reduction				(15,000)	
0602384BP	16	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	73,600	78,600	81,600	-	78,400
		Chemical and Biological Defense		[+5,000]		-	
		Hybrid Sensor Suite			[+8,000]	4,800	
0602702E	17	TACTICAL TECHNOLOGY	121,051	121,051	321,051	-	214,894
		Remotely Controlled Combat Systems Initiative			[+200,000]	100,000	
		Advanced Rotorcraft Technology				(5,657)	
		Transfer to Compact Lasers				(500)	
0602708E	18	INTEGRATED COMMAND AND CONTROL TECHNOLOGY	31,761	31,761	38,761	-	38,761
		High Definition Systems			[+7,000]	7,000	
0602712E	19	MATERIALS AND ELECTRONICS TECHNOLOGY	249,812	249,812	252,812	-	251,812
		3-D Structure Research			[+3,000]	2,000	
0602715BR	20	NUCLEAR SUSTAINMENT & COUNTERPROLIFERATION TECHNOLOGIES	230,928	213,928	230,928	-	212,428
		Nuclear Sustainment and Counterproliferation Technology		[-20,000]		-	
		Thermionics for Space Powered Systems		[+3,000]		2,500	
		Program Reduction/Program Growth				(21,000)	
0602787D	21	MEDICAL TECHNOLOGY	8,680	8,680	8,680	-	8,680
0602890D	xx	HIGH ENERGY LASER RESEARCH DEVELOPMENT	-	25,000		-	30,000
		High Energy Laser Applied Research (Includes all Laser Transfers)		[+25,000]		30,000	
0305108K	22	COMMAND AND CONTROL RESEARCH			-	-	-
0603002D	23	MEDICAL ADVANCED TECHNOLOGY	2,043	2,043	2,043	-	2,043
0603104D	24	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	8,964	8,964	13,964	-	11,764
		Ammunition Risk Analysis Capability			[+5,000]	2,800	
0603121D	25	SO/LIC ADVANCED DEVELOPMENT	8,622	8,622	8,622	-	8,622
0603122D	26	COMBATING TERRORISM TECHNOLOGY SUPPORT	41,307	45,307	51,307	-	49,307
		Chem-Bio Detectors			[+5,000]	3,000	
		Blast Mitigation Testing			[+3,000]	3,000	
		Facial Recognition Acess Control Technology		[+4,000]	[+2,000]	2,000	

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603160BR	27	COUNTERPROLIFERATION ADV DEVELOPMENT TECHNOLOGIES	77,391	100,554	77,391	-	77,391
0603173C	28	SUPPORT TECHNOLOGIES - ADV TECHNOLOGY DEVELOPMENT	93,249	122,249	130,249	-	121,549
		Exoatmospheric Interceptor Technology (EIT)		[+5,000]		-	
		Robust Adaptive Algorithms/RF/IR Data Fusion Testbed		[+4,000]		2,800	
		Magdalena Ridge Observatory			[+9,000]	-	
		Wide Band Gap			[+10,000]	10,000	
		Excalibur Low Cost Launch			[+3,000]	6,500	
		Atmospheric Inteceptor Technology		[+20,000]	[+15,000]	9,000	
0603174C	29	SPACE BASED LASERS (SBL)	74,537	74,537	74,537	-	74,537
0603225D	30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	16,670	16,670	16,670	-	16,670
0603232D	31	AUTOMATIC TARGET RECOGNITION	7,534	7,534	7,534	-	7,534
0603285E	32	ADVANCED AEROSPACE SYSTEMS	26,821	26,821	26,821	-	14,821
		Orbital Express Space Operations Architecture				(12,000)	
0603384BP	33	CHEMICAL & BIOLOGICAL DEFENSE PROG - ADVANCED DEV	46,594	46,594	67,694	-	56,144
		Chem-Bio Individual Sampler			[+2,700]	2,000	
		Consequence Management Information System			[+6,400]	4,000	
		Chem-Bio Advanced Materials research			[+3,500]	2,800	
		Small Unit Bio Detector			[+8,500]	750	
		Anthrax Vaccine				[1,000]	
0603704D	34	SPECIAL TECHNICAL SUPPORT	10,777	15,777	15,777	-	14,777
		Complex System Design		[+5,000]	[+5,000]	4,000	
0603711BR	35	ARMS CONTROL TECHNOLOGY	52,930	52,930	52,930	-	52,930
0603712S	36	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	23,082	26,082	31,382	-	26,382
		Competitive Sustainment Initiative		[+3,000]	[+8,000]	3,000	
		Air Logistics			[+300]	300	
0603716D	37	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,357	51,357	56,357	-	50,557
		UXO Detection and Remediation			[+5,000]	4,000	
		Texas Regional Institute for Environmental Studies (TRIES)		[3,000]		[2,000]	
		Invasive Species Program				(1,400)	
		Proposed Rules/Regulations				(3,400)	
0603727D	38	JOINT WARFIGHTING PROGRAM	7,607	7,607	7,607	-	7,607
0603738D	39	COOPERATIVE DOD/VA MEDICAL RESEARCH			-	-	500
		Occupational Lung Disease/Review of Biopsies				500	

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(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0603739E	40	ADVANCED ELECTRONICS TECHNOLOGIES	191,800	191,800	191,800	-	191,800
0603747E	41	ELECTRIC VEHICLES			-	-	-
0603750D	42	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	116,425	117,425	116,425	-	117,425
		Ultra-wideband Radar/Radar Vision 2000		[+1,000]		1,000	
0603755D	43	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	164,027	164,027	164,027	-	164,027
0603760E	44	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	128,863	128,863	128,863	-	128,863
0603761E	45	COMMUNICATION AND SIMULATION TECHNOLOGY			-	-	-
0603762E	46	SENSOR AND GUIDANCE TECHNOLOGY	182,225	182,225	178,225	-	134,125
		Surface Target Identification for Engagement				(8,000)	
		Discoverer II				(40,100)	
0603763E	47	MARINE TECHNOLOGY	30,304	30,304	30,304	-	30,304
0603764E	48	LAND WARFARE TECHNOLOGY	134,249	134,249	134,249	-	133,249
		Advanced Land Warfare Concept Exploration				(1,000)	
0603765E	49	CLASSIFIED DARPA PROGRAMS	101,387	101,387	101,387	-	101,387
0603805S	50	DUAL USE APPLICATION PROGRAMS			-	-	-
0603832D	51	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	56,971	56,971	61,971	-	59,971
		WMD Simulation Capability			[+5,000]	3,000	
0605160D	52	COUNTERPROLIFERATION SUPPORT	1,483	1,483	1,483	-	1,483
0603228D	56	PHYSICAL SECURITY EQUIPMENT	35,108	35,108	35,108	-	26,107
		Reduction for program growth				(9,001)	
0603708D	57	INTEGRATED DIAGNOSTICS			-	-	-
0603709D	58	JOINT ROBOTICS PROGRAM	10,294	10,294	10,294	-	10,294
0603714D	59	ADVANCED SENSOR APPLICATIONS PROGRAM	15,534	25,034	20,534	9,500	30,034
		HAARP			[+5,000]	5,000	
0603736D	60	CALS INITIATIVE	1,585	1,585	3,585	-	3,585
		Integrated Data Environment (IDE)			[+2,000]	2,000	
0603790T	61	NATO RESEARCH AND DEVELOPMENT			-	-	-
0603851D	62	ENVIRON SECURITY TECHNICAL CERTIFICATION PROG	24,906	24,906	34,906	-	28,906
		Remediation of Uexploded Ordnances			[+10,000]	4,000	
0603857J	63	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (ASCIET)			-	-	-
0603861C	64	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - DEM/VAL			-	-	-
0603868C	65	NAVY THEATER WIDE MISSILE DEFENSE SYSTEM	382,671	407,671	442,671	-	462,671
		Advanced Technology Kill Vehicle		[+15,000]		-	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
		Radar Technology Demonstration		[+10,000]		-	
		Accelerate NTW SM-3 Incerceptor			[+60,000]	-	
		Advanced Technology Kill Vehicle/Radar Competition, Program Acceleration				80,000	
0603869C	66	MEADS CONCEPTS - DEM/VAL	63,175	63,175	63,175	-	53,475
		Reduction for Program Growth				(9,700)	
0603870C	67	BOOST PHASE INTERCEPT THEATER MISSILE DEF ACQ - DEM/VAL			-	-	-
0603871C	68	NATIONAL MISSILE DEFENSE - DEM/VAL	1,740,238	2,066,259	1,869,238	-	1,875,238
		Risk Reduction		[+85,000]	[+129,000]	129,000	
		Transfer From PE 0604442F (SBIRS Low)		[+241,021]			
		NMD C2 Radar Prototyping Program				6,000	
0603872C	69	JOINT THEATER MISSILE DEFENSE - DEM/VAL			5,000	-	-
		BMD Liquid Fueled SurrogateTarget (Authorized in 0603874C)			[+5,000]	-	
0603873C	70	FAMILY-OF SYSTEMS ENGINEERING AND INTEGRATION (FOS E&I)	231,248	255,848	231,248	-	231,248
0603874C	71	BMD TECHNICAL OPERATIONS	270,718	315,118	280,218	-	291,218
		Liquid Surrogate Targets		[+9,000]		2,500	
		Wide Bandwidth Information Infrastructure		[+15,000]		9,000	
		Advanced Optical Data and Sensor Fusion			[+3,000]	3,000	
		Advanced Research Center			[+6,500]	6,000	
0603875C	72	INTERNATIONAL COOPERATIVE PROGRAMS	116,992	116,992	104,992	-	124,992
		RAMOS			[-20,000]	-	
		Arrow System Improvement Plan				8,000	
		Arrow Enhanced Interoperability			[+8,000]	-	
0603876C	73	THREAT AND COUNTERMEASURES	22,621	22,621	22,621	-	22,621
0603XXXC	XXX	AIRBORNE LASER PROGRAM		231,037			
		Increase		[+82,400]			
		Transfer From 0603319F		[+148,637]			
0603884BP	74	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - DEM/VAL	83,800	83,800	83,800	-	83,800
0603892D	75	ASAT			20,000	-	-
		KE-ASAT			[+20,000]	-	
0603920D	76	HUMANITARIAN DEMINING	12,728	12,728	12,728	-	12,728
0603923D	77	COALITION WARFARE	11,839	11,839	11,839	-	6,000
		Program Deferral				(5,839)	
0604722D	78	JOINT SERVICE EDUCATION AND TRAINING SYSTEMS DEVELOPMENT			-	-	-

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0605104T	79	TECHNICAL STUDIES, SUPPORT AND ANALYSIS			-	-	-
0605110T	80	PARTNERSHIP FOR PEACE (PFP) INFORMATION MGT SYS (PIMS)	1,932	1,932	1,932	-	1,932
0901585C	81	PENTAGON RESERVATION	4,772	4,772	4,772	-	4,772
0604384BP	82	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - EMD	100,815	100,815	102,915	-	100,815
		Next Generation Anthrax Vaccine (Authorized in PE 0603384BP)			[+2,100]	-	
0604709D	83	JOINT ROBOTICS PROGRAM - EMD	11,553	11,553	13,153	-	11,553
		WMD Response System			[+1,600]	-	
0604764K	84	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	14,685	14,685	14,685	-	14,685
0604771D	85	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,250	16,250	16,250	-	16,250
0604805D	86	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			-	-	-
0604861C	87	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - EMD	549,945	549,945	549,945	-	549,945
0604865C	88	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION - EMD	81,016	81,016	81,016	-	81,016
0604867C	89	NAVY AREA THEATER MISSILE DEFENSE - EMD	274,234	274,234	274,234	-	274,234
0605013D	90	INFORMATION TECHNOLOGY DEVELOPMENT	12,000	15,600	12,000	-	12,000
		TRICARE Encounter Data System		[+3,600]			
0605013S	91	INFORMATION TECHNOLOGY DEVELOPMENT	1,671	1,671	1,671	-	1,671
0605014S	92	INFORMATION TECHNOLOGY DEVELOPMENT (FIELD ACTIVITY)	26,797	26,797	26,797	-	26,797
0605015S	93	INFORMATION TECH DEV (STANDARD PROCUREMENT SYSTEM)	15,772	15,772	15,772	-	15,772
0303129K	94	DEFENSE MESSAGE SYSTEM	11,340	11,340	11,340	-	11,340
0303140K	95	INFORMATION SYSTEMS SECURITY PROGRAM	18,210	18,210	18,210	-	18,210
0303141K	96	GLOBAL COMBAT SUPPORT SYSTEM	22,287	22,287	22,287	-	22,287
0305840K	97	ELECTRONIC COMMERCE	28,094	28,094	28,094	-	28,094
0603858D	98	UNEXPLODED ORDNANCE DETECTION AND CLEARANCE	1,204	1,204	1,204	-	1,204
0604942D	99	ASSESSMENTS AND EVALUATIONS			-	-	-
0604943D	100	THERMAL VICAR	4,882	4,882	4,882	-	4,882
0605104D	101	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	30,597	30,597	30,597	-	30,597
0605110BR	102	CRITICAL TECHNOLOGY SUPPORT	3,927	3,927	3,927	-	3,927
0605114E	103	BLACK LIGHT	5,000	5,000	5,000	-	5,000
0605116D	104	GENERAL SUPPORT TO C3I	3,769	3,769	3,769	-	8,769
		Information Assurance: JCOATS-IO (Authorization transferred from 0305190D)				5,000	
0605117D	105	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	32,173	32,173	80,273	-	72,173
		Classified Program Increase				40,000	
0605123D	106	AFCC ENGINEERING AND INSTALLATION	6,000	6,000	6,000	-	6,000

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0605124D	107	SPECIAL APPLICATIONS PROGRAM	9,122	9,122	9,122	-	9,122
0605126J	108	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	21,200	21,200	21,200	-	21,200
0605128BR	109	CLASSIFIED PROGRAM			-	-	-
0605128D	110	CLASSIFIED PROGRAM USD(P)			-	-	-
0605130D	111	FOREIGN COMPARATIVE TESTING	31,697	31,697	31,697	-	31,697
0605160BR	112	COUNTERPROLIFERATION SUPPORT			-	-	-
0605384BP	113	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	23,907	23,907	23,907	-	23,907
0605502BP	114	SMALL BUSINESS INNOVATIVE RESEARCH - CHEM BIO DEF			-	-	-
0605502D	115	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605502E	116	SMALL BUSINESS INNOVATIVE RESEARCH			-	-	-
0605710D	117	CLASSIFIED PROGRAMS - C3I	641	641	641	-	641
0605790D	118	SMALL BUSINESS INNOVATION RESEARCH ADMIN	1,728	1,728	1,728	-	1,728
0605798S	119	DEFENSE TECHNOLOGY ANALYSIS	5,048	5,048	5,048	-	5,048
0605801K	120	DEFENSE TECHNICAL INFORMATION SERVICES (DTIC)	45,350	45,350	45,350	-	45,350
0605803S	121	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	8,776	8,776	8,776	-	8,776
0605804D	122	DEVELOPMENT TEST AND EVALUATION	43,915	43,915	43,915	-	43,915
0605898E	123	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	34,679	34,679	34,679	(2,000)	32,679
0604805D	124	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	9,629	9,629	9,629	-	9,629
0208045K	125	C3 INTEROPERABILITY	37,072	37,072	37,072	-	37,072
0208052J	126	JOINT ANALYTICAL MODEL IMPROVEMENT PROGRAM	11,941	11,941	11,941	-	11,941
0302016K	130	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	641	641	641	-	641
0302019K	131	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	5,704	5,704	5,704	-	5,704
0303126K	132	LONG-HAUL COMMUNICATIONS (DCS)	1,416	1,416	1,416	-	1,416
0303127K	133	SUPPORT OF THE NATIONAL COMMUNICATIONS SYSTEM	5,019	5,019	5,019	-	5,019
0303131K	134	MIN ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	7,099	7,099	7,099	-	7,099
0303140G	135	INFORMATION SYSTEMS SECURITY PROGRAM	290,771	290,771	297,571	-	292,571
		Information Operations Technology Center Alliance			[+5,000]	-	
		Trusted Rubix			[+1,800]	1,800	
0303149J	136	C4I FOR THE WARRIOR	5,486	5,486	5,486	-	5,486
0303149K	137	C4I FOR THE WARRIOR	405	405	405	-	405
0303153K	138	JOINT SPECTRUM CENTER	8,735	8,735	8,735	-	8,735
0304210BB	139	SPECIAL RECONNAISSANCE CAPABILITIES (SRC) PROGRAM	3,800	3,800	5,800	-	3,800
		Virtual Worlds Initiative			[+2,000]	-	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
0305102BQ	141	DEFENSE IMAGERY AND MAPPING PROGRAM	74,975	96,975	81,975	-	94,975
		GeoSar		[+15,000]		15,000	
		National Technology Alliance NIMA Viewer/Commercial Mapping Visulization Toolkit		[+3,000]	[+5,000]	3,000	
		Rome Lab		[+4,000]		-	
		Smart Maps/Spatio-temporal Database Research			[+2,000]	2,000	
0305127V	142	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	444	444	444	-	444
0305159I	143	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)			-	-	-
0305190D	144	C3I INTELLIGENCE PROGRAMS	25,182	25,182	35,182	-	25,182
		JCOATS-IO (Authorization transferred to 0605116D)			[+5,000]	-	
		Information Assurance Testbed			[+5,000]	-	
0305202G	145	DRAGON U-2 (JMIP)	4,379	4,379	4,379	-	4,379
0305206G	146	AIRBORNE RECONNAISSANCE SYSTEMS	13,514	13,514	13,514	-	13,514
0305207G	147	MANNED RECONNAISSANCE SYSTEMS	4,543	4,543	4,543	-	4,543
0305208L	150	DISTRIBUTED COMMON GROUND SYSTEMS	994	994	994	-	994
0305885G	152	TACTICAL CRYPTOLOGIC ACTIVITIES	95,671	97,671	95,671	-	95,671
		COTS VME Receiver Technology for SIGINT Applications		[+1,000]			
		Commercial Silicon Germanium Integrated Circuits		[+1,000]			
0305889G	153	COUNTERDRUG INTELLIGENCE SUPPORT			-	-	-
0708011S	154	INDUSTRIAL PREPAREDNESS	7,090	7,090	7,090	-	7,090
0902298J	155	MANAGEMENT HEADQUARTERS (OJCS)	12,540	12,540	12,540	-	12,540
0902740J	156	JOINT SIMULATION SYSTEM	24,095	24,095	24,095	-	24,095
1001017D	157	PARTNERSHIP FOR PEACE ACTIVITIES			-	-	-
1160279BB	158	SM BUSINESS INNOVATIVE RES/SMALL BUS TECH TRANS PILOT PROG			-	-	-
1160401BB	159	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	7,360	7,360	7,360	-	7,360
1160402BB	160	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	7,778	7,778	7,778	-	7,778
1160404BB	161	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	133,520	147,720	133,520	-	138,820
		CV-22 Osprey Radar Improvements		[+9,200]		6,000	
		MC-130 Autonomous Landing Guidance System		[+5,000]		4,500	
		Advanced Lightweight Grenade Launcher				2,800	
		CV-22 Post Initial Operational Capability Block 10 changes				(3,000)	
		C-130 Engine Infrared Suppression				(5,000)	
1160405BB	162	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	3,022	5,022	3,022	-	4,022
		Special Operations Tactical Video System		[+2,000]		1,000	

Title II-RDT and E

(Dollars in Thousands)

Account	Ln No.	Title	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1160407BB	163	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,065	2,065	2,065	-	2,065
1160408BB	164	SOF OPERATIONAL ENHANCEMENTS	87,071	87,071	92,671	-	73,571
		Advanced Lightweight Grenade Launcher (Authorized in PE 1160404 BB)			[+5,600]	-	
		Program Reduction				(13,500)	
XXXXXX		JOINT TECHNOLOGY INFORMATION CENTER INITIATIVE			20,000	20,000	20,000
XXXXXX		DIRECTED ENERGY			[50,000]		
XXXXX	999	Classified Programs	1,323,435	1,421,435	1,463,435	49,316	1,372,751
		ECONOMIC ADJUSTMENT		-	(1,500)		-
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DEF-WIDE	10,238,242	11,077,763	11,043,142	443,410	10,681,652
		OPERATIONAL TEST & EVAL, DEFENSE					
0604940D	1	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	121,401	139,401	141,401	-	110,401
		CTEIP		[+18,000]		-	
		Program Increase			[+20,000]	-	
		Threat Simulations/Targets				(5,000)	
		Program Delays				(6,000)	
0605118D	2	OPERATIONAL TEST AND EVALUATION	17,172	17,172	17,172	-	17,172
0605131D	3	LIVE FIRE TESTING	9,712	9,712	11,212	-	11,212
		Reality Fire-Fighting Training			[+1,500]	1,500	
0605804D	4	DEVELOPMENT TEST AND EVALUATION	53,275	53,275	53,275	-	53,275
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	201,560	219,560	223,060	(9,500)	192,060

Chemical and Biological Defense Program

The budget request included $835.8 million for the Chemical and Biological Defense Program (CBDP), including $473.9 million for procurement and $361.9 million for research and development.

The House bill would authorize an increase of $4.5 million in PE 61384BP, including $3.0 million for chemical and biological defense basic research and $1.5 million for chemical agent detection via optical computing; and $5.0 million in PE 62384BP for chemical and biological defense applied research.

The Senate amendment would authorize increases for the following chemical and biological defense program activities: $2.0 million for chemical agent detection via optical computing and $3.0 million for thin film technology in PE 61384BP; $8.0 million to accelerate development of a light-weight, man portable hybrid sensor using thin film technology in PE 62384BP; $2.7 million for the chemical-biological individual sampler, $6.4 million for the consequence management information system, $3.5 million for the evaluation of advanced materials that contain reactive technologies to be added to textiles for protection against chemical and biological warfare agents, and $8.5 million for the Small Unit Biological Detector in PE 63384BP; $2.1 million for a next generation anthrax vaccine in PE 64384BP; $2.5 million for the procurement of thirteen enhanced nuclear, biological, and chemical (NBC) kits; and $1.8 million for the procurement of equipment in support of Weapons of Mass Destruction, Civil Support Teams (WMD–CST).

The conferees agree to authorize an increase for the following chemical and biological defense program activities: $6.7 million in PE 61384BP for chemical and biological defense basic research, including $3.0 million for chemical and biological defense, $2.0 million for chemical agent detection via optical computing, and $1.7 million for thin film technology in PE 61384BP; $4.8 million in PE 62384BP for a hybrid sensor suite using thin film technology; and $9.55 million in PE 63384BP, including $2.0 million for the chemical and biological individual sampler, $4.0 million for the consequence management information system, $2.8 million for evaluation of advanced materials containing reactive materials that may be added to textiles for protection against chemical and biological warfare agents, $750,000 for the small unit biological detector, and $1.0 million for second generation anthrax vaccine development. The conferees also agree to authorize increases of $2.5 million for procurement of NBC Defense Enhancement kits for Marine Expeditionary Units and $900,000 for procurement of equipment for Weapons of Mass Destruction, Civil Support Teams.

The conferees support initiatives for research, development, and demonstration of advanced chemical and biological defense technologies and systems. The conferees note, however, the growing tendency to fund individual chemical and biological defense projects directly within the budget accounts of the military services. The conferees emphasize that this practice violates the intent and purpose of Congress in establishing the consolidated chemical and biological defense program. The conferees direct the Under Secretary of Defense (Acquisition, Technology, and Logistics) to ensure that such initiatives compete for funding within the appropriate program elements of the joint chemical and biological defense program and the Defense Advanced Research Projects Agency's biological defense program on the basis of technical merit and the anticipated ability of the technology or system to meet joint and service unique needs.

Nuclear sustainment and counterproliferation technologies

The budget request included $230.9 million in PE 62715BR for nuclear sustainment and counterproliferation technologies, including $60.7 million for weapons effects technologies.

The House bill would authorize an increase of $3.0 million for thermionics for space powered systems and a decrease of $20.0 million to adjust for program growth in PE 62715BR.

The Senate amendment would authorize the budget request.

The conferees agree to authorize an increase of $2.5 million for thermionics for space powered systems and a decrease of $21.0 million to adjust for program growth in PE 62715BR.

The conferees note that partnerships between universities, government laboratories, and industry accelerate the testing, development, and fielding of blast mitigation technologies for protection of U.S. missions and military installations abroad. The conferees strongly support such partnerships and encourage the Defense Threat Reduction Agency to continue to provide funding for this important initiative.

Blast mitigation testing

The budget request included $10.0 million in PE 63122D for blast mitigation testing.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $3.0 million in PE 63122D for blast mitigation testing.

The conferees agree to authorize an increase of $3.0 million in PE 63122D to accelerate the testing and certification of blast mitigation effects technology.

The conferees note these funds would allow the Department of Defense to accelerate the testing and analysis of building components and improve building design standards and guidelines for use in new construction applications.

Chemical and biological detectors

The budget request included $300,000 in PE 63122D to continue to develop aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million in PE 63122D for aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

The conferees agree to authorize an increase of $3.0 million in PE 63122D for aerogel and fiber optic based technologies for chemical and biological collector and detector prototypes.

Facial recognition access control technology

The budget request included no funding in PE 63122D for facial recognition access control technology.

The House bill would authorize an increase of $4.0 million in PE 63122D for facial recognition access control technology.

The Senate amendment would authorize an increase of $2.0 million in PE 63122D for facial recognition access control technology.

The conferees agree to authorize an increase of $2.0 million in PE 63122D for facial recognition access control technology.

The conferees note these funds will be used to further the efforts of the Department of Defense to develop, test and evaluate this surveillance, identification, and access control technology, and allow prototype development and testing.

Technologies for detection and transport of pollutants attributable to live-fire activities

The budget request included $9.0 million for research, development, testing, and evaluation (RDT&E) related to the environmental remediation of unexploded ordnance (UXO), $5.0 million in PE 63716D for development of UXO technology through the Strategic Environmental Research and Development Program (SERDP) and $4.0 million in PE 63851D for demonstration/validation through the Environmental Security Technology Certification Program (ESTCP).

The House bill would authorize $3.0 million within SERDP for the Texas Regional Institute for Environmental Studies (TRIES).

The Senate amendment contained a provision (sec. 222) that would authorize an increase of $5.0 million in SERDP (PE 63716D) for the development of technologies to map the presence and transport of constituents related to live-fire activities. The Senate amendment would also authorize an increase of $10.0 million in ESTCP (PE 63851D) for demonstration/validation of UXO remediation technology.

The Senate recedes on the provision.

The conferees agree to authorize $2.0 million within SERDP (PE 63716D) for TRIES. The conferees also agree to authorize an increase of $4.0 million for ESTCP (PE 63851D) and $4.0 million for SERDP (PE 63716D) to conduct RDT&E activities that will begin to address the full range of issues associated with the detection and remediation of constituents attributable to military live-fire training activities that impact a variety of hydrogeological areas.

The Department of Defense (DOD) has informed the conferees that its potential liability for remediation of unexploded ordnance may exceed $100.0 billion. It is evident to the conferees that increased emphasis in this area is essential.

Specifically, the conferees expect that the increased funding will be used for the research, development, and demonstration/validation of viable, cost effective technologies to detect, analyze, and map the presence and transport of live-fire constituents. Demonstration/validation of these technologies shall to the extent practicable be conducted at sites where detection and possible remediation of live-fire constituents is underway. Such efforts will help the military departments meet the extraordinary environmental detection and remediation challenges at active, inactive, closed, transferred, and transferring ranges. Performance measures shall be established for all technologies developed with these additional funds to facilitate implementation and utilization by the DOD.

Weapons of mass destruction attack-effects-response assessment capability at U.S. Joint Forces Command

The budget request included $56.971 million in PE 63832D for the Joint Wargaming Simulation Management Office.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $5.0 million in PE 63832D for the development and installation of a weapon of mass destruction attack-effects-response assessment capability for the Joint Task Forces-Civil Support that was recently established as part of the U.S. Joint Forces Command (USJFCOM). This program will allow USJFCOM, along with government

agencies, state, and local authorities, to model chemical, biological or radiological incidents from the initial detection of the attack and initial effects through the medical response to the incident in an integrated, interoperable manner.

The conferees agree to authorize an increase of $3.0 million in PE 63832D for the development and installation of a weapon of mass destruction attack-effects-response assessment capability at USJFCOM.

Ballistic Missile Defense Organization funding and programmatic guidance

The budget request included approximately $4.5 billion for the Ballistic Missile Defense Organization (BMDO), including Procurement, Research, Development, Test and Evaluation (RDT&E) and military construction.

The House bill would authorize an increase of $669.6 million in RDT&E funding for BMDO, including transfers of funds from the Air Force for the Space Based Infrared System (SBIRS) Low and the Airborne Laser Program.

The Senate amendment would authorize an increase of $240.0 million in RDT&E funding for BMDO.

The conferees agree to authorize an overall increase of $264.1 million for BMDO RDT&E, as specified below. The conferee's recommendations for BMDO military construction are provided elsewhere in this conference agreement. The conferees' recommendations regarding the Airborne Laser and SBIRS-Low programs are also provided elsewhere in this conference agreement.

SUPPORT TECHNOLOGY

The conferees continue to support BMDO's efforts in the area of wide bandgap electronic materials and devices. To support this important technology effort, the conferees recommend an increase of $2.0 million in PE 62173C and an increase of $10.0 million in PE 63173C.

The conferees continue to support the Atmospheric Interceptor Technology (AIT) program to develop advanced interceptor kill vehicle technologies. The conferees recommend an increase of $9.0 million in PE 63173C to support the AIT program.

The conferees have supported BMDO's efforts to evaluate innovative and low-cost launch technologies. The conferees recommend an increase of $6.5 million in PE 63173C to support low cost launch technology, including the Excalibur concept. The conferees also agree to authorize an increase of $6.5 million in the Air Force budget (PE 63401F) for low cost launch, including the Scorpius concept.

The conferees note that the Director of BMDO has identified a need for additional funding to develop robust adaptive algorithms to counter evolving and off-nominal ballistic missile threats. The conferees recommend an increase of $2.8 million in PE 63173C to support such algorithm development.

The conferees remain concerned that funding for innovative ballistic missile defense technology projects continues to be insufficient to support BMDO's future needs. The conferees recommend that the Director of BMDO identify funds throughout the Future Years Defense Program sufficient to support a technology program that hedges against rapidly evolving missile threats.

NATIONAL MISSILE DEFENSE

The budget request included approximately $1.8 billion for the National Missile Defense (NMD) program, including Procurement and RDT&E. The conferees note that the Director of BMDO has identified a number of areas in which additional funds could be utilized to enhance risk reduction and testing activities. The Director identified $129.0 million in critical risk reduction unfunded requirements. Therefore, the conferees recommend an increase of $129.0 million in PE 63871C for NMD risk reduction.

The conferees understand that BMDO is considering entering into a competition for the NMD X-band ground-based radars (GBR) that would be deployed following the initial deployment of the GBR site in Alaska. The conferees direct the Director of BMDO to conduct an analysis of the advantages and disadvantages of a competitive approach to follow-on GBR development and deployment, and provide a report to the congressional defense committees by April 1, 2001. The conferees also agree to authorize an increase of $6.0 million in PE 63871C to support initial technology development and evaluation for the NMD capability–2 (C–2) radar.

The conferees are concerned by potential delays in the NMD program associated with the development of the ground-based interceptor (GBI) booster. The conferees believe that BMDO should evaluate options for reducing technical and schedule risks associated with the GBI, including the development of a backup booster option involving proven technologies. The conferees direct the Director of BMDO to submit a report to the congressional defense committees by April 1, 2001, on plans for mitigating the booster problems.

NAVY THEATER WIDE

The conferees continue to support the Navy Theater Wide (NTW) program and urge the Secretary of Defense to accelerate this important program to the extent permitted by the pace of technological development. The conferees agree to authorize an overall increase of $80.0 million in PE 63868C to accelerate the NTW program and to begin work on an advanced technology kill vehicle. Of this amount, the conferees agree to authorize the use of $65.0 million for acceleration of the Standard Missile–3 (SM–3) and to support continuation of NTW radar competition.

The conferees believe that BMDO should immediately begin to define and develop the necessary technology for the SM–3 block II kill vehicle. The conferees agree to authorize an increase of $15.0 million in PE 63868C to support the development of advanced NTW kill vehicle concepts employing light-weight non-toxic pumped-propulsion and active/passive sensor technology.

The conferees are concerned that the Navy has relied on congressional increases in the NTW program to support development of radar technologies and systems to support the ballistic missile defense mission. The conferees note that neither the Navy nor BMDO has budgeted for Navy missile defense radar requirements, as identified in the Navy's radar roadmap. The conferees believe that acceleration of the NTW program may be problematic unless these requirements are clearly defined. Such efforts are too important to remain unfunded in upcoming budget requests. The conferees believe that radar upgrades are primarily a Navy responsibility because they must be thoroughly integrated across the range of Navy missions, and that such upgrades cannot be funded exclusively through BMDO or through congressional increases. The conferees direct the Secretary of Defense to define the appropriate management and funding responsibilities between the Navy and BMDO regarding the development and acquisition of radars that support the Navy ballistic missile defense mission, and to ensure that appropriate funds are requested to support these activities.

MEDIUM EXTENDED AIR DEFENSE SYSTEM

The budget request included $63.2 million for the Medium Extended Air Defense System (MEADS). The conferees recommend a decrease of $9.7 million in PE 63869C due to growth in the MEADS program.

BMD TECHNICAL OPERATIONS

The conferees continue to support BMDO's effort to develop a theater missile defense surrogate target based on a liquid fuel engine. The conferees agree to authorize an increase of $2.5 million in PE 63874C to continue this effort.

The conferees continue to support the Army Space and Missile Defense Command's Advanced Research Center (ARC) and agree to authorize an increase of $6.0 million in PE 63874C in support of the ARC.

The conferees support BMDO's efforts to improve missile defense technologies and capabilities against advanced theater ballistic missile threats. One promising area of research is in optical data and sensor fusion for detection and discrimination of advanced threats, missile plumes, and penetration aids using advanced image processing and optical discrimination algorithms. The conferees agree to authorize an increase of $3.0 million in PE 63874C for BMDO to continue this work.

BMDO has succeeded in employing wide-band information technologies to link geographically dispersed radar and missile hardware-in-the-loop test facilities to improve ground testing of theater missile defense systems and increase the probability of successful flight testing. The conferees believe that this approach can be used in other areas, including battle management and command, control, communications, and intelligence (C3I). Therefore, the conferees agree to authorize an increase of $9.0 million in PE 63874C to support continued development of a wide-band information infrastructure for BMDO.

INTERNATIONAL COOPERATIVE PROGRAMS

The budget request included $117.0 million for BMDO International Cooperative Programs, including $81.2 million for Israeli Cooperative Projects and $35.8 million for the Russian-American Observation Satellites (RAMOS) program.

The conferees acknowledge that the budget request included $45.0 million to support continued acquisition of the Arrow Third Battery. The conferees agree to authorize an increase of $8.0 million in PE 63875C to initiate the Arrow System Improvement Plan.

Defense imagery and mapping program

The budget request included $75.0 million in PE 35102BQ.

The House bill would authorize an increase of $22.0 million in PE 35102BQ: $4.0 million for Rome Laboratory moving target exploitation efforts; $3.0 million for the National Technology Alliance and the National Imagery and Mapping Agency (NIMA) Viewer development; and $15.0 million for the Geo-Synthetic Aperture Radar (GeoSAR) program.

The Senate amendment would authorize an increase of $7.0 million in PE 35102BQ: $5.0 for the NIMA Viewer; and $2.0 million for the ''Smart Maps'' initiative.

The conferees agree to authorize an increase of $20.0 million in PE 35102BQ: $3.0 million for the development of a Commercial Mapping and Visualization Toolkit, which includes the NIMA Viewer concept; $15.0 million for the GeoSAR program; and $2.0 million for the ''Smart Maps'' initiative.

The conferees agree that the mapping and visualization toolkit development funds are not being designated for a specific contractor program, but that NIMA should use the additional funds to continue efforts to upgrade its commercial mapping and visualization toolkit, and give appropriate consideration to competitive commercial sources for conducting this work.

Special operations tactical systems development

The budget request included $133.5 million for special operations tactical systems development in PE11644BB. The budget request did not include funding to continue the development of many programs, including the MC–130 autonomous landing guidance system, the CV–22 terrain following radar upgrades, or the advanced lightweight grenade launcher.

The House bill would authorize an increase of $14.2 million in PE 11644BB, as follows: $9.2 million for the CV–22 terrain following radar improvements; and, $5.0 million for continued development of the MC–130 autonomous landing guidance system.

The Senate amendment would authorize an increase of $5.6 million in PE 11648BB, Special Operations Forces operational enhancements, for the purpose of continuing research and development of the advanced lightweight grenade launcher.

The conferees agree to authorize an increase of $13.3 million in PE 11644BB, special operations tactical systems development to be distributed as follows: $4.5 million for the MC–130 autonomous landing guidance system; $6.0 million for the CV–22 terrain following radar upgrades; and, $2.8 million for the advanced lightweight grenade launcher.

The conferees also understand that there may be slippage in the CV–22 post initial operational capability block 10 changes. Additionally, the C–130 engine infrared suppression program has been canceled due to higher priority requirements. Therefore, the conferees agree to a reduction of $3.0 million for the CV–22 block 10 changes and a reduction of $5.0 million for the C–130 engine infrared suppression program.

ITEMS OF SPECIAL INTEREST

Common imagery processor

The House report accompanying H.R. 4392, the Intelligence Authorization Act for Fiscal Year 2001 (H. Rept. 106–620), would direct that, of the amounts appropriated pursuant to that Act in PE 35208F and PE 35208N for the distributed common ground system (DCGS), no more than 25 percent could be obligated or expended until the Department of Defense submits a plan to the congressional defense and intelligence committees that details how the common imagery processor (CIP) will be integrated into the Navy imagery system (NAVIS) and how the NAVIS funcionality could be incorporated into the common imagery ground/surface system (CIGSS) structure.

The conferees agree that the Department should take full advantage of functions and capabilities already owned by the government. In general, the conferees do not support expenditure of funds to recreate existing capabilities absent compelling arguments. In this light, the conferees believe there is potential for integrating capabilities of the CIP, NAVIS, and CIGSS.

Therefore, the conferees direct the Assistant Secretary of Defense for Command, Contol, Communications, and Intelligence, in consultation with the Director, National Imagery and Mapping Agency, to submit a plan to the congressional defense and intelligence agencies by March 15, 2001, which outlines an appropriate path for migrating tactical imagery programs, including the CIP, NAVIS, and CIGSS, to integrated solutions within the CIGSS architecture.

Defense Space Reconnaissance Program

The Defense Space Reconnaissance Program (DSRP) has served an important role in providing direct interactions between the National Reconnaissance Office (NRO) and operational military commanders and other elements of the Department of Defense. In recent years, however, the DSRP has become a less uniquely effective entity as overt NRO support to the military has increased and reduced classification barriers have greatly increased military customer knowledge of space-based systems. In fact, the NRO now maintains a Military Support Division, directed by a general officer tasked to interact directly with the military customers of the NRO.

The conferees understand that the Director of the NRO has recently recommended that the DSRP be reestablished as the budgetary mechanism for defense augmentation of NRO programs to meet tactical military needs. The conferees believe that this proposal merits careful consideration.

At the same time, the conferees believe that the Secretary of Defense needs to evaluate the overall role of the NRO in supporting tactical military forces. The conferees believe that the following issues must be addressed as part of an overall review of space intelligence support to the warfighter: (1) the appropriate role for the NRO to play in supporting military operations and exercises, such that the NRO does not duplicate unnecessarily the responsibilities and capabilities of organizations, such as the National Imagery and Mapping Agency, the National Security Agency, or U.S. Space Command that are specifically tasked to support their various military customers; (2) whether some or all of the funds and responsibilities currently included in the NRP, the DSRP, and the service Tactical Exploitation of National Capabilities (TENCAP) programs for supporting military operations and exercises should be consolidated; (3) whether a revitalized DSRP would be the best mechanism for giving the Unified Commands a role in determining future space intelligence and reconnaissance capability requirements and raising the visibility of space reconnaissance matters within the Department of Defense program planning and resource allocation process; and (4) the role of a revitalized DSRP in funding NRO system developments to satisfy unique military or service requirements.

The conferees direct the Secretary of Defense to provide the congressional defense and intelligence committees a report by May 1, 2001, on his assessment and recommendations regarding these matters.

Future scout and cavalry system

The conferees have strongly supported the Army's future scout and cavalry system (FSCS) development effort in a joint program with the United Kingdom and are concerned to note actions taken by the Army to eliminate funding for the FSCS engineering and manufacturing development phase. As a result, funding for the Advanced Technology Demonstration (ATD) phase was eliminated in the fiscal year 2001 Department of Defense Appropriations Conference Report. The conferees note the Army has recently developed a plan to include FSCS technologies within its transformation efforts and recognize the FSCS ATD will provide a basis to evaluate the integration of land-system technologies through a platform demonstration. The conferees believe the FSCS program is well positioned to develop leap-ahead technologies for future land systems and support Army intentions to request reprogramming authority necessary to carry this program through the ATD phase of the development effort.

Modernized hellfire/common missile

The budget request included $5.0 million for the modernized Hellfire program to explore risk reduction opportunities. The conferees understand the Army is considering the possibility of moving toward a common chemical energy missile and that the modernized Hellfire program would serve as the baseline for this effort. The conferees fully support the Army's goal to reduce the different types of anti-tank missile systems in its future tactical inventory. However, this goal was not supported by a request for funds in the fiscal year 2001 budget. Therefore, the conferees direct the Army to ensure that fiscal year 2001 funds for the modernized Hellfire are used, in part, to initiate a program definition study to determine the potential of a common ground and air-to-ground missile. Furthermore, the conferees expect the Army to begin funding this effort in the fiscal year 2002 budget submission.

National Imagery and Mapping Agency pre-acquisition activities

Congress has repeatedly addressed the critical need to conduct thorough and effective pre-acquisition activities before embarking on a path to make the necessary improvements to the National Imagery and Mapping Agency's (NIMA) tasking, processing, exploitation, and dissemination (TPED) capabilities. The conferees agree that NIMA needs to conduct comprehensive pre-acquisition activities and will require substantial additional funds for this purpose.

The conferees believe that these pre-acquisition activities should accomplish several goals: (1) to apply new information technology and modern business practices across the imagery and geospatial enterprise, to include such concepts as federated management and migrating legacy systems based on proprietary software to an open systems architecture; (2) to develop a realistic program plan and acquisition strategy related to the role of NIMA, its oversight mechanisms, and its contractors, including the use of an overarching systems integration contract (perhaps along the lines of the National Missile Defense Lead Systems Integrator contract), unless the Department of Defense (DOD) can demonstrate that it would be more efficient and effective for the government to retain the integration role; (3) to develop a realistic plan to manage the transition of the current systems and personnel of the United States Imagery and Geospatial Information System (USIGS) to the new, modern architecture; (4) to ensure that all imagery and geospatial systems within DOD and other intelligence community agencies (including tactical programs, airborne systems, and commercial capabilities) are incorporated into an integrated imagery TPED architecture; and (5) to provide appropriate basis for migrating the TPED architecture from an imagery and geospatial TPED architecture to one capable of processing intelligence of multiple types (a so-called ''MULTI-INT'' architecture).

The conferees understand that the plan of the NIMA Director is to consider all options for TPED, to include making significant changes to the current architecture. The conferees agree that the review should be thorough, and that NIMA should retain only those previous architectural efforts and program planning that withstand fresh scrutiny. The conferees do not intend for NIMA

to delay progress in important ongoing activities (including such programs as NIMA libraries and softcopy exploitation, now in the fielding phase) while the pre-acquisition effort is underway.

The conferees believe that direct and personal involvement by the Deputy Secretary of Defense and the Director of Central Intelligence (DCI) are necessary to ensure that the large resource investment to correct TPED deficiencies is properly managed and adequately supported by all DOD and Intelligence Community components. Therefore, the conferees request the Deputy Secretary and the DCI to direct all subordinate departments, agencies, and organizations to fully support NIMA TPED pre-acquisition activities. This must include providing overall guidance, developing concepts and system technical interfaces, and organizing and training intelligence providers and customers to maximize the imagery TPED functions. As noted above, the scope of this effort clearly must involve all imagery and geospatial information systems, including open-source systems. It should also include: all collection systems (spacecraft, aircraft, unmanned aerial vehicles, etc.); all tasking, data, storage, processing, exploitation, analysis, dissemination (including communications) and collaboration systems; and all databases and the specific interfaces. In short, this pre-acquisition effort should refine and define the end-to-end information management processes for U.S. imagery and geospatial data systems so that intelligence can be provided to all customers at all levels.

The conferees expect that the policy and programmatic knowledge gained and the system-level specifications that result from the pre-acquisition activity will be used to focus NIMA's TPED development and acquisition efforts. The conferees expect the Deputy Secretary of Defense and the DCI to develop a realistic TPED transition plan with rigorous cost assessments and to submit that plan to Congress concurrent with future budget requests.

The conferees recognize that the fiscal year 2001 budget request and the Future Years Defense Program (FYDP) reflected additional resources to satisfy TPED requirements. This reflects the first firm commitment by the Deputy Secretary of Defense that the Department would provide additional resources to support TPED modernization. Although the conferees recognize that better funding estimates will result from the pre-acquisition activities addressed above, the administration must continue near- and long-term efforts to identify funding commitments in the fiscal year 2002 budget request and the FYDP that match the critical requirements in this area.

In the near-term, the conferees believe that the Department should take a number of steps to ensure the TPED efforts begin efficiently and promptly. These actions should include the following:

(1) NIMA should establish a focused, capable, and empowered program office that:

(a) remains separate from ongoing acquisition efforts;

(b) reports directly to the NIMA corporate acquisition executive for the Director of NIMA; and

(c) maintains clear and agreed upon relationships with the management oversight staffs, partnering program offices, and customers.

(2) NIMA should modify the current TPED study contracts as necessary to develop or to assist the Department in developing the following:

(a) a NIMA enterprise-wide 2005-era vision for the imagery TPED architecture, as modernized by new information management technology and business practices;

(b) a 2005-era concept of operations for all products, services, and business operations;

(c) a range of architectural approaches for a 2005-era USIGS that would account for current and near-term systems, and that are designed to facilitate transition from the current architecture;

(d) an acquisition strategy and program plan that clearly outlines program management, including the role of the NIMA program office and use of a systems integrator, contracts for advisory and assistance services (CAAS), and federally funded research and development centers;

(e) a source selection strategy;

(f) draft interface control documents, interagency memoranda, and one or more requests for proposal (as determined by the acquisition strategy) with all reference documents, to include statements of objectives, requirements, and operational concepts;

(g) a draft transition plan for all segments of the imagery and geospatial architecture, both internal and external to NIMA; and

(h) cost estimates and budget profiles for complete life cycle costs.

(3) NIMA's plan to achieve the actions in item (2) above shall be reviewed by the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, and the Deputy Director of Central Intelligence for Community Management.

The conferees direct the Secretary of Defense, in coordination with the DCI, to take these actions by February 1, 2001, and submit a report by that date to the congressional defense and intelligence committees that describes the implementation of these actions.

Nuclear Detonation Detection System

The conferees note that the Nuclear Detonation (NUDET) Detection System (NDS) Electromagnetic Pulse (EMP) V sensors are currently scheduled to fly on the next generation Global Positioning System (GPS) Block IIF satellites. These sensors support the mission areas of Integrated Tactical Warning and Attack Assessment (ITWAAA), Treaty Monitoring, and Nuclear Force Management (NFM). The conferees recognize that these sensors are necessary to providing the Commander in Chief of U.S. Strategic Command with the robust battle damage assessment capability required to adequately advise the National Command Authority during Single Integrated Operations Plan (SIOP) execution. In addition, these sensors are critical for arms control monitoring and verification.

Therefore, the conferees support efforts to procure the NDS EMP V sensors in time to fly on the first GPS IIF satellites. The conferees direct the Secretary of the Air Force to ensure that there is no loss in sensor coverage.

Radar technology insertion program

The conferees understand that the Air Force recently conducted a review of the Joint Surveillance and Target Attack Radar System (JSTARS) acquisition program, and confirmed the requirement for the Radar Technology Insertion Program (RTIP). Conferees note that RTIP capability will offer a major enhancement to the current JSTARS fleet and strongly urge the Air Force to install RTIP into any JSTARS aircraft produced after RTIP goes into production.

Space launch ranges

The conferees are concerned that continuing to vest the Air Force with sole fiscal responsibility for the space launch ranges is increasingly problematic. The conferees note that several recent congressional hearings and governmental studies indicate that: (1) the Air Force is transitioning to use of commercial launch services and the commercial launch industry is, and will remain, the predominant user of these ranges; (2) because it does not recover the costs of its management, operation, and modernization of the ranges, the Air Force provides a substantial subsidy to the commercial launch industry, which is less justifiable as the commercial launch industry matures; (3) the Air Force has done an inadequate job of maintaining and modernizing the ranges, and inadequate funding for the ranges is causing equipment to become outdated; and (4) the commercial launch industry does not believe that the Air Force manages the ranges efficiently, often leading to costly launch delays.

The conferees urge the Secretary of Defense to give consideration to expanding the sources of funding for range modernization, maintenance, and operations and to transition responsibility for range management, modernization, maintenance, and operations from the Air Force to joint responsibility between a combination of the Air Force, other state and federal agencies, and the commercial sector. The conferees believe that such approaches may offer the opportunities to improve both military and commercial launch capabilities.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 201–202)

The House bill contained provisions (secs. 201–202) that would authorize the recommended fiscal year 2001 funding levels for all research, development, test, and evaluation accounts.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Subtitle B—Program Requirements, Restrictions, and Limitations

Management of Space-Based Infrared System-Low (sec. 211)

The House bill contained a provision (sec. 212) that would transfer during fiscal year 2001 the management authority over the Space-Based Infrared System (SBIRS) Low program from the Air Force to the Ballistic Missile Defense Organization (BMDO).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would delay the transfer of the SBIRS-Low program to BMDO until fiscal year 2002.

Joint strike fighter program (sec. 212)

The House bill contained a provision (sec. 213) that would require the Secretary of Defense to certify to the congressional defense committees that the joint strike fighter (JSF) is technologically mature enough prior to allowing the JSF program to enter the engineering and manufacturing development (EMD) phase.

The Senate amendment contained a provision (sec. 215) that would require a report from the Secretary of Defense on the technical exit criteria for the JSF to enter EMD and on the impact of any changes the Department of Defense had made to the acquisition strategy. The Senate amendment would also provide a waiver of an amount of funds from the transfer authority ceiling in the event the Department decided to reprogram funds within the JSF program to support EMD activities.

The House recedes with an amendment that would require the Secretary of Defense to provide a report on the technical exit criteria for the JSF to enter EMD. The provision would require that, prior to entering EMD, the Secretary of Defense would have to certify to the congressional defense committees that the technical exit criteria have been met, that key technologies are sufficiently mature, and that the short takeoff and vertical landing variant of the design selected for EMD has accumulated at least 20 flight test hours. The provision would also provide a waiver of transfer authority ceiling in the event the Department were to decide that it needed to reprogram funds within the JSF program.

Fiscal year 2002 joint field experiment (sec. 213)

The Senate amendment contained a provision (sec. 211) that would require the Secretary of Defense to plan in fiscal year 2001, and execute in fiscal year 2002, a major joint field experiment. This experiment would include elements from all military services and special operations forces that represent equipment, organizations, and concepts intended to counter threats to U.S. national security in the year 2010 and beyond.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to submit to the congressional defense committees by March 1, 2001, a report on the concept plan for this joint field experiment that includes: (1) the objectives of the experiment; (2) participating forces; (3) experiment schedule and location(s); (4) funding requirements for each participating joint command, defense agency, and service component; and (5) identified shortfalls in funding required for the experiment that are not included in the fiscal year 2002 budget request for each of the participating joint commands, defense agencies, and service components.

The conferees agree to authorize an increase of $2.0 million in PE 63727N to facilitate the planning in fiscal year 2001 of this major joint field experiment to be executed in fiscal year 2002.

Nuclear aircraft carrier design and production modeling (sec. 214)

The budget request included $38.3 million in PE 64567N for aircraft carrier contract design. The budget request did not include funds specifically designated for converting nuclear aircraft carrier designs to a three-dimensional, computer-based system.

The House bill would authorize $5.0 million of the budget request to begin development of an aircraft carrier design product model for the CVNX.

The Senate amendment contained a provision (sec. 212) that would authorize an increase of $10.0 million in PE 64567N to develop an electronic product model of the CVNX–1 and applicable sections of CVN–77 nuclear aircraft carrier design. The Senate amendment would also direct the Navy to provide an analysis of the potential costs and benefits of extending this product model effort for use in supporting the Nimitz-class ships in the fleet.

The House recedes with an amendment that would authorize an increase of $8.0 million in PE 64567N to develop an electronic product model of the CVNX–1 and applicable sections of CVN–77. The amendment would also require the Secretary of the Navy to provide a report on the cost effectiveness of converting design data to an electronic form and developing a three-dimensional design product model for the CVNX class aircraft carrier.

DD–21 class destroyer program (sec. 215)

The Senate amendment contained a provision (sec. 213) that would authorize the Secretary of the Navy to pursue a technology insertion approach to DD–21 that would commence construction of the first DD–21 in fiscal year 2004 followed by a fiscal year 2009 delivery. The provision would also express the sense of Congress that there are compelling reasons to commence DD–21 construction in fiscal year 2004 followed by sequential construction of DD–21 destroyers until a total of 32 are built. The provision would further direct the Secretary of Defense and the Secretary of the Navy to submit certain reports on DD–21.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Limitation on Russian American Observation Satellites program (sec. 216)

The Senate amendment contained a provision (sec. 219) that would prohibit the expenditure or obligation of funds for the Russian American Observation Satellites (RAMOS) program until 30 days after the Secretary of Defense submits to Congress a report concerning the protection of advanced military technology that may be associated with the RAMOS program.

The House bill contained no similar provision.

The House recedes.

Joint Biological Defense Program (sec. 217)

The Senate amendment contained a provision (sec. 220) that would prohibit the obligation of funds to procure the vaccine for the biological agent anthrax until the Secretary of Defense makes a notification and delivers a report to the congressional defense committees.

The House bill contained no similar provision.

The House recedes with an amendment that would establish permissible actions related to the obligation of funds to procure the anthrax vaccine and would require the Secretary to report within seven days to the Congress all obligations in connection with the qualified procurement of anthrax vaccine with a value greater than $5.0 million.

The conferees note that the anthrax virus is only one of several biological agents Department of Defense officials have testified could pose a threat to military personnel. The conferees are concerned that the myriad issues associated with the production and acquisition of the anthrax vaccine may also apply to other biological warfare defense vaccine research, development, and procurement programs. It is incumbent on the Secretary to develop a plan, including milestones, for modernizing all vaccines used or anticipated to be used to immunize military personnel against biological agents. In the development of that plan, the Secretary should take such action, including procuring vaccines from more than one manufacturer, if necessary or appropriate, to ensure military personnel immunization policies and plans can be effectively implemented.

Section 1703 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) required the Secretary of Defense to report annually on the status and plans of chemical and biological defense research, development and procurement programs. In the report to be submitted in calendar year 2001 and the subsequent three reports, the costs incurred by, and payments made to, each contractor or other entity engaged in the production, storage, distribution, or marketing of the anthrax vaccine administered by the Department of Defense should be provided. In the report to be submitted in calendar year 2001, the following information should be included: (1) an estimate and update of the life cycle costs of the anthrax vaccination program; (2) a description of the anthrax vaccine acquisition strategy; (3) an assessment of government requirements (defense and non-defense) for the anthrax vaccine; (4) an assessment of the financial and manufacturing ability of the manufacturer of the anthrax vaccine to meet government requirements; and (5) a description of any activity related to any anthrax vaccine license with significant implications for the Department of Defense.

Report on biological warfare defense vaccine research and development programs (sec. 218)

The Senate amendment contained a provision (sec. 221) that would direct the Secretary of Defense to report on the Department of Defense (DOD) program to develop and procure vaccines for biological warfare agents no later than February 1, 2001. The provision would require the Secretary to develop a design for a government-owned, contractor-operated (GOCO) vaccine production facility and provide a determination on the utility of such a facility to support civilian vaccine production, and an analysis of possible vaccine production for international use.

The House bill contained no similar provision.

The House recedes with an amendment that would modify the requirements of the report to include an estimated establishment cost and schedule for the GOCO facility, and an evaluation of the non-military use of such a facility on the production of vaccines for U.S. Armed Forces.

Cost limitations applicable to F–22 aircraft program (sec. 219)

The Senate amendment contained a provision (sec. 214) that would provide one percent relief on the engineering and manufacturing (EMD) development cost cap for the F–22 aircraft if the funds are required for testing, as certified by the Director of Operational Test and Evaluation (DOT&E) and the Undersecretary of Defense for Acquisition, Technology, and Logistics (USD AT&L).

The House bill contained no similar provision.

The House recedes with an amendment that would provide one and one half percent relief on the EMD cost cap for the F–22 aircraft program, if the use of these funds is required for testing, as certified by DOT&E after consultation with USD AT&L. The amendment would also reestablish the EMD and production cost caps, as established by section 217 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

Unmanned advanced capability combat aircraft and ground combat vehicles (sec. 220)

The Senate amendment contained a provision (sec. 217) that would establish an initiative to promote the use of unmanned combat systems and technologies with the goal that, within 10 years, one-third of U.S. military operational deep strike aircraft will be unmanned and, within 15 years, one-third of all ground combat vehicles will be unmanned. The Senate amendment would authorize $200.0 million in research, development, test and evaluation in PE 62702E to accelerate the technologies that will lead to the development and fielding of remotely controlled air combat vehicles by 2010 and remotely controlled ground combat vehicles by 2015.

The House bill contained no similar provision.

The House recedes with an amendment.

The conferees support the need to strengthen Army, Navy, and Air Force efforts to exploit the significant potential of unmanned combat aircraft and ground vehicles to effectively accomplish many critical combat missions while avoiding risk to aircraft and ground vehicle crews. The amendment reaffirms the goal established in section 217 of the Senate amendment of developing and fielding advanced capability unmanned combat aircraft and ground vehicles such that one-third of the operational deep strike aircraft in the year 2010 and one-third of the ground combat vehicles acquired through the Army's future combat system development program by the year 2015 could be unmanned.

The conferees direct the Secretary of Defense to submit a report to the congressional defense committees that describes the development and demonstration efforts of the services together with the Defense Advanced Research Projects Agency (DARPA) that will be required to support the established goals. The report shall be submitted in conjunction with the fiscal year 2002 budget request and will include the acquisition strategy required to achieve the established goals, including necessary funding, analysis of alternatives, and potential contributions to, or impacts to current and planned deep strike combat aircraft and ground combat vehicles.

The conferees recommend that efforts to develop and to demonstrate unmanned combat aircraft and ground combat vehicles should be focused initially on the highest risk mission areas. For aircraft, this mission area is defined as those early entry deep strike missions for suppression of enemy air defenses and other highest priority targets. The amendment also addresses commonality between the Air Force and Navy programs. The conferees expect that significant air vehicle systems commonality and interoperability between the Navy and Air Force variants is achievable, specifically in the areas of electronics, avionics, datalinks, and operating stations. The conferees also recognize the importance of low observable (LO) designs in future systems. To that end, Air Force should proceed with development of air vehicle three and validate the LO design of the unmanned combat air vehicle (UCAV) system. Accordingly, the Navy should fully explore the advantages of LO technology in their design of the unmanned combat air vehicle (UCAV-N) system.

In its analysis of alternatives, the Navy should examine a force of 10 to 20 UCAVs per carrier airwing. For ground combat vehicles, the capabilities currently anticipated for the Army's new objective force currently under development in collaboration with DARPA offer the most appropriate focus for application of unmanned vehicle capability.

To accelerate efforts toward achieving these aggressive goals, the conferees authorize an increase of $100.0 million in PE 62702E, as follows: $50.0 million for the Air Force's UCAV program; $25.0 million for the Navy's UCAV-N program; and, $25.0 million for the Army-DARPA joint program on the Future Combat System (FCS). The conferees expect DARPA and the services to work the additional funding, responsibilities, and timelines into the existing memorandum of agreements for these three programs.

The conferees recognize that an increase of $46.0 million is authorized in PE 63005A for enabling technologies for the FCS, as noted elsewhere in this report. The request for the additional funds came from the Department of the Army's unfunded priority list. The conferees note that the Army transformation program hinges on the success of FCS as it is the centerpiece of the service's new ground warfare strategy. The conferees urge the Department to fully fund this critical program in the future.

Global Hawk high altitude endurance unmanned aerial vehicle (sec. 221)

The Senate amendment contained a provision (sec. 216) that would require a demonstration of the Global Hawk high altitude endurance unmanned aerial vehicle (HAE UAV) in a counter-drug surveillance scenario.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to initiate this demonstration no later than March 1, 2001. The provision would also direct the Secretary to conduct the demonstration and the parallel radar development effort using funds authorized to be appropriated for Drug Interdiction and Counter-drug Activities, Defense.

Army space control technology development (sec. 222)

The Senate amendment contained a provision (sec. 218) that would authorize $20.0 million for the Kinetic Energy Anti-Satellite (KE-ASAT) program, $5.0 million for other Army space control technology development, and prohibit the obligation of funds for other Army space control technology until funds for the KE-ASAT program have been released to the KE-ASAT program manager.

The House bill contained no similar provision.

The House recedes with an amendment that would specify that, of the funds authorized to be appropriated for Army space control technology development, $3.0 million shall be available for the KE-ASAT program.

Subtitle C-Ballistic Missile Defense

Funding for fiscal year 2001 (sec. 231)

The House bill contained a provision (sec. 231) that would authorize funds for the National Missile Defense Program, including funds for the Space-Based Infrared System (SBIRS)-Low program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize funds for the National Missile Defense program, but not the SBIRS-Low program. Matters related to SBIRS-Low are addressed elsewhere in this report.

Reports on ballistic missile threat posed by North Korea (sec. 232)

The House bill contained a provision (sec. 233) that would require that, not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, or 60 days after enactment of this Act, the President shall submit to Congress a report on the North Korean ballistic missile threat to the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that, not later than two weeks after the next flight test by North Korea of a long-range ballistic missile, the President shall submit to Congress a report on the North Korean ballistic missile threat to the United States.

Plan to modify ballistic missile defense architecture (sec. 233)

The House bill contained a provision (sec. 234) that would require the Director of the Ballistic Missile Defense Organization to develop a plan to adapt ballistic missile defense systems and architectures to counter threats to the United States, U.S. Armed Forces deployed outside the United States, and other U.S. national security interests that are posed by ballistic missiles with ranges of 1,500 to 2,500 miles.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Management of Airborne Laser program (sec. 234)

The House bill contained a provision (sec. 235) that would designate the Airborne Laser (ABL) program as a program element of the ballistic missile defense program managed by the Ballistic Missile Defense Organization (BMDO).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of the Air Force to obtain the approval of the Director of BMDO before making any change to the ABL funding profile, schedule, or technical requirements, and for the Director of BMDO, in coordination with the Secretary of the Air Force, to submit a report to the congressional defense committees on the role of the ABL in current U.S. missile defense architecture.

As addressed elsewhere in this conference agreement, the conferees recommend a funding increase of $85.0 million for the ABL program, the amount needed in fiscal year 2001 to keep the Program Definition and Risk Reduction aircraft on schedule to conduct the first lethal demonstration during fiscal year 2003. The conferees direct the Secretary of the Air Force to spend these additional fiscal year 2001 funds consistent with the fiscal year 2000 program plan. Absent the development of technical problems, the conferees believe that the ABL program should remain on schedule for a lethal demonstration in fiscal year 2003 and initial operational capability in fiscal year 2008.

Subtitle D—High Energy Laser Programs

High energy laser programs (secs. 241–250)

The House bill contained a provision (sec. 211) that would authorize funding for high energy laser (HEL) research and development, and would require the Secretary of Defense to designate a senior civilian official in the Office of the Secretary of Defense (OSD) to oversee, coordinate, prioritize, and conduct planning and programming for the HEL programs. The provision would also express a sense of Congress concerning the appropriate funding levels for HEL research and development, require the establishment of a memorandum of agreement between the Secretary of Defense and the Administrator of the National Nuclear Security Administration to conduct joint laser research programs, and establish certain reporting requirements.

The Senate amendment contained a similar provision (sec. 917) that would authorize funding for HEL programs, require the Secretary of Defense to implement the organizational recommendations included in the High Energy Laser Master Plan of March 24, 2000, and require other actions related to the management of HEL.

The Senate recedes with an amendment that would require the Secretary of Defense to implement the recommendations included in the High Energy Laser Master Plan recommendations and would address other matters related to HEL program funding and

management. The amendment would also require the Secretary of Defense, in consultation with the Deputy Undersecretary of Defense for Science and Technology, to evaluate whether to include other directed energy science and technology programs in the new high energy laser management structure.

Subtitle E—Other Matters

Reports on mobile offshore base concept and potential use for certain purposes of technologies associated with that concept (sec. 251)

The Senate amendment contained a provision (sec. 241) that would require the Secretary of Defense to submit a report on the mobile offshore base that would contain a cost-benefit analysis for the base and a recommendation on whether a program should be established, with lead service designation and schedule.

The House bill contained no similar provision.

The House recedes with an amendment that would require an additional report from the Secretary of the Navy on the potential application and feasibility of using existing technologies, including those associated with the mobile offshore base concept, to a sea-based platform for support of naval aviation training. This report should be viewed as a matter totally disassociated with the potential requirement for a mobile offshore base, with the exception of potential sharing of technologies.

Air Force science and technology planning (sec. 252)

The Senate amendment contained a provision (sec. 242) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on the long-term challenges and short-term objectives of the Air Force science and technology (S&T) program.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the reporting requirement for the Air Force, clarify the planning requirement, and require the Comptroller General to report on the results of the review and an assessment regarding the extent to which the review was conducted in compliance with the requirements of this section.

Enhancement of authorities regarding education partnerships for purposes of encouraging scientific study (sec. 253)

The Senate amendment contained a provision (sec. 243) that would amend section 2194 of title 10, United States Code, to enhance authorities relating to education partnerships to encourage scientific study.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the types of property eligible for transfer under the authorities of this provision.

Recognition of those individuals instrumental to naval research efforts during the period from before World War II through the end of the Cold War (sec. 254)

The House bill contained a provision (section 241) that would recognize those individuals instrumental in the establishment and conduct of oceanographic and scientific research partnerships between the Federal Government and academic institutions during the period beginning before World War II and continuing through the end of the Cold War, support efforts by the Secretary of the Navy and the Chief of Naval Research to honor those individuals, and express appreciation for the ongoing efforts of the Office of Naval Research to support oceanographic and scientific research and the development of researchers in scientific fields related to the missions of the Navy and the Marine Corps.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Acoustic mine detection technology

The Senate amendment contained a provision (sec. 223) that would authorize an increase of $2.5 million in PE 62712A for research in acoustic mine detection.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $2.5 million in PE 62712A for research in acoustic mine detection, as noted elsewhere in this conference report.

Additional authorization for weathering and corrosion technology for aircraft surfaces and parts

The Senate amendment contained a provision (sec. 203) that would authorize an increase of $1.5 million in PE 62102F for weathering and corrosion technology for aircraft surfaces and parts.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $1.0 million in PE 62102F for research, development, test, and evaluation technologies and processes to address weathering and corrosion of aircraft surfaces and parts, as noted elsewhere in this report.

The conferees direct that all applicable competitive procedures be used in the award of contracts or other agreements under this program and that cost sharing be used to the maximum extent practicable.

Air logistics technology

The Senate amendment contained a provision (sec. 225) that would authorize an increase of $300,000 in PE 63712S for air logistics technology.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $300,000 in PE 63712S for air logistics technology, as noted elsewhere in this conference report.

Ammunition risk analysis research

The Senate amendment contained a provision (sec. 229) that would authorize an increase of $5.0 million in PE 63104D for research in ammunition risk analysis.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $5.0 million in PE 63104D for research in ammunition risk analysis, as noted elsewhere in this conference report.

Funding for comparisons of medium armored vehicles

The Senate amendment contained a provision (sec. 230) that would authorize an increase of $40.0 million to support a comparative evaluation by the Army of medium armored combat vehicles.

The House bill contained no similar provision.

The Senate recedes.

Joint technology information center initiative

The Senate amendment contained a provision (sec. 228) that would authorize $20.0 million for the Joint Technology Information Center Initiative.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $20.0 million in Research, Development, Test and Evaluation, Defensewide, for the Joint Technology Information Center initiative.

Navy information technology center and human resource enterprise strategy

The budget request included $15.3 million in PE 65013N for information technology development.

The House bill would authorize the budget request.

The Senate amendment contained a provision (sec. 227) that would authorize an increase of $5.0 million in PE 65013N for the Navy's single integrated human resources strategy (SIHRS).

The Senate recedes on the provision.

The conferees agree to authorize an increase of $8.0 million in PE 65013N for the business process re-engineering of Navy legacy systems through the SIHRS.

Sense of Congress concerning commitment to deployment of National Missile Defense System

The House bill contained a provision (sec. 232) that would:

(1) reaffirm the policy of the United States declared in the National Missile Defense (NMD) Act of 1999 (Public Law 106–38); (2) find that an effective NMD system is technologically feasible; (3) find that hostile ''rogue'' nations are capable of posing missile threats to the United States sufficient to justify deployment of an NMD system; and (4) express the sense of Congress that the action of the President in signing the NMD Act of 1999 entails a commitment by the President to execute the policy declared in that Act.

The Senate amendment contained no similar provision.

The House recedes.

Technology for mounted maneuver forces

The Senate amendment contained a provision (sec. 224) that would authorize an increase of $5.0 million in PE 65326A to test and evaluate future operational technologies for use by mounted maneuver forces.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize an increase of $3.5 million in PE 65326A to test and evaluate future operational technologies for use by mounted maneuver forces, as noted elsewhere in this conference report.

TITLE III—OPERATION AND MAINTENANCE

Overview

The budget request for fiscal year 2001 contained an authorization of $108,746.1 million for Operation and Maintenance in the Department of Defense and $1,154.4 for Working Capital Fund Accounts in fiscal year 2001.

The House bill would authorize $109,415.5 million for Operation and Maintenance and $1,503.4 for Working Capital Fund Accounts.

The Senate amendment would authorize $108,904.7 million for Operation and Maintenance and $1,154.4 for Working Capital Fund Accounts.

The conferees recommended an authorization of $109,750.2 million for Operation and Maintenance and $1,154.4 for Working Capital Fund Accounts for fiscal year 2001. The conference agreement reflects reductions reflected in the fiscal year 2001 Department of Defense Appropriations Act (Public Law 106–

259). Unless noted explicitly in the statement of managers, all changes are made without prejudice.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE III					
OPERATION & MAINTENANCE & WORKING CAPITAL FUNDS					
Operation and Maintenance, Army	19,123,731	19,489,617	19,031,031	156,650	19,280,381
Operation and Maintenance, Navy	23,300,154	23,324,809	23,276,154	466,456	23,766,610
Operation and Maintenance, Marine Corps	2,705,658	2,851,678	2,746,558	120,633	2,826,291
Operation and Maintenance, Air Force	22,346,977	22,351,164	22,389,077	48,244	22,395,221
Operation and Maintenance, Defense-wide	11,920,069	11,673,852	11,912,069	(179,500)	11,740,569
Operation and Maintenance, Army Reserve	1,521,418	1,565,918	1,526,418	40,000	1,561,418
Operation and Maintenance, Navy Reserve	960,946	967,646	965,946	18,000	978,946
Operation and Maintenance, Marine Corps Reserve	133,959	150,469	138,959	10,200	144,159
Operation and Maintenance, Air Force Reserve	1,885,859	1,890,859	1,890,859	18,000	1,903,859
Operation and Maintenance, Army National Guard	3,182,335	3,236,835	3,222,335	51,500	3,233,835
Operation and Maintenance, Air National Guard	3,446,375	3,461,875	3,450,875	22,000	3,468,375
Office of the Inspector General	144,245	144,245	144,245	0	144,245
United States Court of Appeals for the Armed Forces	8,574	8,574	8,574	0	8,574
Environmental Restoration, Army	389,932	389,932	389,932	0	389,932
Environmental Restoration, Navy	294,038	294,038	294,038	0	294,038
Environmental Restoration, Air Force	376,300	376,300	376,300	0	376,300
Environmental Restoration, Defense-Wide	23,412	23,412	23,412	(2,000)	21,412
Environmental Restoration, Formerly Used Defense Sites	186,499	186,499	231,499	45,000	231,499
Drug Interdiction and Counter-drug Activities, Defense	836,300	841,500	845,300	32,700	869,000
Defense Health Program	11,310,423	11,571,523	11,401,723	169,700	11,480,123
Former Soviet Union Threat Reduction	458,400	433,400	458,400	(15,000)	443,400

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
Overseas Humanitarian, Disaster, & Civic Aid	64,900	55,800	55,400	(9,000)	55,900
Payment to Kaho' Olawe Island Fund	25,000	25,000	25,000	0	25,000
Overseas Contingency Operation Transfer Fund	4,100,577	4,100,577	4,100,577	0	4,100,577
Quality of Life Enhancement	0	0	0	10,500	10,500
Subtotal Operation and Maintenance	108,746,081	109,415,522	108,904,681	1,004,083	109,750,164
REVOLVING FUNDS					
Defense Working Capital Fund	916,276	916,276	916,276	0	916,276
National Defense Sealift Fund	388,158	737,109	388,158	0	388,158
National Defense Stockpile Transaction Fund (Routine & Ongoing Sales)	(150,000)	(150,000)	(150,000)	0	(150,000
National Defense Stockpile Transaction Fund (Excess of Routine Sales)	0	0	0	0	0
Subtotal Working Capital Funds	1,154,434	1,503,385	1,154,434	0	1,154,434
Total Operation and Maintenance & Working Capital Funds	109,900,515	110,918,907	110,059,115	1,004,083	110,904,598

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
OPERATIONS AND MAINTENANCE, ARMY					
BUDGET ACTIVITY 01: OPERATING FORCES					
LAND FORCES	**3,330,899**	**3,453,199**	**3,390,899**	**73,000**	**3,403,899**
010 DIVISIONS	1,174,856	1,189,156	1,194,856	0	1,177,856
Military Gator/Battlefield Mobility Enhancements		[9,300]		3,000	
Soldier Support--Field Kitchen Burn Unit (MBU)		[5,000]		0	
Corrosion Control			[10,000]	0	
Battlefield Mobility Enhancement System			[10,000]	0	
020 CORPS COMBAT FORCES	321,297	321,297	321,297	0	321,297
030 CORPS SUPPORT FORCES	350,844	350,844	390,844	0	350,844
Aviations Spares			[40,000]	0	
040 ECHELON ABOVE CORPS FORCES	503,390	503,390	503,390	0	503,390
050 LAND FORCES OPERATIONS SUPPORT	980,512	980,512	980,512	0	969,512
JCS Exercises				(11,000)	
TRAINING RANGE MODERNIZATION/MANAGEMENT		108,000		76,000	81,000
Integerated Training Area Management				2,000	
Modern Burner Unit				3,000	
LAND FORCES READINESS	**2,370,841**	**2,508,291**	**2,370,841**	**39,000**	**2,409,841**
060 FORCE READINESS OPERATIONS SUPPORT	1,144,565	1,144,565	1,144,565	0	1,144,565
070 LAND FORCES SYSTEMS READINESS	531,614	531,614	531,614	0	516,614
Strike Force Funding				(15,000)	
080 LAND FORCES DEPOT MAINTENANCE	694,662	819,662	694,662	50,000	745,662
CORROSION CONTROL		12,450		0	
Maintenance Automatic Identification Technology				1,000	
LOGTECH				0	3,000
Apprenticeship Program				3,000	
LAND FORCES READINESS SUPPORT	**3,879,341**	**3,879,341**	**3,974,341**	**0**	**3,879,341**
090 BASE OPERATIONS SUPPORT (OPERATING FORCES)	2,698,913	2,698,913	2,698,913	0	2,698,913
100 REAL PROPERTY MAINTENANCE (OPERATING FORCES)	916,378	916,378	1,011,378	0	916,378
110 MANAGEMENT AND OPERATIONAL HEADQUARTERS	131,042	131,042	131,042	0	131,042

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
120	UNIFIED COMMANDS	82,388	82,388	82,388	0	82,388
130	ADDITIONAL ACTIVITIES	50,620	50,620	50,620	0	50,620
	TOTAL, BA 01: OPERATING FORCES	**9,581,081**	**9,840,831**	**9,736,081**	**112,000**	**9,693,081**
	BUDGET ACTIVITY 02: MOBILIZATION					
	MOBILITY OPERATIONS	**526,913**	**526,913**	**531,913**	**0**	**526,913**
140	STRATEGIC MOBILIZATION	309,219	309,219	309,219	0	309,219
150	ARMY PREPOSITIONED STOCKS	130,471	130,471	130,471	0	130,471
160	INDUSTRIAL PREPAREDNESS	66,557	66,557	66,557	0	66,557
170	REAL PROPERTY MAINTENANCE (MOBILITY OPERATIONS)	20,666	20,666	25,666	0	20,666
	TOTAL, BA 02: MOBILIZATION	**526,913**	**526,913**	**531,913**	**0**	**526,913**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING	**364,026**	**371,026**	**369,026**	**0**	**364,026**
180	OFFICER ACQUISITION	73,963	73,963	73,963	0	73,963
190	RECRUIT TRAINING	15,728	15,728	15,728	0	15,728
200	ONE STATION UNIT TRAINING	14,618	14,618	14,618	0	14,618
210	SENIOR RESERVE OFFICERS' TRAINING CORPS	134,581	141,581	134,581	0	134,581
	Senior ROTC Recruiting		[7,000]			
220	BASE OPERATIONS SUPPORT (ACCESSION TRAINING)	75,468	75,468	75,468	0	75,468
230	REAL PROPERTY MAINTENANCE (ACCESSION TRAINING)	49,668	49,668	54,668	0	49,668
	BASIC SKILL/ ADVANCE TRAINING	**2,193,890**	**2,236,292**	**2,253,890**	**7,500**	**2,201,390**
240	SPECIALIZED SKILL TRAINING	242,799	257,799	242,799	0	247,799
	Speclized Skill Training				5,000	
250	FLIGHT TRAINING	323,414	323,414	323,414	0	323,414
260	PROFESSIONAL DEVELOPMENT EDUCATION	100,260	100,260	100,260	0	97,760
	NDU				(2,500)	
270	TRAINING SUPPORT	417,639	421,639	467,639	0	422,639
	Range Upgrade			[50,000]	0	
	Institutional Training Support				5,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
280	BASE OPERATIONS SUPPORT (BASIC SKILL/ADVANCED TRAINING)	845,136	845,136	845,136	0	845,136
290	REAL PROPERTY MAINTENANCE (BASIC SKILL/ADVANCED TRAINING)	264,642	264,642	274,642	0	264,642
	INSTITUTIONAL TRAINING		15,000		0	
	CRYPTOLOGIC SKILL TRAINING		4,000		0	
	DEPOT APPRENTICESHIP PROGRAM		4,402		0	
	RECRUITING/OTHER TRAINING	**895,653**	**895,653**	**898,653**	**(3,500)**	**892,153**
300	RECRUITING AND ADVERTISING	385,251	385,251	385,251	0	382,251
	Contract Studies				(3,000)	
310	EXAMINING	77,700	77,700	77,700	0	77,700
320	OFF-DUTY AND VOLUNTARY EDUCATION	87,629	87,629	87,629	0	87,629
330	CIVILIAN EDUCATION AND TRAINING	79,207	79,207	79,207	(5,000)	74,207
340	JUNIOR RESERVE OFFICERS' TRAINING CORPS	77,491	77,491	80,491	4,500	81,991
350	BASE OPERATIONS SUPPORT (RECRUIT/OTHER TRAINING)	188,375	188,375	188,375	0	188,375
	TOTAL, BA 03: TRAINING AND RECRUITING	**3,453,569**	**3,502,971**	**3,521,569**	**4,000**	**3,457,569**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SECURITY PROGRAMS	**472,588**	**472,588**	**472,588**	**0**	**472,588**
360	SECURITY PROGRAMS	472,588	472,588	472,588	0	472,588
	LOGISTICS OPERATIONS	**1,551,090**	**1,551,090**	**1,551,090**	**5,000**	**1,556,090**
370	SERVICEWIDE TRANSPORTATION	488,831	488,831	488,831	0	488,831
380	CENTRAL SUPPLY ACTIVITIES	365,993	365,993	365,993	(5,000)	360,993
390	LOGISTICS SUPPORT ACTIVITIES	356,748	356,748	356,748	0	366,748
	System Technical Support				10,000	
400	AMMUNITION MANAGEMENT	339,518	339,518	339,518	0	339,518
	SERVICEWIDE SUPPORT	**3,289,407**	**3,249,407**	**3,295,907**	**(41,000)**	**3,248,407**
410	ADMINISTRATION	327,113	327,113	327,113	0	327,113
420	SERVICEWIDE COMMUNICATIONS	466,906	466,906	466,906	0	466,906
430	MANPOWER MANAGEMENT	164,992	164,992	164,992	0	163,992
	Travel				(1,000)	
440	OTHER PERSONNEL SUPPORT	154,893	154,893	154,893	0	154,893

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
450	OTHER SERVICE SUPPORT	739,315	739,315	739,315	0	739,315
460	ARMY CLAIMS	112,851	72,851	112,851	(40,000)	72,851
470	REAL ESTATE MANAGEMENT	69,439	69,439	69,439	0	69,439
480	BASE OPERATIONS SUPPORT (SERVICEWIDE SUPPORT)	1,076,077	1,076,077	1,077,577	0	1,076,077
	Clara Barton Center for Domestic Preparedness			[1,500]	0	
490	REAL PROPERTY MAINTENANCE (SERVICEWIDE SUPPORT)	177,821	177,821	182,821	0	177,821
	SUPPORT OF OTHER NATIONS	**249,083**	**230,383**	**249,083**	**(18,700)**	**230,383**
500	INTERNATIONAL MILITARY HEADQUARTERS	194,381	194,381	194,381	0	181,981
	NATO Administrative Growth				(12,400)	
510	MISC. SUPPORT OF OTHER NATIONS	54,702	48,402	54,702		48,402
	Admistrative Cost Growth				(6,300)	
520	EXPANSION OF NATO	0	0	0	0	0
	SUPPORT OF NATO OPERATIONS		(12,400)			
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**5,562,168**	**5,503,468**	**5,568,668**	**(54,700)**	**5,507,468**
	UNDISTRIBUTED:					
	JCS Exercises		[-11,000]			
	Classified Programs		[-2,700]		(4,000)	
	Section 912 Headquarters Reduction		[-27,086]			
	Real Property Maintenance		[280,360]		170,000	
	Automatic Identification Technology		[4,000]			
	Ultra Lightweigh Camouflage Net System		[15,000]			
	Army Workload Performance System		[2,000]			
	System Technical Support		[40,000]			
	WCF Cash Balances/Rate Stabilization		[-55,550]			
	WRM Prepositioned Equipment Support		[40,000]			
	DFAS Program Growth		[-19,590]			
	Civilian Under-execution			[-4,600]		
	Excess Carryover--Defense Working Capital Funds			[-40,000]	(40,500)	
	Foreign Currency Fluctuation		[-150,000]	[-292,100]		

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Ceremonial Rifles			[2,500]		
WMD-CST			[7,500]	5,850	
Pentagon Renovation, Unobligated Balances				(2,000)	
Contract and Advisory Services				(20,000)	
Defense Joint Accounting System				(14,000)	
TOTAL		**115,434**	**(327,200)**	**95,350**	**95,350**
TOTAL, OPERATIONS AND MAINTENANCE, ARMY	**19,123,731**	**19,489,617**	**19,031,031**	**156,650**	**19,280,381**
OPERATIONS AND MAINTENANCE, NAVY					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS	**4,267,564**	**4,297,564**	**4,424,564**	**182,000**	**4,449,564**
010 MISSION AND OTHER FLIGHT OPERATIONS	2,636,230	2,636,230	2,793,230	0	2,788,230
Aviation Spares			[75,000]	70,000	
TACAMO Spares			[82,000]	82,000	
020 FLEET AIR TRAINING	798,956	798,956	798,956	0	798,956
030 INTERMEDIATE MAINTENANCE	59,407	59,407	59,407	0	59,407
040 AIR OPERATIONS AND SAFETY SUPPORT	102,182	102,182	102,182	0	102,182
050 AIRCRAFT DEPOT MAINTENANCE	648,745	678,745	648,745	20,000	678,745
P-3 Aircraft Depot Maintenance		[10,000]		10,000	
060 AIRCRAFT DEPOT OPERATIONS SUPPORT	22,044	22,044	22,044	0	22,044
SHIP OPERATIONS	**6,334,227**	**6,542,377**	**6,646,527**	**189,000**	**6,523,227**
070 MISSION AND OTHER SHIP OPERATIONS	2,237,075	2,240,925	2,312,075	0	2,237,075
Man Overboard system		[3,850]			
Spares			[75,000]	0	
080 SHIP OPERATIONAL SUPPORT AND TRAINING	539,919	539,919	539,919	0	539,919
090 INTERMEDIATE MAINTENANCE	393,478	393,478	393,478	0	393,478
100 SHIP DEPOT MAINTENANCE	2,113,052	2,295,352	2,350,352	142,000	2,302,052
AOE Maintenance		[40,000]	[40,000]	0	
LHA Midlife			[32,000]	32,000	
BMB Maintenance			[22,000]	15,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
110	SHIP DEPOT OPERATIONS SUPPORT	1,050,703	1,072,703	1,050,703	0	1,050,703
	Berthing Barge Maintenance		[22,000]			
	COMBAT OPERATIONS/SUPPORT	**1,667,580**	**1,667,580**	**1,674,580**	**8,500**	**1,676,080**
120	COMBAT COMMUNICATIONS	371,080	371,080	371,080	0	371,080
130	ELECTRONIC WARFARE	16,452	16,452	16,452	0	16,452
140	SPACE SYSTEMS AND SURVEILLANCE	167,779	167,779	167,779	0	167,779
150	WARFARE TACTICS	141,835	141,835	141,835	0	140,835
	JCS Exercises				(1,000)	
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	257,981	257,981	264,981	7,000	264,981
170	COMBAT SUPPORT FORCES	548,600	548,600	548,600	0	551,100
	Man Overboard System				2,500	
180	EQUIPMENT MAINTENANCE	163,062	163,062	163,062	0	163,062
190	DEPOT OPERATIONS SUPPORT	791	791	791	0	791
	WEAPONS SUPPORT	**1,386,942**	**1,386,942**	**1,408,942**	**21,800**	**1,408,742**
200	CRUISE MISSILE	139,779	139,779	139,779	0	139,779
210	FLEET BALLISTIC MISSILE	816,722	816,722	816,722	0	816,522
	Arms Control				(200)	
220	IN-SERVICE WEAPONS SYSTEMS SUPPORT	48,635	48,635	48,635	0	48,635
230	WEAPONS MAINTENANCE	381,806	381,806	403,806	0	403,806
	MK-45 Overhaul			[12,000]	12,000	
	CIWS Overhaul			[10,000]	10,000	
	WORKING CAPITAL FUND SUPPORT	**19,100**	**19,100**	**19,100**	**0**	**19,100**
240	NWCF SUPPORT	19,100	19,100	19,100	0	19,100
	BASE SUPPORT	**3,017,265**	**3,017,265**	**3,167,265**	**0**	**3,017,265**
250	REAL PROPERTY MAINTENANCE	866,050	866,050	1,016,050	0	866,050
260	BASE SUPPORT	2,151,215	2,151,215	2,151,215	0	2,151,215
	TOTAL, BA 01: OPERATING FORCES	**16,692,678**	**16,930,828**	**17,340,978**	**401,300**	**17,093,978**
	BUDGET ACTIVITY 02: MOBILIZATION					
	READY RESERVE AND PREPOSITIONING FORCES	**428,418**	**460,418**	**428,418**	**0**	**428,418**

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
270	SHIP PREPOSITIONING AND SURGE	428,418	428,418	428,418	0	428,418
	WRM/MATERIALS STOCKS		32,000			
	ACTIVATIONS/INACTIVATIONS	**196,403**	**196,403**	**196,403**	**0**	**196,403**
280	AIRCRAFT ACTIVATIONS/INACTIVATIONS	2,939	2,939	2,939	0	2,939
290	SHIP ACTIVATIONS/INACTIVATIONS	193,464	193,464	193,464	0	193,464
	MOBILIZATION PREPAREDNESS	**44,113**	**44,113**	**44,113**	**0**	**44,113**
300	FLEET HOSPITAL PROGRAM	23,707	23,707	23,707	0	23,707
310	INDUSTRIAL READINESS	1,112	1,112	1,112	0	1,112
320	COAST GUARD SUPPORT	19,294	19,294	19,294	0	19,294
	TOTAL, BA 02: MOBILIZATION	**668,934**	**700,934**	**668,934**	**0**	**668,934**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
	ACCESSION TRAINING	**174,633**	**174,633**	**174,633**	**0**	**174,633**
330	OFFICER ACQUISITION	90,121	90,121	90,121	0	90,121
340	RECRUIT TRAINING	6,594	6,594	6,594	0	6,594
350	RESERVE OFFICERS TRAINING CORPS (ROTC)	77,918	77,918	77,918	0	77,918
	BASIC SKILLS AND ADVANCED TRAINING	**913,264**	**914,154**	**942,564**	**4,300**	**917,564**
360	SPECIALIZED SKILL TRAINING	276,861	276,861	281,161	0	281,161
	NULKA Training			[4,300]	4,300	
370	FLIGHT TRAINING	342,553	342,553	342,553	0	342,553
380	PROFESSIONAL DEVELOPMENT EDUCATION	107,625	107,625	107,625	0	107,625
390	TRAINING SUPPORT	186,225	186,225	211,225	0	186,225
	Range Upgrades			[25,000]	0	
	DEPOT APPRENTICESHIP PROGRAM		890			
	RECRUITING, AND OTHER TRAINING AND EDUCATION	**354,956**	**354,956**	**357,956**	**3,000**	**357,956**
400	RECRUITING AND ADVERTISING	180,737	180,737	180,737	0	180,737
410	OFF-DUTY AND VOLUNTARY EDUCATION	86,613	86,613	86,613	0	86,613
420	CIVILIAN EDUCATION AND TRAINING	56,234	56,234	56,234	0	56,234
430	JUNIOR ROTC	31,372	31,372	34,372	3,000	34,372
	BASE SUPPORT	**522,786**	**522,786**	**537,786**	**0**	**522,786**

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
440	REAL PROPERTY MAINTENANCE	198,071	198,071	213,071	0	198,071
450	BASE SUPPORT	324,715	324,715	324,715	0	324,715
	TOTAL, BA 03: TRAINING AND RECRUITING	**1,965,639**	**1,966,529**	**2,012,939**	**7,300**	**1,972,939**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT	**1,346,099**	**1,330,542**	**1,346,099**	**0**	**1,346,099**
460	ADMINISTRATION	618,145	618,145	618,145	0	618,145
470	EXTERNAL RELATIONS	19,987	19,987	19,987	0	19,987
480	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	114,660	114,660	114,660	0	114,660
490	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	97,812	97,812	97,812	0	97,812
500	OTHER PERSONNEL SUPPORT	187,270	187,270	187,270	0	187,270
510	SERVICEWIDE COMMUNICATIONS	308,225	292,668	308,225	0	308,225
520	MEDICAL ACTIVITIES	0	0	0	0	0
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT	**1,728,826**	**1,728,826**	**1,728,826**	**0**	**1,728,826**
530	SERVICEWIDE TRANSPORTATION	186,105	186,105	186,105	0	186,105
540	ENVIRONMENTAL PROGRAMS	0	0	0	0	0
550	PLANNING, ENGINEERING AND DESIGN	355,482	355,482	355,482	0	355,482
560	ACQUISITION AND PROGRAM MANAGEMENT	721,560	721,560	721,560	0	721,560
570	AIR SYSTEMS SUPPORT	303,087	303,087	303,087	0	303,087
580	HULL, MECHANICAL AND ELECTRICAL SUPPORT	61,092	61,092	61,092	0	61,092
590	COMBAT/WEAPONS SYSTEMS	47,240	47,240	47,240	0	47,240
600	SPACE AND ELECTRONIC WARFARE SYSTEMS	54,260	54,260	54,260	0	54,260
	SECURITY PROGRAMS	**622,854**	**625,854**	**622,854**	**0**	**622,854**
610	SECURITY PROGRAMS	622,854	622,854	622,854	0	622,854
	ASHORE FORCE PROTECTION		3,000			
	SUPPORT OF OTHER NATIONS	**8,508**	**8,508**	**8,508**	**0**	**8,508**
620	INTERNATIONAL HEADQUARTERS AND AGENCIES	8,508	8,508	8,508	0	8,508
	BASE SUPPORT	**266,616**	**266,616**	**281,616**	**0**	**266,616**
630	REAL PROPERTY MAINTENANCE	109,485	109,485	124,485	0	109,485
640	BASE SUPPORT	157,131	157,131	157,131	0	157,131

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(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
CANCELLED ACCOUNTS	**0**	**0**	**0**	**0**	**0**
650 CANCELLED ACCOUNT	0	0	0	0	0
PROBLEM DISBURSEMENTS	**0**	**0**	**0**	**0**	**0**
660 PROBLEM DISBURSEMENTS	0	0	0	0	0
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**3,972,903**	**3,960,346**	**3,987,903**	**0**	**3,972,903**
UNDISTRIBUTED:					
JCS Exercises		[-1,014]			
Classified Programs		[-3,752]		(11,144)	
Section 912 Headquarters Reduction		[-13,340]			
Environmenmtal Leadership Programs		[5,000]		3,000	
Real Property Maintenance		[162,170]		90,000	
Intergrated Broadcast Service		[-15,100]			
Acquisition Management		[-45,681]			
WCF Cash Balance/Rate Stabilization		[-227,250]			
Foreign Language Program		[3,000]		3,000	
Contract and Advisory Services		[-14,061]		(10,000)	
Civilian Under-execution		[-53,800]	[-53,800]		
Excess Carryover--Defense Working Capital Funds			[-585,700]		
Foreign Currency Fluctuation		[-30,000]	[-105,100]		
MTAPP			[2,000]	2,000	
Information Technology Center			[5,000]		
Call Center			[3,000]		
Pentagon Renovation, Unobligated Balances				(2,000)	
Defense Joint Accounting System				(7,000)	
Comunications Program Growth				(10,000)	
TOTAL		**(233,828)**	**(734,600)**	**57,856**	**57,856**
TOTAL, OPERATIONS AND MAINTENANCE, NAVY	**23,300,154**	**23,324,809**	**23,276,154**	**466,456**	**23,766,610**
OPERATIONS AND MAINTENANCE, MARINE CORPS					

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
BUDGET ACTIVITY 01: OPERATING FORCES					
EXPEDITIONARY FORCES	**1,908,545**	**1,976,145**	**1,972,245**	**66,000**	**1,974,545**
010 OPERATIONAL FORCES	420,702	443,802	443,802	0	452,702
Initial Issue		[23,100]	[23,100]	22,000	
ULCANS				10,000	
020 FIELD LOGISTICS	235,561	243,061	235,561	0	244,561
Corrosion Control		[7,500]		4,000	
Equipment Maintenance				5,000	
030 DEPOT MAINTENANCE	97,194	129,194	137,794	20,000	117,194
Maintenance of Aging Equipment		[10,000]		0	
Corrosion Control			[7,500]	0	
040 BASE SUPPORT	760,299	760,299	760,299	0	760,299
050 REAL PROPERTY MAINTENANCE	394,789	394,789	394,789	0	394,789
PERSONAL SUPPORT EQUIPMENT		5,000		5,000	5,000
USMC PREPOSITIONING	**86,281**	**97,481**	**86,281**	**0**	**86,281**
060 MARITIME PREPOSITIONING	82,390	82,390	82,390	0	82,390
070 NORWAY PREPOSITIONING	3,891	3,891	3,891	0	3,891
MPS REPLENISHMENT/REPLACEMENT STOCKS		11,200			
TOTAL, BA 01: OPERATING FORCES	**1,994,826**	**2,073,626**	**2,058,526**	**66,000**	**2,060,826**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
ACCESSION TRAINING	**86,386**	**86,386**	**86,386**	**0**	**86,386**
080 RECRUIT TRAINING	10,655	10,655	10,655	0	10,655
090 OFFICER ACQUISITION	300	300	300	0	300
100 BASE SUPPORT	55,649	55,649	55,649	0	55,649
110 REAL PROPERTY MAINTENANCE	19,782	19,782	19,782	0	19,782
BASIC SKILLS AND ADVANCED TRAINING	**205,972**	**209,972**	**205,972**	**0**	**205,972**
120 SPECIALIZED SKILLS TRAINING	32,975	32,975	32,975	0	32,975
130 FLIGHT TRAINING	166	166	166	0	166
140 PROFESSIONAL DEVELOPMENT EDUCATION	8,704	8,704	8,704	0	8,704

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
150	TRAINING SUPPORT	84,417	84,417	84,417	0	84,417
160	BASE SUPPORT	50,948	50,948	50,948	0	50,948
170	REAL PROPERTY MAINTENANCE	28,762	28,762	28,762	0	28,762
	INSTITUTIONAL TRAINING		4,000			
	RECRUITING AND OTHER TRAINING EDUCATION	**140,518**	**152,618**	**143,518**	**7,000**	**147,518**
180	RECRUITING AND ADVERTISING	100,001	107,501	100,001	0	100,001
190	OFF-DUTY AND VOLUNTARY EDUCATION	17,961	17,961	17,961	0	17,961
200	JUNIOR ROTC	11,917	11,917	14,917	3,000	14,917
210	BASE SUPPORT	8,006	8,606	8,006	0	8,006
220	REAL PROPERTY MAINTENANCE	2,633	2,633	2,633	0	2,633
	STAFFING FOR VOLUNTARY EDUCATION PROGRAM		4,000		4,000	4,000
	TOTAL, BA 03: TRAINING AND RECRUITING	**432,876**	**448,976**	**435,876**	**7,000**	**439,876**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	SERVICEWIDE SUPPORT	**277,956**	**277,956**	**277,956**	**(2,000)**	**275,956**
230	SPECIAL SUPPORT	204,293	204,293	204,293	0	204,293
240	SERVICEWIDE TRANSPORTATION	31,414	31,414	31,414	(2,000)	29,414
250	ADMINISTRATION	25,811	25,811	25,811	0	25,811
260	BASE SUPPORT	14,157	14,157	14,157	0	14,157
270	REAL PROPERTY MAINTENANCE	2,281	2,281	2,281	0	2,281
	CANCELLED ACCOUNT	**0**	**0**	**0**	**0**	**0**
280	CANCELLED ACCOUNT	0	0	0	0	0
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**277,956**	**277,956**	**277,956**	**(2,000)**	**275,956**
	UNDISTRIBUTED:					
	Real Property Maintenance		[38,320]		35,000	
	Ultra Lightweight Camouflage System		[15,000]			
	Foreign Currency Fluctuation		[-2,200]	[-25,800]		
	MPS Replenishment/Replacement Stocks				15,000	
	Contract and Advisory Services				(367)	

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(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL		**51,120**	**(25,800)**	**49,633**	**49,633**
TOTAL, OPERATIONS AND MAINTENANCE, MARINE CORPS	**2,705,658**	**2,851,678**	**2,746,558**	**120,633**	**2,826,291**
OPERATIONS AND MAINTNENANCE, AIR FORCE					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS	**8,673,688**	**8,755,788**	**8,773,688**	**800**	**8,674,488**
010 PRIMARY COMBAT FORCES	2,363,665	2,363,665	2,363,665	0	2,363,665
020 PRIMARY COMBAT WEAPONS	306,379	306,379	306,379	0	306,379
030 COMBAT ENHANCEMENT FORCES	205,101	205,101	205,101	0	205,101
040 AIR OPERATIONS TRAINING	774,341	774,341	774,341	0	774,341
050 DEPOT MAINTENANCE	1,341,224	1,419,024	1,341,224	0	1,341,224
ENGINE R&M IMPROVEMENTS		4,300		0	
060 COMBAT COMMUNICATIONS	1,093,924	1,093,924	1,093,924	(2,000)	1,091,924
070 BASE SUPPORT	1,849,247	1,849,247	1,949,247	0	1,849,247
080 REAL PROPERTY MAINTENANCE	739,807	739,807	739,807	0	742,607
Keesler AFB, Weatherproofing			[2,800]	2,800	
COMBAT RELATED OPERATIONS	**1,536,955**	**1,536,955**	**1,536,955**	**(3,700)**	**1,533,255**
090 GLOBAL C3I AND EARLY WARNING	680,464	680,464	680,464	0	688,964
Tethered Aerostat Radar System				8,500	
100 NAVIGATION/WEATHER SUPPORT	154,153	154,153	154,153	0	154,153
110 OTHER COMBAT OPS SUPPORT PROGRAMS	280,971	280,971	280,971	0	280,971
120 JCS EXERCISES	37,052	37,052	37,052	(12,200)	24,852
130 MANAGEMENT/OPERATIONAL HEADQUARTERS	124,998	124,998	124,998	0	124,998
140 TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	259,317	259,317	259,317	0	259,317
SPACE OPERATIONS	**1,279,808**	**1,279,808**	**1,279,808**	**0**	**1,279,808**
150 LAUNCH FACILITIES	234,395	234,395	234,395	0	234,395
160 LAUNCH VEHICLES	116,766	116,766	116,766	0	116,766
170 SPACE CONTROL SYSTEMS	248,564	248,564	248,564	0	248,564
180 SATELLITE SYSTEMS	53,473	53,473	53,473	0	53,473
190 OTHER SPACE OPERATIONS	114,729	114,729	114,729	0	114,729

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(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
200 BASE SUPPORT	377,605	377,605	377,605	0	377,605
210 REAL PROPERTY MAINTENANCE	134,276	134,276	134,276	0	134,276
TOTAL, BA 01: OPERATING FORCES	**11,490,451**	**11,572,551**	**11,590,451**	**(2,900)**	**11,487,551**
BUDGET ACTIVITY 02: MOBILIZATION					
MOBILITY OPERATIONS	**3,159,544**	**3,167,244**	**3,204,244**	**0**	**3,159,544**
220 AIRLIFT OPERATIONS	1,653,084	1,653,084	1,653,084	0	1,653,084
230 AIRLIFT OPERATIONS C3I	37,961	37,961	37,961	0	37,961
240 MOBILIZATION PREPAREDNESS	146,133	146,133	146,133	0	146,133
250 DEPOT MAINTENANCE	305,244	305,244	305,244	0	305,244
260 PAYMENTS TO TRANSPORTATION BUSINESS AREA	429,775	429,775	429,775	0	429,775
270 BASE SUPPORT	466,832	466,832	511,532	0	466,832
280 REAL PROPERTY MAINTENANCE	120,515	120,515	120,515	0	120,515
AFLOAT PREPOSITIONED FLEET--AF		7,700			
TOTAL, BA 02: MOBILIZATION	**3,159,544**	**3,167,244**	**3,204,244**	**0**	**3,159,544**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
ACCESSION TRAINING	**266,841**	**267,241**	**266,841**	**(6,600)**	**260,241**
290 OFFICER ACQUISITION	68,142	68,142	68,142	0	68,142
300 RECRUIT TRAINING	4,302	4,302	4,302	0	4,302
310 RESERVE OFFICER TRAINING CORPS (ROTC)	61,522	61,922	61,522	0	61,922
Open Air Force Senior ROTC Support		[400]		400	
320 BASE SUPPORT (ACADEMIES ONLY)	68,220	68,220	68,220	0	61,220
Facility Investment Strategy				(7,000)	
330 REAL PROPERTY MAINTENANCE (ACADEMIES ONLY)	64,655	64,655	64,655	0	64,655
BASIC SKILLS AND ADVANCED TRAINING	**1,669,169**	**1,674,169**	**1,669,169**	**(2,000)**	**1,667,169**
340 SPECIALIZED SKILL TRAINING	256,003	256,003	256,003	0	256,003
350 FLIGHT TRAINING	618,293	618,293	618,293	0	618,293
360 PROFESSIONAL DEVELOPMENT EDUCATION	109,263	109,263	109,263	0	109,263
370 TRAINING SUPPORT	75,599	75,599	75,599	0	75,599

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
380	DEPOT MAINTENANCE	11,626	11,626	11,626	0	11,626
390	BASE SUPPORT (OTHER TRAINING)	471,268	471,268	471,268	(2,000)	469,268
400	REAL PROPERTY MAINTENANCE (OTHER TRAINING)	127,117	127,117	127,117	0	127,117
	INSTITUTIONAL TRAINING		5,000			
	RECRUITING, AND OTHER TRAINING AND EDUCATION	**305,491**	**305,491**	**308,491**	**2,000**	**307,491**
410	RECRUITING AND ADVERTISING	113,524	113,524	113,524	0	113,524
420	EXAMINING	3,483	3,483	3,483	0	3,483
430	OFF DUTY AND VOLUNTARY EDUCATION	87,032	87,032	87,032	0	87,032
440	CIVILIAN EDUCATION AND TRAINING	69,633	69,633	69,633	(1,000)	68,633
450	JUNIOR ROTC	31,819	31,819	34,819	3,000	34,819
	TOTAL, BA 03: TRAINING AND RECRUITING	**2,241,501**	**2,246,901**	**2,244,501**	**(6,600)**	**2,234,901**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	LOGISTICS OPERATIONS	**3,131,611**	**3,131,611**	**3,206,611**	**2,000**	**3,133,611**
460	LOGISTICS OPERATIONS	985,411	985,411	1,060,411	0	987,411
	Readiness Spares Packages			[75,000]	0	
	Engine Reliability & Maintainability Program				2,000	
470	TECHNICAL SUPPORT ACTIVITIES	396,144	396,144	396,144	0	396,144
480	SERVICEWIDE TRANSPORTATION	222,395	222,395	222,395	0	222,395
490	DEPOT MAINTENANCE	55,398	55,398	55,398	0	55,398
500	BASE SUPPORT	1,131,172	1,131,172	1,131,172	0	1,131,172
510	REAL PROPERTY MAINTENANCE	341,091	341,091	341,091	0	341,091
	SERVICEWIDE ACTIVITIES	**1,624,374**	**1,603,874**	**1,624,374**	**(6,900)**	**1,617,474**
520	ADMINISTRATION	153,206	143,206	153,206	0	153,206
530	SERVICEWIDE COMMUNICATIONS	322,654	322,654	322,654	0	322,654
540	PERSONNEL PROGRAMS	146,783	146,783	146,783	0	146,783
550	RESCUE AND RECOVERY SERVICES	59,073	59,073	59,073	0	59,073
560	ARMS CONTROL	41,094	30,594	41,094	(6,900)	34,194
570	OTHER SERVICEWIDE ACTIVITIES	590,249	590,249	590,249	0	590,249
580	OTHER PERSONNEL SUPPORT	35,109	35,109	35,109	0	35,109

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
590	CIVIL AIR PATROL CORPORATION	13,917	13,917	13,917	0	13,917
600	BASE SUPPORT	237,050	237,050	237,050	0	237,050
610	REAL PROPERTY MAINTENANCE	25,239	25,239	25,239	0	25,239
	SECURITY PROGRAMS	**685,834**	**685,834**	**685,834**	**0**	**685,834**
620	SECURITY PROGRAMS	685,834	685,834	685,834	0	685,834
	SUPPORT TO OTHER NATIONS	**13,662**	**13,662**	**13,662**	**(1,100)**	**12,562**
630	INTERNATIONAL SUPPORT	13,662	13,662	13,662	0	12,562
	NATO & International Program Growth				(1,100)	
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**5,455,481**	**5,434,981**	**5,530,481**	**(6,000)**	**5,449,481**
	UNDISTRIBUTED:					
	Classified Programs		[15,801]		10,144	
	JCS Exercises		[-12,200]			
	Section 912 Headquarters Reduction		[-14,500]			
	Real Property Maintnenance		[176,040]		90,000	
	LD/HD Flight Crew Training		[5,100]			
	Aircraft Spares		[45,000]		70,800	
	Integrated Broadcast Service		[15,100]			
	Acquisition Management		[-8,800]			
	WCF Cash Balance/Stablization		[-222,200]			
	Contract and Advisory Services		[-4,633]		(41,000)	
	DFAS Program Growth		[-27,521]			
	Excess Carryover--Defense Working Capital Funds			[-52,200]	(52,200)	
	Foreign Currency Fluctuation		[-37,700]	[-157,600]		
	NBC Sustainment			[29,200]		
	Pentagon Renovation				(2,000)	
	Travel				(5,000)	
	Defense Joint Accounting System				(7,000)	
	TOTAL		**(70,513)**	**(180,600)**	**63,744**	**63,744**
	TOTAL, OPERATIONS AND MAINTNENANCE, AIR FORCE	**22,346,977**	**22,351,164**	**22,389,077**	**48,244**	**22,395,221**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
OPERATIONS AND MAINTENANCE, DEFENSE-WIDE					
BUDGET ACTIVITY 01: OPERATING FORCES					
010 JOINT CHIEFS OF STAFF	396,489	388,575	401,489	0	421,489
Exercise Program		[-32,914]			
Mobility Enhancements		[25,000]	[5,000]	25,000	
020 SPECIAL OPERATIONS COMMAND	1,263,572	1,263,572	1,263,572	0	1,263,572
TOTAL, BA 01: OPERATING FORCES	**1,660,061**	**1,652,147**	**1,665,061**	**25,000**	**1,685,061**
BUDGET ACTIVITY 02: MOBILIZATION					
030 DEFENSE LOGISTICS AGENCY	45,677	45,677	45,677	0	45,677
TOTAL, BA 02: MOBILIZATION	**45,677**	**45,677**	**45,677**	**0**	**45,677**
BUDGET ACTIVITY 03: TRAINING AND RECRUITING					
040 AMERICAN FORCES INFORMATION SERVICE	10,999	10,999	10,999	0	10,999
050 DEFENSE ACQUISITION UNIVERSITY	100,331	100,331	102,331	0	102,331
IT Organization Composite Research				2,000	
060 DEFENSE FINANCE AND ACCOUNTING SERVICE	15,354	15,354	15,354	0	15,354
070 DEFENSE HUMAN RESOURCES ACTIVITY	78,299	78,299	78,299	(5,000)	73,299
080 DEFENSE SECURITY SERVICE	7,445	7,445	7,445	0	7,445
090 DEFENSE THREAT REDUCTION AGENCY	1,089	1,089	1,089	0	1,089
100 SPECIAL OPERATIONS COMMAND	49,158	49,158	49,158	0	49,158
TOTAL, BA 03: TRAINING AND RECRUITING	**262,675**	**262,675**	**264,675**	**(3,000)**	**259,675**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
110 AMERICAN FORCES INFORMATION SERVICE	94,525	94,525	94,525	0	94,525
120 CIVIL MILITARY PROGRAMS	88,431	88,431	88,431	0	88,431
130 CLASSIFIED AND INTELLIGENCE	4,207,597	4,207,597	4,207,597	0	4,207,597
140 CLASSIFIED AND INTELLIGENCE (FY 98/99)	0	0	0	0	0
150 CLASSIFIED AND INTELLIGENCE (NO YEAR)	0	0	0	0	0
160 DEFENSE CONTRACT AUDIT AGENCY	348,658	348,658	348,658	(2,000)	346,658

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
170	DEFENSE FINANCE AND ACCOUNTING SERVICE	1,416	1,416	1,416	0	2,416
	MOCAS Enhancements				1,000	
180	DEFENSE HUMAN RESOURCES ACTIVITY	184,856	184,856	184,856	(5,000)	179,856
190	DEFENSE INFORMATION SYSTEMS AGENCY	755,197	755,197	755,197	0	755,197
200	DEFENSE LEGAL SERVICES AGENCY	12,596	12,596	12,596	0	12,596
210	DEFENSE LOGISTICS AGENCY	1,143,496	1,165,496	1,144,696	0	1,143,496
	Document Conversion		[10,000]		4,000	
	CTMA Program		[12,000]		0	
	MOCAS Enhancements			[1,200]	0	
	Equipment Purchases				(4,000)	
220	DEFENSE POW /MISSING PERSONS OFFICE	14,827	14,827	14,827	0	14,827
230	DEFENSE SECURITY COOPERATION AGENCY	67,598	65,312	64,498	0	57,598
	Partnership for Peace		[-2,286]	[-3,100]	(10,000)	
240	DEFENSE SECURITY SERVICE	126,929	126,929	126,929	0	126,929
250	DEFENSE THREAT REDUCTION AGENCY	215,624	214,624	215,624	(2,000)	213,624
260	DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,434,204	1,434,204	1,434,204	0	1,434,204
270	JOINT CHIEFS OF STAFF	157,883	157,361	157,883	0	157,883
	Section 912 Headquarters Reductions		[-522]			
280	OFFICE OF ECONOMIC ADJUSTMENT	22,495	22,495	22,495	0	22,495
290	OFFICE OF THE SECRETARY OF DEFENSE	417,126	412,680	420,626	0	413,626
	Section 912 Headquarters Reductions		[-4,446]		0	
	Joint Spectrum Center Data Base Upgrade			[8,500]	0	
	Environmental Security Cooperation				(1,000)	
	Studies and Analysis				(5,000)	
	DESCIM			[-5,000]	(5,000)	
	Clara Barton Center				1,500	
	CTMA-Depot Level Activities				6,000	
300	OFFICE OF THE SECRETARY OF DEFENSE (NO YEAR)	0	0	0	0	0
310	SPECIAL OPERATIONS COMMAND	43,864	42,182	43,864	0	43,864
	Section 912 Headquarters Reductions		[-1,682]			

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
320	WASHINGTON HEADQUARTERS SERVICES	299,334	265,375	299,334	0	289,334
	Low Priority Programs				(10,000)	
330	NATURAL DISASTERS	0	0	0	0	0
340	SPECIAL PROGRAMS	315,000	115,000	315,000	(200,000)	115,000
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**9,951,656**	**9,729,761**	**9,953,256**	**(231,500)**	**9,720,156**
	UNDISTRIBUTED:					
	Classified Programs		[-44,332]			
	Section 912 Headquarters Reduction		[-12,586]			
	Eagle Vision Commercial Imagery		[6,000]			
	Civilian Under-execution		[-900]	[-27,500]		
	Foreign Currency Fluctuation		[-10,100]	[-27,200]		
	Legacy		[6,500]	[6,100]	6,500	
	Defense Travel System			[-20,000]		
	Information Security Scholarship Program			[20,000]	[15,000]	
	Command Information Superiority Architecture			[2,000]		
	Information Protection Research Institute			[10,000]	[5,000]	
	International Student ProgramAT Senior Military		[2,000]		2,000	
	Recruiter-High School Guidance Counselor Internet Connection		[2,000]		2,000	
	IMPACT AID		[35,000]	[20,000]	35,000	
	Pentagon Renovation				(2,000)	
	Defense Joint Accounting System				(13,500)	
	Middle East Regional Security Issues			[1,000]	[1,000]	
	TOTAL		**(16,408)**	**(16,600)**	**30,000**	**30,000**
	TOTAL, OPERATIONS AND MAINTENANCE, DEFENSE-WIDE	**11,920,069**	**11,673,852**	**11,912,069**	**(179,500)**	**11,740,569**
	OPERATIONS AND MAINTENANCE, ARMY RESERVE					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES	**680,318**	**692,318**	**680,318**	**0**	**680,318**
010	DIVISION FORCES	9,921	9,921	9,921	0	9,921

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
020	CORPS COMBAT FORCES	22,544	22,544	22,544	0	22,544
030	CORPS SUPPORT FORCES	218,697	218,697	218,697	0	218,697
040	ECHELON ABOVE CORPS FORCES	103,347	103,347	103,347	0	103,347
050	LAND FORCES OPERATIONS SUPPORT	325,809	325,809	325,809	0	325,809
	EXTENDED COLD WEATHER SYSTEM		12,000			
	LAND FORCES READINESS	**211,288**	**211,288**	**216,288**	**0**	**211,288**
060	FORCES READINESS OPERATIONS SUPPORT	129,020	129,020	129,020	0	129,020
070	LAND FORCES SYSTEM READINESS	35,501	35,501	35,501	0	35,501
080	DEPOT MAINTENANCE	46,767	46,767	51,767	0	46,767
	LAND FORCES READINESS SUPPORT	**461,815**	**461,815**	**461,815**	**0**	**461,815**
090	BASE SUPPORT	345,771	345,771	345,771	0	345,771
100	REAL PROPERTY MAINTENANCE	114,704	114,704	114,704	0	114,704
110	UNIFIED COMMANDS	0	0	0	0	0
120	ADDITIONAL ACTIVITIES	1,340	1,340	1,340	0	1,340
	TOTAL, BA 01: OPERATING FORCES	**1,353,421**	**1,365,421**	**1,358,421**	**0**	**1,353,421**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
130	ADMINISTRATION	34,708	34,708	34,708	0	34,708
140	SERVICEWIDE COMMUNICATIONS	22,482	22,482	22,482	0	22,482
150	PERSONNEL/FINANCIAL ADMINISTRATION	41,594	41,594	41,594	0	41,594
160	RECRUITING AND ADVERTISING	69,213	78,213	69,213	0	69,213
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**167,997**	**176,997**	**167,997**	**0**	**167,997**
	UNDISTRIBUTED:					
	Additional Military Technicians		[25,000]		20,500	
	Funeral Honors		[3,000]			
	Real Property Maintenance				15,000	
	Extended Cold Weather Clothing Sustem				4,500	
	TOTAL		**23,500**		**40,000**	**40,000**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL, OPERATIONS AND MAINTENANCE, ARMY RESERVE	**1,521,418**	**1,565,918**	**1,526,418**	**40,000**	**1,561,418**
OPERATIONS AND MAINTNENANCE, NAVY RESERVE					
BUDGET ACTIVITY 01: OPERATING FORCES					
RESERVE AIR OPERATIONS	**478,297**	**478,297**	**478,297**	**0**	**478,297**
010 MISSION AND OTHER FLIGHT OPERATIONS	355,803	355,803	355,803	0	355,803
020 FLEET AIR TRAINING	0	0	0	0	0
030 INTERMEDIATE MAINTENANCE	17,381	17,381	17,381	0	17,381
040 AIR OPERATION AND SAFETY SUPPORT	3,384	3,384	3,384	0	3,384
050 AIRCRAFT DEPOT MAINTENANCE	101,391	101,391	101,391	0	101,391
060 AIRCRAFT DEPOT OPS SUPPORT	338	338	338	0	338
RESERVE SHIP OPERATIONS	**130,106**	**130,106**	**135,106**	**10,000**	**140,106**
070 MISSION AND OTHER SHIP OPERATIONS	48,182	48,182	48,182	0	48,182
080 SHIP OPERATIONAL SUPPORT AND TRAINING	621	621	621	0	621
090 INTERMEDIATE MAINTENANCE	11,207	11,207	11,207	0	11,207
100 SHIP DEPOT MAINTENANCE	68,721	68,721	73,721	10,000	78,721
110 SHIP DEPOT OPERATIONS SUPPORT	1,375	1,375	1,375	0	1,375
RESERVE COMBAT OPERATIONS SUPPORT	**34,850**	**34,850**	**34,850**	**0**	**34,850**
120 COMBAT SUPPORT FORCES	34,850	34,850	34,850	0	34,850
RESERVE WEAPONS SUPPORT	**5,436**	**5,436**	**5,436**	**0**	**5,436**
130 WEAPONS MAINTENANCE	5,436	5,436	5,436	0	5,436
BASE SUPPORT	**206,409**	**206,409**	**206,409**	**0**	**206,409**
140 REAL PROPERTY MAINTENANCE	63,728	63,728	63,728	0	63,728
150 BASE SUPPORT	142,681	142,681	142,681	0	142,681
TOTAL, BA 01: OPERATING FORCES	**855,098**	**855,098**	**860,098**	**10,000**	**865,098**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**105,848**	**105,848**	**105,848**	**0**	**105,848**
160 ADMINISTRATION	7,004	7,004	7,004	0	7,004
170 CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	1,847	1,847	1,847	0	1,847

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
180	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	27,713	27,713	27,713	0	27,713
190	SERVICEWIDE COMMUNICATIONS	63,070	63,070	63,070	0	63,070
200	COMBAT/WEAPONS SYSTEMS	5,566	5,566	5,566	0	5,566
210	GENERAL DEFENSE INTELLIGENCE PROGRAM	648	648	648	0	648
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT	**0**	**0**	**0**	**0**	**0**
220	AIR SYSTEMS SUPPORT	0	0	0	0	0
	CANCELLED ACCOUNTS	**0**	**0**	**0**	**0**	**0**
230	CANCELLED ACCOUNTS	0	0	0	0	0
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**105,848**	**105,848**	**105,848**	**0**	**105,848**
	UNDISTRIBUTED:					
	Rcruiting and Advertising		[3,700]			
	Recruiting Support		[3,000]			
	Real Property Maintenance				5,000	
	Flyhours				3,000	
	Total		**6,700**		**8,000**	**8,000**
	TOTAL, OPERATIONS AND MAINTNENANCE, NAVY RESERVE	**960,946**	**967,646**	**965,946**	**18,000**	**978,946**
	OPERATIONS AND MAINTENANCE, MARINE CORPS RESERVE					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	MISSION FORCES					
010	TRAINING	17,938	17,938	17,938	0	23,138
	TRAINING CENTER IMPROVEMENTS		1,200		0	
	INITIAL ISSUE		5,200		5,200	
020	OPERATING FORCES	46,561	46,561	46,561	0	46,561
030	BASE SUPPORT	17,024	17,024	17,024	0	17,024
040	REAL PROPERTY MAINTENANCE	8,330	8,330	8,330	2,000	10,330
050	DEPOT MAINTENANCE	9,014	11,014	14,014	3,000	12,014
	MAINTENANCE OF AGING EQUIPMENT		2,000			
	CORROSION CONTROL COATING		1,000			

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
TOTAL, BA 01: OPERATING FORCES	**98,867**	**110,267**	**103,867**	**10,200**	**109,067**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060 RECRUITING AND ADVERTISING	7,907	9,907	7,907	0	7,907
070 SPECIAL SUPPORT	11,317	11,317	11,317	0	11,317
080 SERVICEWIDE TRANSPORTATION	484	484	484	0	484
090 ADMINISTRATION	7,628	7,628	7,628	0	7,628
100 BASE SUPPORT	7,756	7,756	7,756	0	7,756
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**35,092**	**37,092**	**35,092**	**0**	**35,092**
UNDISTRIBUTED					
Real Property Maintenance		[3,100]			
TOTAL		**3,110**	**0**	**0**	**0**
TOTAL, OPERATIONS & MAINTENANCE, MARINE CORPS RES	**133,959**	**150,469**	**138,959**	**10,200**	**144,159**
OPERATIONS AND MAINTENANCE, AIR FORCE RESERVE					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS					
010 PRIMARY COMBAT FORCES	1,199,990	1,199,990	1,199,990	0	1,199,990
020 MISSION SUPPORT OPERATIONS	49,309	49,309	49,309	0	49,309
030 DEPOT MAINTENANCE	281,177	281,177	286,177	7,000	288,177
040 BASE SUPPORT	224,138	224,138	224,138	0	224,138
050 REAL PROPERTY MAINTENANCE	45,661	45,661	45,661	0	45,661
TOTAL, BA 01: OPERATING FORCES	**1,800,275**	**1,800,275**	**1,805,275**	**7,000**	**1,807,275**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
060 ADMINISTRATION	47,817	47,817	47,817	0	47,817
070 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	20,094	20,094	20,094	0	20,094

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
080	RECRUITING AND ADVERTISING	10,562	10,562	10,562	0	10,562
090	OTHER PERSONNEL SUPPORT	6,457	6,457	6,457	0	6,457
100	AUDIOVISUAL	654	654	654	0	654
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**85,584**	**85,584**	**85,584**	**0**	**85,584**
	UNDISTRIBUTED					
	Real Property Maintenance				4,000	
	Flyhours				2,000	
	Technician Pilot Retention Bonus		[5,000]		5,000	
	TOTAL		**5,000**		**11,000**	**11,000**
	TOTAL, OPERATIONS & MAINTENANCE, AIR FORCE RESERVE	**1,885,859**	**1,890,859**	**1,890,859**	**18,000**	**1,903,859**
	OPERATIONS AND MAINTENANCE, ARMY NATIONAL GUARD					
	BUDGET ACTIVITY 01: OPERATING FORCES					
	LAND FORCES	**1,639,496**	**1,663,496**	**1,659,496**	**12,000**	**1,651,496**
010	DIVISIONS	420,846	420,846	440,846	0	420,846
	Initial Issue			[20,000]	0	
020	CORPS COMBAT FORCES	743,303	743,303	743,303	0	743,303
030	CORPS SUPPORT FORCES	192,504	192,504	192,504	0	192,504
040	ECHELON ABOVE CORPS FORCES	184,399	184,399	184,399	0	184,399
050	LAND FORCES OPERATION SUPPORT	98,444	98,444	98,444	0	110,444
	EXTENDED COLD WEATHER CLOTHING SYSTEM		24,000		12,000	
	LAND FORCES READINESS	**262,419**	**262,419**	**262,419**	**0**	**262,419**
060	LAND FORCES SYSTEM READINESS	72,247	72,247	72,247	0	72,247
070	DEPOT MAINTENANCE	190,172	190,172	190,172	0	190,172
	LAND FORCES READINESS SUPPORT	**1,085,439**	**1,085,439**	**1,105,439**	**0**	**1,085,439**
080	BASE OPERATIONS	460,632	460,632	460,632	0	460,632
090	REAL PROPERTY MAINTENANCE	202,431	202,431	222,431	0	202,431
100	MANAGEMENT AND OPERATIONAL HEADQUARTERS	422,376	422,376	422,376	0	422,376
	TOTAL, BA 01: OPERATING FORCES	**2,987,354**	**3,011,354**	**3,027,354**	**12,000**	**2,999,354**

Title III-Operations and Maintenance

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
ADMINISTRATION AND SERVICEWIDE ACTIVITIES					
110 STAFF MANAGEMENT	73,993	73,993	73,993	0	73,993
120 INFORMATION MANAGEMENT	20,115	20,115	20,115	0	20,115
130 PERSONNEL ADMINISTRATION	33,627	33,627	33,627	0	33,627
140 RECRUITING AND ADVERTISING	67,246	67,246	67,246	0	67,246
TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**194,981**	**194,981**	**194,981**	**0**	**194,981**
UNDISTRIBUTED					
Additional Military Technicians		[30,500]		20,500	
Real Property Maintenance				19,000	
TOTAL		**30,500**		**39,500**	**39,500**
TOTAL, OPERATIONS & MAINTENANCE, ARMY NATIONAL GUARD	**3,182,335**	**3,236,835**	**3,222,335**	**51,500**	**3,233,835**
OPERATIONS AND MAINTNENANCE, AIR NATIONAL GUARD					
BUDGET ACTIVITY 01: OPERATING FORCES					
AIR OPERATIONS					
010 AIRCRAFT OPERATIONS	2,216,504	2,216,504	2,216,504	0	2,216,504
020 MISSION SUPPORT OPERATIONS	368,761	368,761	373,261	0	368,761
Distribution Mission Training			[4,500]	0	
030 BASE SUPPORT	291,414	291,414	291,414	0	291,414
040 REAL PROPERTY MAINTENANCE	104,385	104,385	104,385	0	104,385
050 DEPOT MAINTENANCE	452,932	452,932	452,932	16,500	469,432
EXTENDED COLD WEATHER CLOTHING SYSTEM		6,000			
TOTAL, BA 01: OPERATING FORCES	**3,433,996**	**3,439,996**	**3,438,496**	**16,500**	**3,450,496**
BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES					
SERVICEWIDE ACTIVITIES					
060 ADMINISTRATION	2,668	2,668	2,668	0	2,668

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
070	RECRUITING AND ADVERTISING	9,711	15,711	9,711	0	13,211
	RECRUITING SUPPORT		3,500		3,500	
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**12,379**	**21,879**	**12,379**	**3,500**	**15,879**
	UNDISTRIBUTED					
	Extended Cold Weather Clothing System				2,000	
	TOTAL				**2,000**	**2,000**
	TOTAL, OPERATIONS & MAINTNENANCE, AIR NATIONAL GUARD	**3,446,375**	**3,461,875**	**3,450,875**	**22,000**	**3,468,375**
	TRANSFER ACCOUNTS					
10	ENVIRONMENTAL RESTORATION, ARMY	389,932	389,932	389,932	0	389,932
20	ENVIRONMENTAL RESTORATION, NAVY	294,038	294,038	294,038	0	294,038
30	ENVIRONMENTAL RESTORATION, AIR FORCE	376,300	376,300	376,300	0	376,300
40	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	23,412	23,412	23,412	(2,000)	21,412
50	ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	186,499	186,499	231,499	45,000	231,499
60	DRUG INTERDICTION	836,300	841,500	845,300	32,700	869,000
70	OVERSEAS CONTINGENCIES	4,100,577	4,100,577	4,100,577	0	4,100,577
80	PENTAGON RENOVATION	0	0	0	0	0
	TOTAL, O&M, TRANSFER ACCOUNTS	**6,207,058**	**6,212,258**	**6,261,058**	**75,700**	**6,282,758**
	MISCELLANEOUS					
90	DEFENSE HEALTH PROGRAM	11,310,423	11,571,523	11,401,723		11,480,123
	Foreign Currency Fluction		[-15,400]	[-6,700]	(8,900)	
	Fund Study of DHP Accrual		[2,000]		2,000	
	Fund Study of Medicare-Eligible Health Options		[2,000]			
	Fund Study DOD/VA Joint Research Facility		[2,500]		1,000	
	Modernize TRICARE Management/Increase Use of Treatment Facilities		[134,500]			
	Reimburse Travel Expenses for Long-Distance Referrals		[15,000]		15,000	
	Reduce Catastrophic Cap for Retirees		[32,000]		32,000	
	TRICARE Senior Pharmacy Benefit		[94,000]		100,000	

Title III-Operations and Maintenance

(Dollars in Thousands)

	ACCOUNT/BA/AG/SAG	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
	Foreign Military Training		[-10,000]			
	Claims Processing Initiative				3,600	
	Chiropractic Services for Active Duty Personnel		[3,000]		3,000	
	Medical/Dental Benefits for Survivors				6,000	
	Domiciliary and Custrodial Care				1,500	
	Tracking Patient Safety				10,000	
	Mental Health Conselor Demonstration				3,000	
	Telemedicine Radiology Demonstration		[1,500]		1,500	
100	EMERGENCY RESPONSE FUND, DEFENSE	0	0	0	0	0
110	FORMER SOVIET UNION THREAT REDUCTION	458,400	433,400	458,400	(15,000)	443,400
120	INSPECTOR GENERAL	144,245	144,245	144,245	0	144,245
130	OPPLAN 34A-35 P.O.W.				0	
140	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AFFAIRS	64,900	55,800	55,400	(9,000)	55,900
150	PAYMENT TO KAHO'OLAWE ISLAND	25,000	25,000	25,000	0	25,000
160	QUALITY OF LIFE ENHANCEMENTS	0	0	0	10,500	10,500
170	U.S. COURT OF APPEALS FOR THE ARMED FORCES	8,574	8,574	8,574	0	8,574
TOTAL, MISCELLANEOUS		**12,011,542**	**12,238,542**	**12,093,342**	**156,200**	**12,167,742**

Battlefield Mobility Enhancement System

The budget request included no funding for the battlefield mobility enhancement system know as Military Gator (M-Gator).

The House bill would authorize $9.3 million for M-Gator.

The Senate amendment would authorize $10.0 million for M-Gator.

The conferees agree to authorize $3.0 million for M-Gator. The conferees commend the Department of the Army and, specifically, the XVIII Airborne Corps for their efforts in acquiring the M-Gator battlefield mobility enhancement system. The conferees note that these efforts substantially shortened the acquisition process for this system by using a commercial off-the-shelf vehicle and thereby resisted the oft-repeated mistake of excessive modifications and militarizations, saving both time and money. The conferees understand that it took the Army only three years from the execution of the operational needs statement to the initial fielding of the M-Gator. The conferees are also pleased to note that M-Gators are currently available for world-wide deployment by the 82nd and 101st Airborne Divisions and, within available funding, will soon be available in the 10th Mountain Division in New York and the 25th Infantry Division in Hawaii.

Cultural and historic activities

The budget request included $300,000 for the Legacy Resource Management Program.

The House bill would authorize an increase of $6.5 million in the Legacy program.

The Senate amendment would authorize an increase of $6.1 million in the Legacy program for the recovery and preservation of three Civil War vessels: the *H.L. Hunley*, a Civil War submarine; the U.S.S. *Monitor*, a Civil War ironclad warship; and the C.S.S. *Alabama*, a Civil War commerce raider.

The conferees agree to authorize an increase of $6.5 million in the Legacy program. The conferees direct the Secretary of Defense and the Secretary of the Navy to use the additional Legacy funds to accomplish the following: (1) To raise the *H.L. Hunley*, recover other remaining artifacts, and conduct related preservation activities; (2) to make preparations for the turret recovery of the U.S.S. *Monitor* and recover other remaining artifacts, including two cannons; and (3) to survey and recover the artifacts of the C.S.S. *Alabama*, including the aft pivot gun and the lifting screw. The conferees further direct that, not later than April 1, 2001, the Secretary of Defense shall submit to the congressional defense committees a report that completely describes all prior and current use of Legacy funds and relevant state funds, and the status of recovery and preservation activities related to the *H.L. Hunley*, the U.S.S. *Monitor*, and the C.S.S. *Alabama*.

MOCAS enhancements

The budget request included $1.1 billion for the Defense Logistics Agency.

The House bill would authorize the budget request.

The Senate amendment would authorize an increase of $1.2 million for improvements to the Mechanization of Contract Administration Service (MOCAS) System. The increase in funding is necessary for the development of a query tool, enhanced shared data warehouse, and other improvements to bring the MOCAS system in compliance with other provisions in the Act.

The House bill contained no similar provision and would authorize the budget request.

The conferees agree to authorize an increase of $1.0 million for these purposes for the Defense Finance and Accounting Service.

ITEMS OF SPECIAL INTEREST

Funding for Formerly Used Defense Sites and the Conway Bombing and Gunnery Range, Horry County, South Carolina

The Department of Defense (DOD) is responsible for cleaning up properties that it formerly owned, leased, possessed, or operated, known as Formerly Used Defense Sites (FUDS). The Army is the executive agent for the FUDS program, and the U.S. Army Corps of Engineers (Corps) manages and executes actual remediation activities. Because DOD no longer owns or uses the FUDS properties, a Corps district commander is given direct oversight responsibility for execution of environmental restoration projects.

There are about 9,302 properties identified for inclusion in the FUDS program, hundreds of which could be categorized as former ranges. Unfortunately, there are significant funding shortfalls within the FUDS program, which makes it difficult to execute much needed remediation projects at these sites. In an effort to address this problem, the Department of Defense Appropriations Act, 2001 (Public Law 106–259) included an increase of $45.0 million for FUDS remediation. Although these additional funds should facilitate further remediation activities on FUDS properties, there remains a funding shortfall that must be comprehensively addressed through the Department of Defense budget process. The conferees direct the Secretary of Defense to work cooperatively with the Secretary of the Army to resolve effectively the funding shortfall in the FUDS program.

The conferees are particularly concerned about the lack of focus and support for remediation of former military ranges. Specifically, the conferees have been informed of potential safety and environmental issues at the former Conway Bombing and Gunnery Range (Range III), Horry County, South Carolina. The conferees encourage the Secretary of the Army to move forward with remediation at such ranges in accordance with existing Department of Army policy.

United States Army marksmanship program

The conferees believe that international marksmanship competitions are an excellent opportunity to showcase the skills of U.S. military personnel in a sport that many countries see as a paradigm of military preparedness.

The conferees note that since 1956, the United States Army Marksmanship Unit, including active and reserve participants, have made a significant contribution to the success of U.S. marksmanship teams. Since the 1988 Olympic Games, reserve component participation on the Department of Defense (DOD) contingent on U.S. shooting teams has averaged nearly one half of all DOD team members. The conferees urge the Secretary of Defense to review the current Army Marksmanship program in order to maintain adequate opportunities for reserve component personnel to participate in future international marksmanship events.

Water quality issues at installations in Kaiserslautern, Germany

The conferees are concerned about contamination at approximately 36 locations recently identified on, or near, military installations supporting the missions of the U.S. Army and the U.S. Air Force in the area of Kaiserslautern, Germany. The conferees recognize the effort of the Secretaries of the Army and the Air Force to work cooperatively with local German authorities to resolve matters relating to environmental contamination of the water supply that supports the military installations and civilians in the area of Kaiserslautern, Germany. The conferees direct the Secretaries of the Army and Air Force to assess jointly the nature and extent of the water contamination issue, and develop a plan for the completion of remediation and restoration, to include related costs. The conferees direct the secretaries concerned to submit their findings and recommendations concurrent with the submission of the budget request for fiscal year 2002.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Authorization of Appropriations

Authorization of appropriations (secs. 301–302)

The House bill contained provisions (secs. 301–302) that would authorize the recommended fiscal year 2001 funding levels for all operations and maintenance and working capital fund accounts.

The Senate amendment contained similar provisions.

The conference agreement includes these provisions.

Armed Forces Retirement Home (sec. 303)

The House bill contained a provision (sec. 303) that would authorize $69,832,000 from the Armed Forces Retirement Home Trust Fund to be appropriated for the operation of the Armed Forces Retirement Homes.

The Senate amendment contained an identical provision (sec. 303).

The conference agreement includes this provision.

Transfer from National Defense Stockpile Transaction Fund (sec. 304)

The House bill contained a provision (sec. 304) that would authorize the Secretary of Defense to transfer not more than $150.0 million from the amounts received from sales in the National Defense Stockpile Transaction Fund to the operations and maintenance accounts of the military services.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Joint warfighting capabilities assessment teams (sec. 305)

The Senate amendment contained a provision (sec. 312) that would authorize $4.0 million in operation and maintenance for defense-wide activities for the Joint Staff be made available for the sole purpose of improving the performance of the joint warfighting capabilities assessment teams of the Joint Requirements Oversight Council.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Environmental Provisions

Establishment of additional environmental restoration account and use of accounts for operation and monitoring of environmental remedies (sec. 311)

The Senate amendment contained a provision (sec. 341) that would amend section 2703 of title 10, United States Code, to designate an account for formerly used defense sites within the Environmental Restoration Account (ERA), and to ensure that all site closeout activities would be funded by an appropriate ERA.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Certain environmental restoration activities (sec. 312)

The House bill contained a provision (sec. 313) that would authorize the Secretary of

Defense or the secretaries of the military departments to use funds available in the environmental restoration accounts (ERA), pursuant to section 2703 of title 10, United States Code, to permanently relocate facilities. The authorization would be subject to secretarial determination that permanent relocation was the most cost effective environmental restoration option and would sunset in three years. The provision would also limit the total funds available to five percent of the funds deposited in an ERA for a fiscal year.

The Senate amendment contained a similar provision (sec. 346), but made the authorization contingent upon a secretary's written determination that such permanent relocation is part of a response action that: (1) has the support of the affected community; (2) has the approval of relevant regulatory agencies; and (3) is the most cost effective response action available. The authority would terminate after September 30, 2003, and be subject to a five percent funding cap within each fiscal year for the funds available under section 2703. The secretary concerned would also be required to provide an annual report to the congressional defense committees on each response action for which there has been a written determination made under this provision.

The Senate recedes with a technical amendment.

The conferees expect the Department of Defense to use this authority judiciously, and to ensure that funds are used only for legitimate environmental restoration priorities. Moreover, the conferees intend that this provision will allow for a flexible approach to environmental restoration at certain formerly used defense sites where progress has been slow.

Annual reports under Strategic Environmental Research and Development Program (sec. 313)

The Senate amendment contained a provision (sec. 343) that would modify the current reporting requirement for the Science Advisory Board to allow for its inclusion in the annual report for the Strategic Environmental Research and Development Program.

The House bill contained no similar provision.

The House recedes.

Payment of fines and penalties for environmental compliance at Fort Wainwright, Alaska (sec. 314)

The Senate amendment contained a provision (sec. 342) that would require the Secretary of Defense or the secretaries of the military departments to seek congressional authorization prior to paying any fine or penalty imposed by a Federal agency for an environmental compliance violation if the fine or penalty amount agreed to is $1.5 million or more. Supplemental environmental projects carried out as part of fine or penalty for amounts $1.5 million or more and agreed to after the enactment of this Act would also require specific authorization by law.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense or the Secretary of the Army to pay no more than $2.0 million in settlement for a $16.07 million notice of violation issued on March 5, 1999, by the Administrator of the Environmental Protection Agency at Fort Wainwright, Alaska.

The conferees note that a number of questions have been raised about the manner in which environmental compliance fines and penalties are assessed by state and federal enforcement authorities. Therefore, the conferees direct the Secretary of Defense to submit a report to the congressional defense committees no later than March 1, 2002, that includes an analysis of all environmental compliance fines and penalties assessed and imposed at military facilities during fiscal years 1995 through 2001. The analysis shall address the criteria or methodology used by enforcement authorities in initially assessing the amount of each fine and penalty. Any current or historical trends regarding the use of such criteria or methodology shall be identified.

Payment of fines or penalties imposed for environmental compliance violations at other Department of Defense facilities (sec. 315)

The House bill contained a provision (sec. 311) that would authorize the payment of certain fines and penalties, or to carry out supplemental environmental projects in accordance with section 8149 of the Department of Defense Appropriations Act for Fiscal Year 2000. The Secretary of the Army would be specifically authorized to pay following supplemental environmental projects carried out in satisfaction of an assessed fine or penalty: (1) $993,000 for Walter Reed Army Medical Center, Washington, D.C.; (2) $377,250 for Fort Campbell, Kentucky; (3) $20,701 for Fort Gordon, Georgia; (4) $78,500 for Pueblo Chemical Depot, Colorado; (5) $20,000 for Deseret Chemical Depot, Utah. The Secretary of the Navy would be specifically authorized to pay the following fines and penalties: (1) $108,000 for Allegany Ballistics Laboratory, West Virginia; and (2) $5,000 for Naval Air Station, Corpus Christi, Texas.

The Senate amendment contained a similar provision (sec. 344) that would authorize an additional fine of $7,975 for Fort Sam Houston, Texas.

The House recedes with an amendment that would authorize an additional fine of $1,650 imposed at Quantico, Virginia.

The conferees are pleased with the Army's most recent efforts to reduce the level of fines and penalties received.

Reimbursement for certain costs in connection with the former Nansemond Ordnance Depot Site, Suffolk, Virginia (sec. 316)

The Senate amendment contained a provision (sec. 345) that would authorize the Secretary of Defense to pay not more than $98,210 from the Environmental Restoration, Formerly Used Defense Sites Account to reimburse the Nansemond Ordnance Depot Site Special Account of the Hazardous Substance Superfund, established by the Internal Revenue Code of 1986 (26 U.S.C. 9507). The reimbursement would be for oversight costs incurred by the U.S. Environmental Protection Agency (EPA) on a time critical removal action at the Former Nansemond Ordnance Depot performed by the Department of Defense (DOD) under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.) and the Defense Environmental Restoration Program (10 U.S.C. 2701 et seq.).

The House bill contained no similar provision.

The House recedes.

The conferees direct the Department of Defense and the military departments to continue to seek congressional authorization prior to reimbursing EPA for any oversight costs incurred at environmental restoration sites where the DOD or the military departments have incurred liability under CERCLA.

Necessity of military low-level flight training to protect national security and enhance military readiness (sec. 317)

The House bill contained a provision (sec. 312) that would mandate that any environmental impact statement completed, as of the date of the enactment of this Act, for each special use airspace designated by a military department for the performance of low-level training flights satisfy all future requirements of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.).

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide, consistent with existing law, that NEPA does not require a programmatic, nation-wide environmental impact statement for low level flight training as a precondition to the use of any airspace by a military department for the performance of low-level training flights.

Ship disposal project (sec. 318)

The Senate amendment contained a provision (sec. 347) that would direct the Secretary of the Navy to continue to carry out a ship disposal project in fiscal year 2001 and to use competitive contracting procedures to award task orders within the ship disposal project. The provision would also direct the Secretary to submit, not later than December 31, 2000, a report to the congressional defense committees on the ship disposal project.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Defense Environmental Security Corporate Information Management Program (sec. 319)

The Senate amendment contained a provision (sec. 348) that would direct the Secretary of Defense to submit, not later than 60 days after the date of the enactment of this Act, a report to the congressional defense committees on the Defense Environmental Security Corporate Information Management (DESCIM) Program. The report would contain specific recommendations regarding the future mission of the DESCIM Program and address issues of concern within the Department of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Chief Information Officer of the Department of Defense (DOD) to ensure management and oversight of the DESCIM program consistent with: the Clinger-Cohen Act of 1996 (42 U.S.C. 1401 et seq.); section 331(a) of the National Defense Authorization Act for Fiscal Year 1999 (10 U.S.C. 2223); DOD Directives 5000.1, 5000.2–R, 5237.1; and all other statutes, directives, regulations, and management controls that are applicable to investments in information technology and related services.

The conferees remain concerned about evidence of mismanagement of the DESCIM program. The conferees note the nominal return on an investment of about $100.0 million.

Report on Plasma Energy Pyrolysis System (sec. 320)

The Senate amendment contained a provision (sec. 349) that would require the Secretary of the Army to submit, not later than October 1, 2000, a report to the congressional defense committees that includes the Army's analysis and recommendations regarding future applications for both phases of the Plasma Energy Pyrolysis System (PEPS) technology (PE 62720A).

The House bill contained no similar provision.

The House recedes with an amendment that would change the date for submission of the report to February 1, 2001.

Sense of Congress regarding environmental restoration of former defense manufacturing site, Santa Clarita, California (sec. 321)

The House bill contained a provision (sec. 314) that would express the sense of Congress that every effort should be made to apply all known public and private sector innovative technologies to restore the Santa Clarita site to productive use.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the original findings.

Subtitle C—Commissaries and Nonappropriated Fund Instrumentalities

Use of appropriated funds to cover operating expenses of commissary stores (sec. 331)

The House bill contained a provision (sec. 321) that would authorize the Defense Commissary Agency to use appropriated funds to cover expenses of operating stores and central product processing facilities.

The Senate amendment contained no similar provision.

The Senate recedes.

Adjustment of sales prices of commissary store goods and services to cover certain expenses (sec. 332)

The House bill contained a provision (sec. 322) that would require the Defense Commissary Agency to adjust prices of goods and services to cover losses from shrinkage, spoilage, and pilferage, as well as the cost of first destination transportation.

The Senate amendment contained no similar provision.

The Senate recedes.

Use of surcharges for construction and improvement of commissary stores (sec. 333)

The House bill contained a provision (sec. 323) that would authorize the Secretary of Defense to use proceeds solely from the commissary surcharge for acquisition, construction, conversion, expansion, improvement, repair, maintenance, and equipping commissaries or to cover environmental evaluation and construction costs, including surveys and similar expenses related to commissary construction.

The Senate amendment contained no similar provision.

The Senate recedes.

Inclusion of magazines and other periodicals as an authorized commissary merchandise category (sec. 334)

The House bill contained a provision (sec. 324) that would add magazines and other periodicals as an authorized merchandise category for sale in commissaries.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees direct the Secretary of Defense to promulgate policy guidance that would limit the display of magazines and other periodicals in commissaries to the immediate area of the checkout lanes.

Use of most economical distribution method for distilled spirits (sec. 335)

The House bill contained a provision (sec. 325) that would authorize military exchanges to use private distributors to distribute distilled spirits in those cases in which such an option is determined to be the most cost-effective means of distribution.

The Senate amendment contained an identical provision (sec 369).

The conference agreement includes this provision.

Report on effects of availability of slot machines on United States military installations overseas (sec. 336)

The House bill contained a provision (sec. 326) that would require the Secretary of Defense to submit to the Congress, not later than March 31, 2001, a report evaluating the effect of the ready availability of slot machines as a morale, welfare and recreation activity on United States military installations overseas on members of the armed forces, their dependents, and others who use the slot machines.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle D—Department of Defense Industrial Facilities

Designation of Centers of Industrial and Technical Excellence and public-private partnerships to increase utilization of such centers (sec. 341)

The Senate amendment contained a provision (sec. 332) that would amend section 2474 of title 10, United States Code, to devolve the authority to designate the depot-level activities of the Department of Defense and the military departments to the respective secretaries of the military departments, including the arsenals and ammunition plants of the U.S. Army. The provision would also expand the activities authorized to be conducted at these centers by employees of the center, the private sector, or other entities outside the Department of Defense, to include the performance of work under contract, or subcontract, in any of the core competencies of the center; the performance of other depot-level maintenance and repair related to the core competencies at the center; or other work by the private sector that is not related to the core competencies of the center that requires the use of any facility or equipment of the center that are not fully utilized by a military department for its own production and maintenance requirements. The full costs of work performed by the employees of the center under contract from the private sector must be charged to the contract. Any revenues generated, by rents or through other mechanisms, by private sector use of facilities and equipment at these centers would be available to offset the costs of facility operations, maintenance, and environmental restoration at the center where the leased property is located. The provision would also include a loan guarantee program to encourage the private sector to participate in the public-private partnerships established in the centers.

The House bill contained no similar provision.

The House recedes with an amendment that would not include ammunition plants or arsenals under section 2474. The amendment would also authorize, rather than require, the secretary of a military department to allow centers to enter into public-private partnerships. Furthermore, the amendment would limit the work conducted at a center to work that is related to the core competencies of the center. Finally, rather than authorize a new loan guarantee program, the amendment would require the Secretary of Defense to provide the Congress with a report on the extent to which a loan guarantee program modeled after the loan guarantee program in the Armament Retooling and Manufacturing Support Program would help to achieve the objectives of section 2474.

Unutilized and underutilized plant-capacity costs of United States arsenals (sec. 342)

The Senate amendment contained a provision (sec. 335) that would prohibit the inclusion of the cost of unutilized or under utilized plant capacity in the evaluation of bids for the contracting of the arsenal to provide a good or service to a U.S. Government organization.

The House bill had no similar provision.

The House recedes with a technical amendment.

Arsenal support program initiative (sec. 343)

The House bill contained a provision (sec. 113) that would extend the Armament Retooling and Manufacturing Support (ARMS) program by one year and authorize the Army manufacturing arsenals to take part in the program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would establish a separate two year arsenal support demonstration program with authorities similar to those provided by the ARMS program.

Codification and improvement of armament retooling and manufacturing support programs (sec. 344)

The Senate amendment contained a provision (sec. 331) that would amend Part IV of subtitle B of title 10, United States Code, to make certain changes and codify the Armament Retooling and Manufacturing Support (ARMS) Initiative. The provision would expand the objectives of the program to include a reduction of the cost of ownership and/or disposal of ammunition plants, to enhance best business practices, and foster cooperation with the private sector at these facilities. The provision would also make it easier for non-federal entities to use excess capacity at these facilities, and offset the costs to the Federal Government of ownership by allowing revenues generated through private sector use to be applied to overhead and production costs.

The House bill contained no similar provision.

The House recedes with an amendment that would not further expand the use of the ARMS program to excess facilities or allow an ARMS facility to use contracts, leases, or other agreements for activities not traditionally associated with the ARMS program, unless approved by the Secretary of the Army.

Subtitle E—Performance of Functions by Private-Sector Sources

Inclusion of additional information in reports to Congress required before conversion of commercial or industrial type functions to contractor performance (sec. 351)

The House bill contained a provision (sec. 331) that would require the Secretary of Defense to provide the Congress with additional information before converting commercial or industrial functions to contractor performance. The additional information would include a certification that funds are specifically budgeted for conversion analysis, the date on which the analysis was initiated, and the number of Department of Defense civilians that would be adversely affected by the proposed conversion.

The Senate amendment contained a similar provision (sec. 366(b)).

The Senate recedes with an amendment that would require the Secretary of Defense to identify the funding source for the conversion analysis and the number of Department of Defense civilians who will be terminated

or otherwise affected by the proposed conversion. The amendment would also require the Secretary to include the estimated economic impact of the change and a certification that the factors considered in the examinations performed, and the decisions made, did not include any predetermined personnel constraint or limitation in terms of man-years, end strength, full-time equivalent positions, or maximum number of employees.

Effects of outsourcing on overhead costs of Centers of Industrial and Technical Excellence and Army ammunition plants (sec. 352)

The Senate amendment contained a provision (sec. 333) that would require the Secretary of Defense to submit a report to Congress 30 days prior to entering into a contract that would result in moving workload performed by 50 or more employees from a center or ammunition plant. The report should describe the impact of any reduction in workload at a center or ammunition plant as a result of a contract and describe the overhead costs of that facility.

The House bill contained no similar provision.

The House recedes with an amendment that would increase the waiting period from 30 to 60 days.

Consolidation, restructuring, or re-engineering of Department of Defense organizations, functions, or activities (sec. 353)

The House bill contained a provision (sec. 364) that would prohibit the Secretary of Defense from initiating manpower reductions at organizations or activities, or within functions, that are commercial, commercial exempt from competition, military essential, or inherently governmental until the Secretary submits a report to Congress outlining the elements to be analyzed, the location and a description of the elements, the number of civilian or military personnel that would be affected, the cost of performance, and a certification that the decision is not the result of predetermined constraints or limitations on Department of Defense personnel. The provision would also require the Secretary of Defense to submit to the Armed Services Committees of the Senate and the House of Representatives a report on any decision on consolidation or re-engineering if such action would eliminate 11 or more positions. The provision would also require the Comptroller General to review and to audit the findings of the Secretary of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to provide annually to Congress the Department's Strategic Sourcing Plan. The provision would also require that the Secretary of Defense provide a report to Congress outlining the results of the analysis performed for those elements when an action would result in a manpower reduction affecting 50 or more personnel. The Secretary could not implement the results of the analysis until 30 days after providing the Congress with the required report. This provision would not apply to the transfer of military units between locations.

Monitoring of savings resulting from workforce reductions as part of conversion of functions to performance by private sector or other strategic sourcing initiatives (sec. 354)

The Senate amendment contained a provision (sec. 366) that would require the Secretary of Defense to establish a system for monitoring the performance of functions of the Department of Defense that are performed by 50 or more employees of the Department and have been subjected to a review to determine whether the function should be performed by federal employees or a private sector workforce. The provision would also establish three performance measures, including the costs incurred, the savings derived, and the value of the performance by the selected workforce measured against the costs of the performance of the workload by the workforce at the beginning of the review. The provision would also require the Secretary of Defense to provide to the Congress with an annual report that outlines the results of the performance reviews conducted over the previous years.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report provided by the Secretary of Defense to the Congress regarding the results of past performance reviews to include those reviews conducted over the previous five years. The report would compare the costs to perform the function before and after the review, and the anticipated savings from the review to the actual savings realized.

Performance of emergency response functions at chemical weapons storage installations (sec. 355)

The Senate amendment contained a provision (sec. 364) that would prohibit the Secretary of the Army from converting to contractor performance the emergency response functions of any chemical weapons storage installation currently performed by U.S. Government employees until the Secretary provides a certification to the Committees on Armed Services of the Senate and the House of Representatives.

The House bill contained no similar provision.

The House recedes with an amendment that reiterates the responsibility of the Secretary to enforce section 2465 of title 10, United States Code.

Suspension of reorganization or relocation of Naval Audit Service (sec. 356)

The Senate amendment contained a provision (sec. 367) that would require the Secretary of the Navy to provide the congressional defense committees a report outlining the plans and justification for the reorganization of the Naval Audit service 60 days before consolidating the functions of the service currently performed at its primary East and West Coast locations to Washington, DC.

The House bill contained no similar provision.

The report accompanying H.R. 4205 (House Report 106–616) directed the Secretary to wait 180 days before consolidating all activities in Washington.

The House recedes with an amendment that would require the Secretary to wait 180 days before proceeding with the consolidation.

Subtitle F—Defense Dependents Education

Eligibility of dependents of American Red Cross employees for enrollment in Department of Defense domestic dependent schools in Puerto Rico (sec. 361)

The House bill contained a provision (sec. 342) that would authorize the Secretary of Defense to permit the dependents of certain American Red Cross employees in Puerto Rico to enroll in Department of Defense Domestic Dependent Schools.

The Senate amendment contained a similar provision (sec. 1053).

The Senate recedes with a clarifying amendment.

Assistance to local educational agencies that benefit dependents of members of the armed forces and Department of Defense civilian employees (sec. 362)

The House bill contained a provision (sec. 341) that would authorize $35.0 million for educational assistance to local educational agencies where the standard for the minimum level of education within the state could not be maintained because of the large number of military connected students.

The Senate amendment contained no similar provision.

The Senate recedes.

Impact aid for children with severe disabilities (sec. 363)

The Senate amendment contained a provision (sec. 311) that would authorize $20.0 million in Operation and Maintenance, Defense-wide activities for impact aid payments for children with disabilities under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)).

The House bill contained no similar provision.

The House recedes with an amendment that would, effective October 1, 2001, establish a formula under which the Secretary of Defense would distribute funds, if appropriated for that purpose, for impact aid for disabled children.

Assistance for maintenance, repair, and renovation of school facilities that serve dependents of members of the Armed Forces and Department of Defense civilian employees (sec. 364)

The Senate amendment contained a provision (sec. 379) that would authorize the Secretary of Defense to make a grant to an eligible local educational agency to assist the agency in maintenance, repair, and renovation projects.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the authorization to fiscal year 2001.

Subtitle G—Military Readiness Issues

Measuring cannibalization of parts, supplies, and equipment under readiness reporting system (sec. 371)

The House bill contained a provision (sec. 351) that would amend section 117 of title 10, United States Code, to include equipment cannibalization rates in the quarterly readiness reports to Congress. The provision would also require the monthly readiness report to include a description of the funding proposed in the President's budget request to address each deficiency in readiness identified during the joint readiness review conducted for the first quarter of the current fiscal year.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would amend section 117 of title 10, United States Code, to include cannibalization rates. The requirement for the Secretary of Defense to outline the funding proposed in the President's budget request to address each deficiency in readiness identified during the joint readiness review is addressed elsewhere in this conference agreement.

Reporting requirements regarding transfers from high-priority readiness appropriations (sec. 372)

The House bill contained a provision (sec. 352) that would include Combat Enhancement Forces and Combat Communications as high priority appropriations to be included

in reports required by section 483 of title 10, United States Code, and require that other appropriations involved in transfers to, or transfers from, high priority accounts be identified in those same reports. The provision would also strike the termination date for this report.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Effects of worldwide contingency operations on readiness of military aircraft and equipment (sec. 373)

The Senate amendment contained a provision (sec. 361) that would require the Secretary of Defense to submit a report to Congress on the effects of worldwide contingency operations on the aircraft of the Navy, Marine Corps, and Air Force, and the ground equipment of the Army and Marine Corps. The report shall include the assessment of the Secretary of the effects of such operations on the ability of the Department of Defense to maintain a high level of readiness.

The House bill contained no similar provision.

The House recedes with an amendment that would include the effect that contingency operations are having on the readiness of the aircraft and the ground equipment of each of the military services.

Identification of requirements to reduce backlog in maintenance and repair of defense facilities (sec. 374)

The House bill contained a provision (sec. 353) that would require the Secretary of Defense to develop and annually update a strategic plan for the reduction of the backlog in real property maintenance.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to identify the funds necessary to reduce the backlog of real property maintenance and report that requirement to the Congress.

New methodology for preparing budget requests to satisfy Army readiness requirements (sec. 375)

The Senate amendment contained a provision (sec. 362) that would require the Secretary of the Army to develop a new methodology to be used in preparing a budget request that more accurately reflects the Army's requirements. This methodology should be based on the level of training required to maintain essential readiness, the cost of conducting such training, and the cost of all other Army operations, including the cost of meeting its infrastructure requirements. This methodology should be used in the preparation of the fiscal year 2002 budget request.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Review of AH–64 aircraft program (sec. 376)

The Senate amendment contained a provision (sec. 378) that would require the Comptroller General to conduct a study of the Army's AH–64 aircraft program to determine if the readiness of the program is adversely affected by lack of funding for modern parts, upgrades, and technical support.

The House bill contained no similar provision.

The House recedes.

Report on Air Force spare and repair parts program for C–5 (sec. 377)

The Senate amendment contained a provision (sec. 1027) that would require the Secretary of the Air Force to submit a report to the congressional defense committees on the overall status of the spare and repair parts program of the Air Force for the C–5 aircraft.

The House amendment contained no similar provision.

The House recedes.

Subtitle H—Other Matters

Annual report on public sale of certain military equipment identified on United States Munitions List (sec. 381)

The House bill contained a provision (sec. 362) that would require the Secretary of Defense to provide an annual report to the Committees on Armed Services of the Senate and the House of Representatives identifying each public sale conducted by a military department or defense agency of military items that are identified on the United States Munitions List 22 C.F.R. 121.1, and assigned a demilitarization code of B or its equivalent.

The Senate amendment contained no similar provision.

The Senate recedes.

Resale of armor-piercing ammunition disposed of by the Army (sec. 382)

The Senate amendment contained a provision (sec. 370) that would require the Secretary of the Army to ensure that excess armor-piercing ammunition that is not transferred to law enforcement or other governmental agencies or made available for foreign military sales, is not sold to the public. The requirement would not apply to the non-armor-piercing components of that ammunition, but such components could not be used to produce armor-piercing ammunition for sale to civilian purchasers.

The House had no similar provision.

The House recedes.

Reimbursement by civil air carriers for support provided at Johnston Atoll (sec. 383)

The Senate amendment contained a provision (sec. 373) that would authorize the Secretary of the Air Force to require reimbursement by a civil air carrier for support provided by the United States to that carrier at Johnston Atoll that is either requested by the carrier, or determined to be necessary to accommodate the carrier's use of Johnston Atoll. The reimbursement shall be equal to the actual costs incurred by the United States, and shall be credited to either Air Force operation and maintenance accounts or to the Army chemical demilitarization accounts.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Travel by Reserves on military aircraft (sec. 384)

The Senate amendment contained a provision (sec. 692) that would authorize reservists traveling to a place of annual training or inactive duty training to travel space-required on military aircraft between the member's home and the place of such duty or training, and would make reservists eligible for space-available travel on military aircraft for travel outside the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify that the space-required travel in conjunction with training or reserve duty is both to and from their home, and that would not permit reservists to use space-available travel on military aircraft.

Overseas airlift service on Civil Reserve Air Fleet aircraft (sec. 385)

The Senate amendment contained a provision (sec. 376) that would amend section 41106 of title 49, United States Code, to require that the Department of Defense (DOD) procure transportation from air carriers with aircraft in the Civil Reserve Air Fleet for travel from a place in the United States to a place outside the United States, and to the extent practicable, between two locations outside the United States.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Additions to plan for ensuring visibility over all in-transit end items and secondary items (sec. 386)

The Senate amendment contained a provision (sec. 363) that would amend section 349 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) by including specific requirements for monitoring and measuring implementation of the plan to ensure visibility over in-transit inventory items. The requirements would include the assignment of oversight responsibility for each action required to address weaknesses in the controls over in-transit items, a description of the resources required for oversight, and an estimate of the annual cost of oversight.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Reauthorization of pilot program for acceptance and use of landing fees charged for use of domestic military airfields by civil aircraft (sec. 387)

The Senate amendment contained a provision (sec. 372) that would extend through fiscal year 2010 the authority of the service secretary concerned to accept payments for the use of domestic military and shared use airfields by civil aircraft and to use those payments for the operation and maintenance of the airfield.

The House bill contained no similar provision.

The House recedes.

Extension of authority to sell certain aircraft for use in wildfire suppression (sec. 388)

The Senate amendment contained a provision (sec. 375) that would extend through fiscal year 2005 the authority of the Secretary of Defense to sell excess aircraft and spare parts to persons or entities that contract with the Federal Government for the delivery of fire retardant by air in order to suppress wildfires.

The House bill contained no similar provision.

The House recedes.

Damage to aviation facilities caused by alkali silica reactivity (sec. 389)

The Senate amendment contained a provision (sec. 371) that would require the Secretary of Defense to test the use of lithium salts to preserve runway integrity and provide the congressional defense committees with a report outlining its success in mitigating the impact of alkali silica reactivity (ASR).

The House bill contained no similar provision.

The House recedes with an amendment that would require a pilot program to review the problems of ASR at environmentally diverse facilities of the military services.

Demonstration project to increase reserve component internet access and services in rural communities (sec. 390)

The Senate amendment contained a provision (sec. 314) that would authorize a demonstration project for the National Guard to

provide internet access to government offices in rural areas.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the National Guard to provide internet access to Guard and other military reserve offices in rural areas. The provision would also require the Secretary of the Army to provide the congressional defense committees with a report and recommendations regarding the expansion of this demonstration project to other offices.

Additional conditions on implementation of Defense Joint Accounting System (sec. 391)

The Senate amendment contained a provision (sec. 380) that would postpone the milestone III decision to field the Defense Joint Accounting System (DJAS) until the Secretary of Defense conducts an analysis of the requirement for the DJAS and certifies to Congress that this warrants deployment.

The House bill amendment contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to outline more specifically the need for the System.

The conferees note that this provision would supercede the direction provided by House report accompanying H.R.4204 (H. Rept. 106–616).

Report on Defense Travel System (sec. 392)

The Senate amendment contained a provision (sec. 377) that would require the Secretary of Defense to submit a report on the development, fielding, schedule, and potential cost savings expected to result from the deployment of the Defense Travel System.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the limitation on the use of funds for this system. The conferees direct the Secretary of Defense to submit a prior notification reprogramming to the congressional defense committees before the transfer of any funds for this program.

Review of Department of Defense costs of maintaining historical properties (sec. 393)

The Senate amendment contained a provision (sec. 374) that would require the Comptroller General to conduct a review of the annual costs incurred by the Department of Defense in complying with the requirements of the National Historic Preservation Act (NHPA) (16 U.S.C. 470 et seq.). The provision would require the Comptroller General to provide the congressional defense committees with a report of the results of the review, including the projected costs of maintaining these properties over the next 10 years, an analysis of maintaining only those properties which originally qualified as historic properties when the NHPA was first enacted, the accounts used for paying the costs to comply with the NHPA, and the identity of all properties that must be maintained in order to comply with the NHPA.

The House bill contained no similar provision

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to ensure demilitarization of significant military equipment formerly owned by the Department of Defense

The House bill contained a provision (sec. 361) that would authorize the Secretary of Defense to require the owner of significant military equipment formerly owned by the Department of Defense to demilitarize that equipment or return it to the Department of Defense for demilitarization.

The Senate amendment had no similar provision.

The House recedes.

The conferees note that although the provision intended to address congressional concerns regarding the release of un-demilitarized military equipment to the public by the Department of Defense, the provision could have serious unintended consequences for legitimate owners of former military equipment, such as museums and ceremonial display organizations. The conferees direct the Secretary of Defense to reassess its approach for the recovery of un-demilitarized military equipment in a way that will not affect legitimate owners of former military equipment.

Close-in weapon system overhauls

The Senate amendment contained a provision (sec. 319) that would provide $391.8 million for weapons maintenance including $10.0 million for close-in weapon system overhauls.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $10.0 million in the operation and maintenance account of the Navy for overhauls of the close-in weapon system.

Industrial mobilization capacity at government-owned, government-operated army ammunition facilities and arsenals

The Senate amendment contained a provision (sec. 318) that would provide $51.28 million to fund the cost of maintaining the industrial mobilization capacity at Army ammunition facilities and arsenals.

The House bill contained no similar provision.

The Senate recedes.

Investment of commissary trust revolving fund

The Senate amendment contained a provision (sec. 368) that would authorize the Secretary of Defense to invest a portion of the Commissary Trust Revolving Fund in public debt securities.

The House bill contained no similar provision.

The Senate recedes.

MK–45 overhaul

The Senate amendment contained a provision (sec. 317) that would authorize the expenditure of $12.0 million for the overhaul of MK–45 five inch guns.

The House bill had no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $12.0 million for the overhaul of these guns in the Navy's operation and maintenance account.

Mounted urban combat training site, Fort Knox

The Senate amendment contained a provision (sec. 316) that would authorize the expenditure of $4.0 million for training range upgrades at the mounted urban combat training site, Fort Knox, Kentucky.

The House bill had no similar provision.

The Senate recedes.

National Guard assistance for certain youth and charitable organizations

The House bill contained a provision (sec. 365) that would amend section 508 of title 32, United States Code, to include other youth or charitable organizations designated by the Secretary of Defense among those organizations eligible to receive assistance from the National Guard.

The Senate amendment contained no similar provision.

The House recedes.

Notice of use of radio frequency spectrum by a system entering engineering and manufacturing development

The Senate bill contained a provision (sec. 365) that would require the Secretary of Defense to submit a report to the congressional defense committees before a new weapon system is acquired that would outline the frequency that the system will use. The report would also include a statement of whether the Department is designated as the primary user of that frequency and, if not, the unique technical characteristics that make it necessary to use that particular frequency, and a description of the protections that the Department of Defense has been given to ensure that it will not incur costs as a result of current or future interference from other users of that particular frequency.

The House amendment contained no similar provision.

The Senate recedes.

The conferees are concerned that in the past the Department of Defense has pursued the development of weapons systems utilizing portions of the radio frequency spectrum that are not designated for military use. This can lead to unintended interference between that system and a commercial system licensed to use the same frequency. This interference could then result in operational constraints, or expensive redesign of the weapon system.

The conferees note that the Department of Defense is implementing new procedures that are designed to ensure adequate coordination of the military services' efforts to develop new systems so that past problems with frequency interference do not take place. The conferees direct the Comptroller General to review these procedures and their implementation and provide the Armed Services Committees of the Senate and the House of Representatives with a report outlining the extent to which they will prevent interference that would result in operational constraints or expensive redesigns.

Revision of authority to waive limitation on performance of depot-level maintenance

The Senate bill contained a provision (sec. 334) that would amend section 2466 of title 10, United States Code, to require the President of the United States, rather than the secretary of the respective military department, to waive the 50 percent depot maintenance requirement for reasons of national security.

The House amendment contained no similar provision.

The Senate recedes.

The conferees are concerned that the Secretary of the Air Force has not taken the actions necessary to ensure the Air Force complies with the requirement contained in section 2466 of title 10, United States Code, that 50 percent of all depot maintenance funds of a military department be spent on depot maintenance services provided by employees of the Federal Government. The conferees believe that this requirement is essential to maintain the core maintenance capability necessary to preserve a ready and controlled source of repair and maintenance.

Spectrum data base upgrades

The Senate amendment contained a provision (sec. 320) that would provide a decrease of $10.0 million for spectrum data base upgrades.

The House bill contained no similar provision.

The Senate recedes.

Use of humanitarian and civic assistance funding for pay and allowances of special operations command reserves furnishing demining training and related assistance as humanitarian assistance

The Senate bill contained a provision (sec. 322) that would authorize pay and allowances from within funds for the overseas humanitarian, disaster, and civic assistance account, for reserve members of the Special Operations Command when these reservists perform humanitarian demining activities.

The House amendment contained no similar provision.

The Senate recedes.

Weatherproofing of facilities at Keesler Air Force Base

The Senate amendment contained a provision (sec. 313) that would authorize the expenditure of $2.8 million for the weatherproofing of facilities at Keesler Air Force Base.

The House bill contained no similar provision.

The Senate recedes on the provision.

The conferees agree to authorize $2.8 million in the Air Force operation and maintenance account for the weatherproofing of these facilities.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

ITEMS OF SPECIAL INTEREST

Funding for Army Reserve Individual Mobilization Augmentees

The conferees are aware that projected fiscal year 2001 funding shortfalls within the Army Reserve have required that limitations be placed on the number of days that Individual Mobilization Augmentees (IMA) may serve on active duty. The conferees are also aware that many Army Reserve IMAs serve extended training tours in active component staffs and units, and that the imposed limits will significantly reduce, in some cases by as much half, the amount of support that IMAs may provide to the active Army. Believing that IMAs provide significant, critical support to the active Army, the conferees strongly urge the Secretary of the Army to address the funding shortfall expeditiously, either by transferring active military personnel funding to reserve personnel accounts, or by other means the Secretary considers appropriate.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Active Forces

End strengths for active forces (sec. 401)

The House bill contained a provision (sec. 401) that would authorize active duty end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army	480,000	480,000	480,000
Navy	372,037	372,000	372,642
Marine Corps	172,518	172,600	172,600
Air Force	360,877	357,000	357,000

The Senate amendment contained a similar provision (sec. 401) that would authorize active duty end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army	480,000	480,000	480,000
Navy	372,037	372,000	372,000
Marine Corps	172,518	172,600	172,600
Air Force	360,877	357,000	357,000

The Senate recedes.

Revision in permanent end strength minimum levels (sec. 402)

The House bill contained a provision (sec. 402) that would revise the active duty end strength floors to reflect the end strengths in the budget request.

The Senate amendment contained no similar provision.

The Senate recedes.

Adjustment to end strength flexibility authority (sec. 403)

The House bill contained a provision (sec. 403) that would authorize the secretary of a military department to reduce active duty end strength below the floors when the authorized end strength is equal to or higher than the minimum end strength level.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle B—Reserve Forces

End strengths for Selected Reserve (sec. 411)

The House bill contained a provision (sec. 411) that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,706
Army Reserve	205,000	205,000	205,300
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,000
Air Force Reserve	73,708	74,300	74,358
Coast Guard Reserve	8,000	8,000	8,000

The Senate amendment contained a similar provision (sec. 411) that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,088
Army Reserve	205,000	205,000	205,000
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,022
Air Force Reserve	73,708	74,300	74,300
Coast Guard Reserve	8,000	8,000	8,500

The House recedes with an amendment that would authorize Selected Reserve end strengths for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	350,000	350,000	350,526
Army Reserve	205,000	205,000	205,300
Navy Reserve	90,288	88,900	88,900
Marine Corps Reserve	39,624	39,500	39,558
Air National Guard of the United States	106,678	108,000	108,022
Air Force Reserve	73,708	74,300	74,358
Coast Guard Reserve	8,000	8,000	8,000

End strengths for Reserves on active duty in support of the reserves (sec. 412)

The House bill contained a provision (sec. 412) that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	23,154
Army Reserve	12,804	12,806	13,106
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,148
Air Force Reserve	1,134	1,278	1,336

The Senate amendment contained a similar provision (sec. 412) that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	22,974
Army Reserve	12,804	12,806	12,806
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,170
Air Force Reserve	1,134	1,278	1,278

The Senate recedes with an amendment that would authorize end strengths for reserves on active duty in support of the reserves for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	22,430	22,448	22,974
Army Reserve	12,804	12,806	13,106
Navy Reserve	15,010	14,649	14,649
Marine Corps Reserve	2,272	2,203	2,261
Air National Guard of the United States	11,157	11,148	11,170
Air Force Reserve	1,134	1,278	1,336

End strengths for military technicians (dual status) (sec. 413)

The House bill contained a provision (sec. 413) that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	23,392
Army Reserve	6,474	5,271	5,921
Air National Guard of the United States	22,247	22,221	22,247
Air Force Reserve	9,785	9,733	9,785

The Senate amendment contained a similar provision (sec. 413) that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	24,728
Army Reserve	6,474	5,271	5,249
Air National Guard of the United States	22,247	22,221	22,221
Air Force Reserve	9,785	9,733	9,733

The House recedes with an amendment that would authorize the minimum level of dual status technician end strength for fiscal year 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	23,125	22,357	23,128
Army Reserve	6,474	5,271	5,921
Air National Guard of the United States	22,247	22,221	22,247
Air Force Reserve	9,785	9,733	9,785

Fiscal year 2001 limitation on non-dual status technicians (sec. 414)

The Senate amendment contained a provision (sec. 414) that would establish numerical limits on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	1,180	1,600	1,600
Army Reserve	1,295	1,195	1,195
Air National Guard of the United States	342	326	326
Air Force Reserve	0	0	0

The House bill contained no similar amendment.

The House recedes with an amendment that would establish numerical limits on the number of non-dual status technicians who may be employed in the Department of Defense as of September 30, 2001, as shown below:

	2000 authorization	2001 request	2001 recommendation
Army National Guard of the United States	1,180	1,600	1,600
Army Reserve	1,295	1,195	1,195
Air National Guard of the United States	342	326	326
Air Force Reserve	0	0	10

Increase in numbers of members in certain grades authorized to be on active duty in support of the Reserves (sec. 415)

The House bill contained a provision (sec. 414) that would increase the control grades for reserves serving on active duty or on full-time national guard duty in support of the reserves. The provision would authorize 20 additional colonels, 82 additional lieutenant colonels, 38 additional majors, 97 additional E–9s and 90 additional E–8s in the Air Force and 76 additional colonels, 219 additional lieutenant colonels, 178 additional majors, 221 additional E–9s and 373 additional E–8s in the Army.

The Senate amendment contained a similar provision (sec. 415) that would authorize 20 additional colonels, 131 additional lieutenant colonels, 107 additional majors, 96 additional E–9s and 61 additional E–8s in the Air Force and 73 additional colonels, 163 additional lieutenant colonels, 8 additional majors, 17 additional E–9s and 83 additional E–8s in the Army.

The House recedes with an amendment that would authorize 20 additional colonels, 75 additional lieutenant colonels, 88 additional majors, 97 additional E–9s, and 76 additional E–8s in the Air Force and 58 additional colonels, 148 additional lieutenant colonels, 89 additional majors, 119 additional E–9s and 228 additional E–8s in the Army.

The conferees are concerned with the piecemeal manner in which the reserve components are requesting increases to the control grade limits. This is the third consecutive year in which control grade tables for reserve officers on active duty in support of the reserves have been adjusted. The conferees strongly support the initiative in the House report accompanying H.R. 4205, (H. Rept. 106–616) to require a comprehensive approach to determining the appropriate control grade limits for each of the reserve components. Therefore, the conferees direct the Secretary of Defense to study the requirements and force structure of the reserves on active duty in support of the reserves and to recommend a permanent solution for managing grade structure for these officers. In conducting the study, the Secretary of Defense shall include the following areas:

(1) the grade structure authorized for the active duty forces and rationale for why the grade structure for reserves on active duty in support of the reserves should be different;

(2) explain any differences between required force structure and authorized force structure for the controlled grades;

(3) the need for independent grade limits for each reserve component;

(4) the potential for repealing the current grade tables in favor of a system that would manage grades based on the grade authorized for the position occupied by a service member; and

(5) the current mix within each reserve component of traditional reservists, dual status technicians, active component service members and reservists on active duty in support of the reserves in each controlled grade and how that mix for each component might change over time under the Secretary's recommended solution.

The conferees direct that the Secretary of Defense submit a report of findings and recommendations to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2001.

Subtitle C—Other Matters Relating to Personnel Strengths

Authority for Secretary of Defense to suspend certain personnel strength limitations during war or national emergency (sec. 421)

The House bill contained a provision (sec. 501) that would authorize the Secretary of Defense to suspend, in time of war or national emergency, the limits on the number of personnel serving in certain grades.

Senate amendment contained a similar provision (sec. 421).

Senate recedes with a clarifying amendment.

Exclusion from active component end strengths of certain reserve component members on active duty in support of the combatant commands (sec. 422)

The Senate amendment contained a provision (sec. 422) that would exempt a number, limited to not more than two-tenths of one percent of the active duty end strength of the service concerned, of reserve component members on active duty performing special work in support of the armed forces and the combatant commands from counting against the active component end strengths.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the exemption to reserve component personnel below the grade of brigadier general, or in the case of the Navy, rear admiral (lower half) who perform active duty for special work in the combatant commands and would limit the active duty time that could be exempted to not more than 270 days.

Exclusion of Army and Air Force medical and dental officers from limitation on strengths of reserve comissioned officers in grades below brigadier general (sec. 423)

The House bill contained a provision (sec. 512) that would exempt medical and dental officers from the calculation of the number of officers in each grade authorized to serve in an active status in a reserve component and would make the procedures for calculating the number of officers serving in controlled grades for the reserve components consistent with the procedures used for the active component.

The Senate amendment contained a similar provision (sec. 423).

The Senate recedes with a clarifying amendment.

Authority for temporary increases in number of reserve component personnel serving on active duty or full-time national guard duty in certain grades (sec. 424)

The House bill contained a provision (sec. 515) that would authorize the Secretary of Defense to increase the number of reserve members serving on active duty in support of the reserves in certain senior grades by the same percentage the Secretary is authorized to increase end strength of that force by section 115 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 424).

The House recedes with a clarifying amendment.

Subtitle D—Authorization of Appropriations

Authorization of appropriations for military personnel (sec. 431)

The House bill contained a provision (sec. 421) that would authorize $75,801,666,000 to be appropriated to the Department of Defense for military personnel.

The Senate amendment contained a provision (sec. 431) that would authorize $75,632,266,000 to be appropriated to the Department of Defense for military personnel.

The Senate recedes.

The conferees provide the following itemization of the increases and decreases from the President's budget request related to the military personnel accounts. These increases and decreases do not include the additional funds included in the Emergency Supplemental Act, 2000 (division B of Public Law 106–246), which is authorized elsewhere in this conference agreement.

MILITARY PERSONNEL ACCOUNTS

[Additions in millions]

	Conference agreement
Active End Strength	
Navy:	
Add Recruiters (500)	15.0
USS Houston (142)	3.5
RC End Strength	
Army National Guard:	
Add AGR's (General Increase)	14.5
Add AGR's (WMD CS Teams)	2.0
Army Reserve Add AGR's (General Increase)	10.0
Air National Guard AGR's (WMD CS Teams)	1.2
Air Force Reserve:	
Add AGR Recruiters (50)	1.7
Add Red Horse AGR's (8)	0.4
USMC Reserve Add AR's (58)	1.9
Compensation	
Restructuring of basic pay tables for certain enlisted members	88.0
Accelerate Buydown of Out-of-Pocket Housing Costs	25.0
Increase Minimum Dislocation Allowance	6.0
Family subsistence supplemental allowance for low-income members 5.0.	
Revision of enlistment bonus authority	10.0
Equity in computation of BAH for junior enlisted members	10.0
Authorization of BAH for members w/out dependents on sea duty	30.0
Retention bonus for members qualified in a critical military skill	10.0

MILITARY PERSONNEL ACCOUNTS—Continued

[Additions in millions]

	Conference agreement
Participation in Thrift Savings Plan	1.0
Determinations of income-eligibility for special supplemental food program	3.0
Special duty assignment pay for enlisted members	25.0
Entitlement of Reserves not on active duty to special duty assignment pay	8.0
Authorization of special pay and accession bonus for pharmacy officers	4.0
Separation pay for twice passed-over officers	15.0
Reimburse Pet Quarantine Fees	1.0
Retirement	
Increase maximum number of reserve retirement points	4.0
Recruiting & Retention	
Army Enlistment/Reenlistment Bonuses	20.0
Army Reserve College First	5.0
Navy Enlistment/Reenlistment Bonuses	20.0
USMC:	
Enlistment Bonus	2.0
Selective Reenlistment Bonus	4.0
College Fund	4.4
Air Force:	
Selective Reenlistment Bonus	29.0
College-to-USAF Enl. Program	6.0
AF Reserve AGR Pilot Retention Bonus	3.8
Other Issues	
Army Reserve funeral honors	2.7
Naval Reserve:	
Reserve Annual Training	2.4
Reserve ADT (CINC Support)	13.4
Reserve ADT (Schools)	3.0
ADSW (Voluntary Support)	1.0
Inactive Duty for Training Travel	1.5
USMC Reserve Active Duty for Special Work	3.0
Total Increases to Military Personnel Accounts	416.4

MILITARY PERSONNEL ACCOUNTS

[Reductions in end strength underexecution]

	Conference agreement
Army	68.8
US Marine Corps	15.0
Air Force	51.7
US Marine Corps Reserve	0.7
Air National Guard	0.9
Unemployment Compensation:	
Army	2.1
Navy	1.4
US Marine Corps	0.7
Air Force	0.6
Permanent Change of Station	
Navy	2.0
Army Reserve	2.5
Other	
Air Force	8.7
Army Reserve	2.1
Foreign Currency Fluctuation	
Army	117.0
Navy	35.0
US Marine Corps	9.6
Air Force	97.6
Total Reductions Military Personnel	416.4

LEGISLATIVE PROVISIONS NOT ADOPTED

Temporary exemption of Director of the National Security Agency from limitations on number of Air Force officers above major general

The Senate amendment contained a provision (sec. 425) that would temporarily exempt the Air Force officer serving as the Director of the National Security Agency from the limitations on the number of Air Force officers authorized to serve on active duty in grades above major general.

The House bill contained no similar amendment.

The Senate recedes.

TITLE V—MILITARY PERSONNEL POLICY

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Officer Personnel Policy

Eligibility of Army and Air Force reserve colonels and brigadier generals for position vacancy promotions (sec. 501)

The Senate amendment contained a provision (sec. 501) that would authorize the Secretary of the Army to use a single selection board to recommend Army Reserve colonels and brigadier generals for assignment to vacancy positions and to recommend colonels and brigadier generals for promotion.

The House bill contained no similar provision.

The House recedes with an amendment that would extend similar authority to the Secretary of the Air Force.

Flexibility in establishing promotion zones for Coast Guard Reserve officers (sec. 502)

The Senate amendment contained a provision (sec. 502) that would authorize the Secretary of Transportation the same flexibility as secretaries of the military departments to establish promotion zones for the reserve officers based on service need.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Time for release of reports of officer promotion selection boards (sec. 503)

The Senate amendment contained a provision (sec. 503) that would authorize the Secretary of Defense to make public the names of officers recommended for promotion by a selection board prior to approval of the recommendation of the board by the President.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Clarification of requirements for composition of active-duty list selection boards when reserve officers are under consideration (sec. 504)

The House bill contained a provision (sec. 505) that would amend section 612 of title 10, United States Code, to specify that reserve officers serving on active duty may be appointed to serve on promotion boards even though they are not on the active-duty list.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority to issue posthumous commissions in case of members dying before official recommendation for appointment or promotion is approved by Secretary concerned (sec. 505)

The House bill contained a provision (sec. 502) that would clarify that the secretary concerned may confer posthumous commissions in cases where military members die prior to approval of an official recommendation for appointment or promotion.

The Senate amendment contained a similar provision (sec. 504).

The Senate recedes.

Technical corrections relating to retired grade rule for Army and Air Force officers (sec. 506)

The House bill contained a provision (sec. 503) that would eliminate conflicting provisions regarding the time-in-grade requirement to retire at the current grade held by a reserve component officer.

The Senate amendment contained a similar provision (sec. 509).

The House recedes.

Grade of chiefs of reserve components and directors of National Guard components (sec. 507)

The Senate amendment contained a provision (sec. 510) that would require the secretaries of the military departments to, within 90 days of enactment of this Act, increase the grade of the Chief of Army Reserve, Chief of Naval Reserve, Chief of Air Force Reserve, Director of Army National Guard and Director of Air National Guard to lieutenant general or, in the case of the Navy, vice admiral.

The House bill contained no similar provision.

The House recedes with an amendment that would include the Commander, Marine Forces Reserve, would retain the requirements in current law that the reserve component chiefs be joint qualified while extending the time period in which the Secretary of Defense may waive the joint qualification requirement by one year through fiscal year 2003, would require the reserve component chief to be appointed to a three-star grade within 12 months of enactment, and would amend section 525b, title 10, United States Code, to increase the current limit on the number of officers that may serve on active duty in grades above major general or, in the case of the Navy, rear admiral, while maintaining the limit on the number of general and flag officers.

Revision to rules for entitlement to separation pay for regular and reserve officers (sec. 508)

The House bill contained a provision (sec. 517) that would clarify that the separation of a reserve officer on active duty who was not selected for promotion twice to the same grade and who subsequently declines selective continuation shall be considered subject to involuntary separation and eligible for separation pay.

The Senate amendment contained a provision (sec. 573) that would make an officer who has twice failed selection for promotion to the next higher grade and who was offered the opportunity to continue on active duty, and who declines this offer, ineligible to receive involuntary separation pay.

The Senate recedes with an amendment that would make any officer who twice fails selection for promotion to the next higher grade, and is offered the opportunity to continue on active duty until the earliest point of eligibility for retirement and declines this offer ineligible to receive separation pay. Any officer who twice fails selection for promotion to the next higher grade, is offered selective continuation for a period that would not permit him to serve until eligible for retirement, and subsequently declines this offer would be eligible for separation pay.

Subtitle B—Reserve Component Personnel Policy

Exemption from active-duty list for reserve officers on active duty for a period of three years or less (sec. 521)

The House bill contained a provision (sec. 511) that would exclude certain reserve component officers serving on active duty for periods of three years or less from the active duty list for promotion purposes.

The Senate amendment contained a similar provision (sec. 505).

The Senate recedes.

Termination of application requirement for consideration of officers for continuation on the reserve active-status list (sec. 522)

The House bill contained a provision (sec. 513) that would terminate the requirement that a reserve officer apply for continuation on the reserve active-status list.

The Senate amendment contained a similar provision (sec. 508).

The House recedes.

Authority to retain Air Force reserve officers in all medical specialties until specified age (sec. 523)

The House bill contained a provision (sec. 514) that would authorize the Secretary of

the Air Force to extend the service of medical service corps and biomedical sciences officers to age 67.

The Senate amendment contained a similar provision (sec. 507).

The Senate recedes with a clarifying amendment.

Authority for provision of legal services to reserve component members following release from active duty (sec. 524)

The House bill contained a provision (sec. 516) that would authorize legal services assistance to reservists, who serve on active duty for more than 29 days, and their dependents for a period not to exceed twice the length of time served on active duty.

The Senate amendment contained a similar provision (sec. 695).

The House recedes with a clarifying amendment.

Extension of involuntary civil service retirement date for certain reserve technicians (sec. 525)

The House bill contained a provision (sec. 518) that would authorize the secretaries of the military departments to retain certain non-dual status reserve technicians until age 60.

The Senate amendment contained no similar amendment.

The Senate recedes with a clarifying amendment.

Subtitle C—Education and Training

Eligibility of children of reserves for presidential appointment to service academies (sec. 531)

The Senate amendment contained a provision (sec. 541) that would make the children of members of the reserve components and retired or retirement-eligible reservists eligible for presidential appointments to the service academies on the same basis as children of active duty or retired active duty personnel.

The House bill contained no similar provision.

The House recedes.

Selection of foreign students to receive instruction at service academies (sec. 532)

The Senate amendment contained a provision (sec. 542) that would require the secretaries of the military departments to give priority consideration among foreign students applying for admission to the service academies to those who have a national service obligation upon graduation from the academy.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Revision of college tuition assistance program for members of Marine Corps Platoon Leaders Class program (sec. 533)

The House bill contained a provision (sec. 521) that would authorize the use of the Marine Corps Platoon Leaders Class tuition assistance program for the purpose of providing educational assistance, to include legal training to commissioned officers participating in the Platoon Leaders Class program.

The Senate amendment contained a provision (sec. 544) that would authorize members of the Marine Corps Platoon Leaders Class to continue to receive tuition assistance while in pursuit of an undergraduate degree. The Senate amendment also contained a related provision (sec. 604) that would clarify that the limitation on credible service computation as a result of accepting tuition assistance applies only to service as an enlisted member and not as a commissioned officer.

The House recedes with an amendment that would combine the three provisions.

Review of allocation of Junior Reserve Officers Training Corps units among the services (sec. 534)

The House bill contained a provision (sec. 522) that would require the Secretary of Defense to review and redistribute the current service Junior Reserve Officers Training Corps allocations for fiscal years 2001 through 2006 to ensure the most efficient and effective allocation of the 3,500 authorized programs.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority for Naval Postgraduate School to enroll certain defense industry civilians in specified programs relating to defense product development (sec. 535)

The House bill contained a provision (sec. 523) that would authorize the Secretary of the Navy to enroll up to ten defense-industry civilians at any one time at the Naval Postgraduate School in a defense product development curriculum leading to the award of a masters degree.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle D—Decorations, Awards, and Commendations

Limitation on award of Bronze Star to members in receipt of Imminent Danger Pay (sec. 541)

The conference agreement includes a provision that would limit the award of the Bronze Star Medal to members of the armed forces who are eligible to receive Imminent Danger Pay at the time of the events for which the medal is awarded.

Consideration of proposals for posthumous or honorary promotions or appointments of members or former members of the armed forces and other qualified persons (sec. 542)

The House bill contained a provision (sec. 533) that would authorize members of Congress to request that the secretary of a military department review a proposal for posthumous or honorary promotion, or appointment of a member or former member of the armed forces or other person. The secretary of the military department would review the request on the merits and provide the Committees on Armed Services of the Senate and the House of Representatives and the member of Congress who initiated the request written notice of one of the following determinations:

(1) the request for appointment or promotion does not warrant approval;

(2) the request for appointment or promotion warrants approval on the merits and authorization in law is required and recommended;

(3) the request for appointment or promotion warrants approval on the merits and has been recommended to the President as an exception to policy; and

(4) the request for appointment or promotion warrants approval on the merits and authorization in law is required, but not recommended.

The Senate amendment contained no similar provision.

The Senate recedes.

Waiver of time limitations for award of certain decorations to certain persons (sec. 543)

The House bill contained a provision (sec. 534) that would waive the statutory time limitations for the award of the Distinguished Flying Cross to individuals recommended by the secretaries of the military departments.

The Senate amendment contained a similar provision (sec. 572).

The House recedes.

Addition of certain information to markers on graves containing remains of certain unknowns from the U.S.S. Arizona who died in the Japanese attack on Pearl Harbor on December 7, 1941 (sec. 544)

The House bill contained a provision (sec. 535) that would require the Secretary of the Army, based on a review of existing information related to the interment of unknown casualties from the U.S.S. Arizona, to provide the Secretary of Veterans Affairs with information to be added to the inscriptions on the grave markers of those unknowns who are interred at the National Memorial Cemetery of the Pacific in Honolulu, Hawaii.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress on the court-martial conviction of Captain Charles Butler McVay, commander of the U.S.S. Indianapolis, and on the courageous service of the crew of that vessel (sec. 545)

The House bill contained a provision (sec. 536) that would express the sense of Congress that the commander of the U.S.S. Indianapolis, (then Captain) Charles Butler McVay, III, was not culpable for the sinking of his ship and that the President should award the Presidential Unit Citation to the final crew of the U.S.S. Indianapolis for courage and fortitude after the torpedo attack.

The Senate amendment contained a provision (sec. 575) that would express the sense of Congress that, on the basis of facts presented in a public hearing conducted by the Committee on Armed Services of the Senate on September 14, 1999, the American people should now recognize Captain McVay's lack of culpability for the loss of the U.S.S. Indianapolis and the lives of the men who died as a result of the sinking; that Captain McVay's military record now reflect that he is exonerated for the loss of his ship and crew; and that Congress strongly encourages the Secretary of the Navy to award a Navy Unit Commendation to the U.S.S. Indianapolis and its final crew.

The House recedes with a clarifying amendment.

Posthumous advancement on retired list of Rear Admiral Husband E. Kimmel and Major General Walter C. Short, senior officers in command in Hawaii on December 7, 1941 (sec. 546)

The House bill contained a provision (sec. 537) that would request the President to advance Rear Admiral (Retired) Husband E. Kimmel, U.S. Navy, to admiral and Major General (Retired) Walter C. Short, U.S. Army, to lieutenant general on the retired list with no increase in compensation or benefits. The provision would also express the sense of Congress that both officers were professional and competent and the losses incurred during the attack on Pearl Harbor were not the result of dereliction in the performance of duties in the case of either officer.

The Senate amendment contained a similar provision (sec. 576).

The Senate recedes with a clarifying amendment.

Commendation of citizens of Remy, France, for World War II actions (sec. 547)

The House bill contained a provision (sec. 538) that would commend the bravery and

honor of the citizens of Remy, France, for their action to bury Lieutenant Houston Braly, 364th Fighter Group, during World War II. The provision would also recognize the efforts of the surviving members of the 364th Fighter Group to raise funds to restore the stained glass windows of Remy's 13th century church that were destroyed during World War II.

The Senate amendment contained no similar provision.

The Senate recedes.

Authority for award of the medal of honor to William H. Pitsenbarger for valor during the Vietnam War (sec. 548)

The conferees included a provision that would waive the statutory time limits and authorize the President to posthumously award the Medal of Honor to William H. Pitsenbarger of Piqua, Ohio, for valor during the Vietnam War.

Subtitle E—Military Justice and Legal Assistance Matters

Recognition by states of military testamentary instruments (sec. 551)

The House bill contained a provision (sec. 541) that would amend chapter 53 of title 10, United States Code, to exempt a military testamentary instrument from any requirement of form, formality, or recording before probate under the laws of a state, and would provide that such an instrument has the same legal effect as a testamentary instrument prepared and executed in accordance with the laws of the state in which it is presented for probate. The provision would define ''military testamentary instrument'' and would establish requirements for the execution of such an instrument.

The Senate amendment contained an identical provision (sec. 574).

The conference agreement includes this provision.

Policy concerning rights of individuals whose names have been entered into Department of Defense official criminal investigative reports (sec. 552)

The House bill contained a provision (sec. 542) that would require the Department of Defense to apply the ''probable cause'' standard before ''titling'' or designating a person as a suspect in any official report or in a central index. The provision would also require the Secretary of Defense to establish a uniform standard for removal of a person's name from an official report and any central index if it is subsequently determined that there is not probable cause to believe that that person committed the crime.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Secretary of Defense to establish policy that creates a uniform process that affords individuals titled in criminal investigative reports or indexed in a central index an opportunity to obtain a review of such actions. If it is determined that an entry was made contrary to Department of Defense requirements, the name and identifying information of the person would be expunged from these records.

The conferees direct the Secretary of Defense to: (1) review policies and procedures addressing the degree of evidence or information that must exist before titling and indexing occurs, to include the weight, if any, given to initial allegations; (2) review the sufficiency of training provided to individuals with access to the Defense Clearance and Investigative Index (DCII) regarding the significance of criminal investigative entries in the DCII; (3) review the use of criminal investigative data in the DCII to determine if it is being used properly and examine the adequacy of available sanctions for those who improperly use such information; and (4) provide other pertinent information discovered in the review process. The Secretary shall submit a report, with findings and recommendations, to the congressional defense committees by April 1, 2001.

Limitation on secretarial authority to grant clemency for military prisoners serving sentence of confinement for life without eligibility for parole (sec. 553)

The House bill contained a provision (sec. 544) that would amend Article 74 of the Uniform Code of Military Justice (10 U.S.C. 874) to prohibit the secretary concerned from remitting or suspending that part of a court-martial sentence that extended to confinement for life without eligibility for parole, and would make conforming and clarifying amendments to other provisions of the Uniform Code.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would limit the authority of the secretary concerned to remit or suspend such a sentence to situations in which the person had served at least 20 years confinement. Such authority could not be redelegated.

Authority for civilian special agents of the military department criminal investigative organizations to execute warrants and make arrests (sec. 554)

The House bill contained a provision (sec. 545) that would amend chapter 373 of title 10, United States Code, to authorize the secretaries of the military departments to grant the authority to execute and serve warrants and make arrests to the civilian special agents of their respective military criminal investigative organizations, subject to certain guidelines.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Requirement for verbatim record in certain special court-martial cases (sec. 555)

The Senate amendment contained a provision (sec. 577) that would amend Article 54 of the Uniform Code of Military Justice (10 U.S.C. 854) to require that a verbatim record of trial be prepared in each special court-martial in which the sentence adjudged includes a bad-conduct discharge, confinement for more than six months, or forfeiture of pay for more than six months.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Commemoration of the fiftieth anniversary of the Uniform Code of Military Justice (sec. 556)

The Senate amendment contained a provision (sec. 1051) that would request the President to issue a proclamation commemorating the fiftieth anniversary of the Uniform Code of Military Justice, which was enacted May 5, 1950, and call upon the Department of Defense, the armed forces, and the United States Court of Appeals for the Armed Forces to commemorate the occasion in a suitable manner.

The House bill contained no similar provision.

The House recedes.

Subtitle F—Matters Relating to Recruiting

Army recruiting pilot programs (sec. 561)

The Senate amendment contained a provision (sec. 551) that would require the Secretary of the Army to conduct three distinct five-year pilot programs to assess their effectiveness for creating enhanced opportunities for recruiters and to improve the effectiveness of Army recruiting programs.

The House bill contained no similar provision.

The House recedes with an amendment that would reduce the scope of the civilian contract recruiter pilot program and would require recruiters assigned to vocational schools and community colleges to be assigned those duties as their primary responsibility.

Enhancement of recruitment market research and advertising programs (sec. 562)

The Senate amendment contained a provision (sec. 552) that would direct the Secretary of Defense to take the necessary actions to enhance joint and service recruiting and advertising programs through an aggressive market research program, and would waive certain requirements of the Paperwork Reduction Act to enhance the flexibility of the Secretary of Defense and the military services to react to changes in the recruiting market.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Access to secondary schools for military recruiting purposes (sec. 563)

The Senate amendment contained a provision (sec. 553) that would, effective July 1, 2002, require local educational agencies to provide military recruiters access to secondary schools on the same basis as colleges, universities, and private sector employers, unless the governing body of the local educational agency acts by majority vote to deny access to military recruiters. The provision would also establish a process to ensure that secondary schools provide military recruiters access to the campus, directories, and student lists on the same basis as that afforded colleges, universities, and private sector employers. The provision would require the relevant military service to send a senior official to meet with the local educational agency within 120 days of a military recruiter being denied access. If the secondary school continues to deny access to military recruiters the Secretary of Defense shall, within 60 days, communicate with the governor of the state requesting assistance in restoring access for military recruiters. A copy of this correspondence shall be provided to the Secretary of Education. If, one year after the date of the transmittal of the letter from the Secretary of Defense, the local educational agency continues to deny access to at least two of the armed forces, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives, and the members of the House of Representatives and the Senate who represent the district or districts in which the local educational agency operates.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the definition of the senior official who shall visit schools that deny access to include colonels, or in the case of the Navy, Captains, and would make other technical changes.

Pilot program to enhance military recruiting by improving military awareness of school counselors and educators (sec. 564)

The House bill contained a provision (sec. 555) that would require the Secretary of Defense to conduct a three-year pilot program

to improve communications with student counselors and educators by providing funding, assistance, and information to an existing interactive internet site designed to provide information and services to employees of local educational agencies and institutions of higher learning.

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle G—Other Matters

Extension to end of calendar year of expiration date for certain force drawdown transition authorities (sec. 571)

The House bill contained a provision (sec. 504) that would extend the expiration date of the current drawdown transition authorities through December 31, 2001.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Voluntary separation incentive (sec. 572)

The House bill contained a provision (sec. 506) that would authorize service members who simultaneously receive retired pay and voluntary separation incentive pay to terminate their eligibility for the voluntary separation incentive pay and would permit the retired member to reimburse the government for the amount of the voluntary separation incentive pay received without concurrently increasing the amount of the voluntary separation incentive pay that is owed.

The Senate amendment contained no similar provision.

The Senate recedes.

Congressional review period for assignment of women to duty on submarines and for any proposed reconfiguration or design of submarines to accommodate female crew members (sec. 573)

The House bill contained a provision (sec. 507) that would require the Secretary of Defense to provide Congress written notification and wait until 120 days of continuous legislative session pass prior to implementating any policy change affecting the current male-only assignment policy for submarines and prior to the expenditure of any funds to reconfigure or design a submarine to accommodate the assignment of female crew members.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the required waiting period between notification of Congress and the implementation of any policy change with regard to the assignment of females to submarines or expenditure of funds for design or reconfiguration of a submarine to accommodate females to 30 days in which both the House of Representatives and the Senate are in session.

Management and per diem requirements for members subject to lengthy or numerous deployments (sec. 574)

The Senate amendment contained a provision (sec. 578) that would amend section 586 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to change the requirement for an officer in the grade of general or admiral to approve deployments of personnel who would be away from home more than 200 of the past 365 days to require that the designated component commander for the member's armed force approve deployments of personnel who would be away from home more than 200 of the past 365 days; to change the point at which the high-deployment per diem allowance would be paid from 251 days or more of the preceding 365 days to 501 days or more of the preceding 730 days. The provision would also require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives not later than March 31, 2002, on the administration of this provision and make recommendations for revision, as the Secretary deems appropriate.

The House bill contained no similar provision.

The House recedes with an amendment that would change the point at which the high deployment per diem allowance would be paid from 501 days or more of the preceding 730 days to 401 days or more of the preceding 730 days.

The conferees strongly support the position of the Department of Defense that any high deployment per diem payments should be made from the operations and maintenance accounts. The conferees believe that deploying service members in excess of 400 days in any 730 day period cannot be attributable to any factor other than operational necessity. As such, high deployment per diem is an operational cost and must be paid from the operations and maintenance accounts.

Pay in lieu of allowance for funeral honors duty (sec. 575)

The House bill contained a provision (sec. 551) that would authorize a reserve component member assigned to a funeral honors detail for the funeral of a veteran to be compensated at the same rate as the member would be compensated for participating in inactive-duty training.

The Senate amendment contained a similar provision (sec. 603).

The House recedes with a clarifying amendment.

Test of ability of reserve component intelligence units and personnel to meet current and emerging defense intelligence needs (sec. 576)

The House bill contained a provision (sec. 552) that would require the Secretary of Defense to conduct a three-year test to determine the most effective peacetime structure and operational employment of reserve component intelligence assets for meeting future Department of Defense peacetime operational intelligence requirements and to establish a means of coordinating the transition of the peacetime operational support network into wartime requirements.

The Senate amendment contained no similar provision.

The Senate recedes.

National Guard Challenge Program (sec. 577)

The House bill contained a provision (sec. 553) that would authorize the head of a federal agency or department to provide funds to the Secretary of Defense to support the National Guard Challenge Program and would allow the Secretary of Defense to expend those funds notwithstanding the $62.5 million limit in defense funding established by section 509(b) of title 32, United States Code. The provision would also require the Secretary of Defense to establish regulations for the Challenge Program.

The Senate amendment contained a provision (sec. 910) that would transfer oversight responsibility for the National Guard Challenge Program from the Chief of the National Guard Bureau to the Secretary of Defense, and would amend the limitation on federal funding for the National Guard Challenge Program to only Department of Defense funding.

The Senate recedes with an amendment that would combine the two provisions.

The conferees note that the intent of the transfer of responsibility for the National Guard Challenge Program to the Secretary of Defense is to reaffirm the role of the Secretary of Defense to establish policy for and oversight of the operation of Department of Defense programs. It is not the intent of the conferees that the National Guard Bureau should lose its ability to administer this highly successful program. Rather, the intent is that there be increased oversight and direction by the Secretary of Defense.

Study of use of civilian contractor pilots for operational support missions (sec. 578)

The House bill contained a provision (sec. 554) that would require the Secretary of Defense to study the feasibility and cost of using civilian contractor personnel as pilots and other aircrew members to fly government aircraft performing non-combat operational support missions world-wide.

The Senate amendment contained no similar provision.

The Senate recedes.

Reimbursement for expenses incurred by members in connection with cancellation of leave on short notice (sec. 579)

The House bill contained a provision (sec. 556) that would authorize the service secretaries to reimburse members for travel expenses when leave is canceled within 48 hours of commencing due to mission requirements of a contingency operation.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority for award of the Medal of Honor

The House bill contained a provision (sec. 531) that would waive the statutory time limitations for the award of the Medal of Honor to Andrew J. Smith for valor during the Battle of Honey Hill in South Carolina. The House bill also contained a provision (sec. 532) that would waive the statutory time limitations for the award of the Medal of Honor to Ed W. Freeman for valor during the battle of the IaDrang Valley in the Republic of Vietnam.

The Senate amendment contained a provision (sec. 571) that would waive the statutory time limits and authorize the President to award the Medal of Honor to Ed W. Freeman of Idaho for valor during the Vietnam Conflict; to James K. Okubo of Detroit, Michigan for valor during World War II; and to Andrew J. Smith of Massachusetts for valor during the Civil War.

The conferees note that Public Law 106–223, enacted on June 21, 2000, waived the statutory time limits and authorized the President to award the Medal of Honor to Ed W. Freeman of Idaho for valor during the Vietnam Conflict; to James K. Okubo of Detroit, Michigan, for valor during World War II; and to Andrew J. Smith of Massachusetts for valor during the Civil War. The conferees recede from their respective provisions.

Collection and use of deoxyribonucleic acid identification information from violent and sexual offenders in the armed forces

The House bill contained a provision (sec. 543) that would require the secretaries of the military departments to collect a deoxyribonucleic acid (DNA) sample from each member of the armed forces who is, or has been, convicted of a violent or sexual offense. The provision would further require the Secretary of Defense to analyze each

sample and furnish the results of each analysis to the Federal Bureau of Investigation (FBI) for use in the Combined DNA Index System.

The Senate amendment contained no similar provision.

The House recedes.

The conferees recognize that the collection and indexing of samples, as proposed in this provision, has merit, but believe that this matter would be better addressed by general legislation with government-wide application.

Contingent exemption from limitation on number of Air Force officers serving on active duty in grades above major general

The Senate amendment contained a provision (sec. 511) that would exempt an Air Force officer serving in the grade of Lieutenant General or General from the limitations on the number of Air Force officers serving on active duty in grades above major general when either the Commander-in-Chief, United States Transportation Command, or the Commander-in-Chief, United States Space Command, is an officer from a service other than the Air Force.

The House bill contained no similar provision.

The Senate recedes.

Joint Officer Management

The Senate amendment contained provisions (sec. 521–527) that would streamline the designation and management of joint speciality officers by simplifying the requirements for designation as a joint speciality officer, requiring Joint Professional Military Education to be conducted in residence and by establishing promotion objectives for joint speciality officers.

The House bill contained no similar provision.

The Senate recedes.

Military Voting Rights Act of 2000

The Senate bill contained provisions (sec. 561–563) that would amend the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 501) to preclude a military member from losing a claim to state residency for the purpose of voting in federal and state elections because of absence due to military orders, and would also amend the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff) to require each state to permit absent military voters to use absentee registration procedures and to vote by absentee ballot in elections for states and local offices, in addition to federal offices, as provided in current law.

The House amendment contained no similar provision.

The Senate recedes.

Preparation, participation, and conduct of athletic competitions and small arms competitions by the National Guard and members of the National Guard

The Senate amendment contained a provision (sec. 580) that would permit National Guard units and personnel to prepare for, participate in, and conduct athletic competitions and small arms competitions.

The House bill contained no similar provision.

The Senate recedes.

Repeal of contingent funding increase for Junior Reserve Officers Training Corps

The Senate amendment contained a provision (sec. 543) that would repeal the requirement that any amount in excess of $62,500,000 appropriated for the National Guard Challenge Program be made available for the Junior Reserve Officers Training Corps.

The House bill contained no similar provision.

The Senate recedes.

Review of actions of selection boards

The Senate amendment contained a provision (sec. 506) that would authorize the secretary concerned to correct a military personnel record in accordance with a recommendation made by a special board. The remedy could be restoration to active duty or status, if the person was separated, retired, or transferred to the retired or inactive reserve as the result of a recommendation made by a selection board; or the person could elect to receive back pay and allowances in lieu of restoration. If a special board did not recommend the correction, the action of the original selection board would be considered as final. The secretaries concerned shall prescribe regulations to carry out this provision, which would be subject to the approval of the Secretary of Defense.

The provision would require exhaustion of a person's administrative remedies within the military department concerned before the person could obtain relief in a judicial proceeding. The provision would not limit the jurisdiction of any federal court to determine the validity of any statute, regulation, or policy, and also would not limit the secretaries' authority to correct military records through boards for the correction of military records under section 1552 of title 10, United States Code.

The provision would also amend section 628 of title 10, United States Code, the statute dealing with promotion special selection boards, to require exhaustion of a person's remedies before a special selection board before relief could be obtained in a judicial proceeding.

The House bill contained no similar provision.

The Senate recedes.

The conferees believe that, while such an approach may have merit, this issue requires further study.

TITLE VI-COMPENSATION AND OTHER PERSONNEL BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Pay and Allowances

Increase in basic pay for fiscal year 2001 (sec. 601)

The House bill contained a provision (sec. 601) that would waive section 1009 of title 37, United States Code, and increase the rates of basic pay for members of the uniformed services by 3.7 percent, effective January 1, 2001.

The Senate amendment contained a similar provision (sec. 601).

The House recedes.

Additional restructuring of basic pay rates for enlisted members (sec. 602)

The Senate amendment contained a provision (sec. 610A) that would, effective October 1, 2000, restructure the basic pay tables for enlisted members in grades E–5, E–6, and E–7 to increase the basic pay rates for members in these grades.

The House bill contained no similar provision.

The House recedes with an amendment that would, effective July 1, 2001, restructure the basic pay tables for enlisted members in grades E–5, E–6, and E–7 to increase the basic pay rates for members in these grades, and would authorize the Secretary of Defense to, on a one-time basis, adjust the basic pay tables for enlisted members to increase the rate of basic pay. The Secretary of Defense would be required to submit a legislative proposal incorporating any adjustments with the fiscal year 2002 legislative proposals. In the event the Secretary of Defense elects not to use the one-time authority to adjust the basic pay tables for other enlisted members, the increases for enlisted members in grades E–5 through E–7 would be effective July 1, 2001.

Revised method for calculation of basic allowance for subsistence (sec. 603)

The House bill contained a provision (sec. 602) that would repeal the basic allowance for subsistence transition program, effective October 1, 2001, and establish a process for increasing the basic allowance for subsistence rate in effect by the amount of the increase in food costs, as determined by the Department of Agriculture.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Family subsistence supplemental allowance for low-income members of the Armed Forces (sec. 604)

The House bill contained a provision (sec. 603) that would authorize the Secretary of Defense to establish a five-year program to pay members determined to be qualified for food stamps using the same gross income standards used by state officials to determine food stamp eligibility, except that the value of the member's basic allowance for housing will be included even if the member resides in government housing, a monthly amount not to exceed $500 per month, to supplement the basic allowance for subsistence.

The Senate amendment contained a provision (sec. 610) that would authorize, for a five-year period, a special subsistence allowance of $180 per month payable to enlisted personnel in grades E–5 and below who demonstrate eligibility for food stamps.

The Senate recedes with an amendment that would require the Secretary of Defense to establish a five-year program to pay members determined to be qualified for food stamps.

Basic allowance for housing (sec. 605)

The House bill contained a provision (sec. 604) that would repeal the requirement that service members pay 15 percent of housing costs out-of-pocket and would authorize the Secretary of Defense to increase the basic allowance for housing to eliminate out-of-pocket expenses for service members by fiscal year 2005.

The Senate amendment contained a similar provision (sec. 605). The Senate amendment also contained a provision (sec. 610B) that would permit service members who make a low-cost or no-cost permanent change of station move, while remaining in the same quarters occupied during their previous assignment, eligible for the higher of the basic allowance for housing rate from the previous permanent station or the new permanent station.

The Senate recedes with an amendment that would combine the provisions.

Additional amount available for fiscal year 2001 increase in basic allowance for housing inside the United States (sec. 606)

The House bill contained a provision (sec. 610) that would increase the funding available for the basic allowance for housing by $30.0 million in order to reduce the out-of-pocket costs by an additional one-half of one percent.

The Senate amendment contained no similar provision.

The Senate recedes.

Equitable treatment of junior enlisted members in computation of basic allowance for housing (sec. 607)

The House bill contained a provision (sec. 605) that would establish a single housing rate for members in grades E–1 through E–4 with dependents and would increase the basic allowance for housing rate to members above the rate previously paid to members in grade E–4.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Eligibility of members in grade E–4 to receive basic allowance for housing while on sea duty (sec. 608)

The House bill contained a provision (sec. 606) that would, effective October 1, 2001, authorize the payment of the basic allowance for housing to members serving in the grade of E–4, without dependents, who are assigned to sea duty in ships.

The Senate amendment contained a similar provision (sec. 606), that would be effective upon enactment of this Act.

The House recedes.

Personal money allowance for senior enlisted members of the armed forces (sec. 609)

The House bill contained a provision (sec. 607) that would authorize a $2,000 per year personal money allowance to senior enlisted members in each of the armed forces.

The Senate amendment contained a similar provision (sec. 607).

The Senate recedes.

Increased uniform allowances for officers (sec. 610)

The House bill contained a provision (sec. 608) that would increase the one-time initial uniform allowance paid to officers from $200 to $400 and the one-time additional uniform allowance paid to officers from $100 to $200.

The Senate amendment contained a similar provision (sec. 608).

The House recedes with a clarifying amendment.

Cabinet-level authority to prescribe requirements and allowance for clothing of enlisted members (sec. 611)

The Senate amendment contained a provision (sec. 609) that would authorize the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service of the Navy, to prescribe the clothing to be furnished annually to enlisted members and to establish the amount of the cash allowance paid when the prescribed clothing is not provided.

The House bill contained no similar provision.

The House recedes.

Increase in monthly subsistence allowance for members of precommissioning programs (sec. 612)

The House bill contained a provision (sec. 609) that would, effective October 1, 2001, increase the minimum stipend paid to senior Reserve Officers Training Corps (ROTC) cadets to $250 per month, would establish the maximum monthly stipend as $600 per month, and would provide the Secretary of Defense the authority to establish a tiered-stipend system in order to permit the monthly stipend to increase as the involvement of the cadet in ROTC increases.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would, effective October 1, 2001, establish the pay rates for cadets and midshipmen at the service academies at 35 percent of the basic pay of an O–1 with less that two years of service and would increase the maximum monthly ROTC stipend to $674.

Subtitle B—Bonuses and Special and Incentive Pays

Extension of certain bonuses and special pay authorities for reserve forces (sec. 621)

The House bill contained a provision (sec. 611) that would extend the authority for the special pay for health care professionals who serve in the selected reserve in critically short wartime specialities, the selected reserve reenlistment bonus, the selected reserve enlistment bonus, special pay for enlisted members of the selected reserve assigned to certain high priority units, the selected reserve affiliation bonus, the ready reserve enlistment and reenlistment bonus, and the prior service enlistment bonus until December 31, 2001. The provision would also extend the authority for repayment of educational loans for certain health care professionals who serve in the selected reserve until January 1, 2002.

The Senate amendment contained an identical provision (sec. 611).

The conference agreement includes this provision.

Extension of certain bonuses and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists (sec. 622)

The House bill contained a provision (sec. 612) that would extend the authority for the nurse officer candidate accession program, the accession bonus for registered nurses, and the incentive pay for nurse anesthetists until December 31, 2001.

The Senate amendment contained an identical provision (sec. 612).

The conference agreement includes this provision.

Extension of authorities relating to payment of other bonuses and special pays (sec. 623)

The House bill contained a provision (sec. 613) that would extend the authority for the aviation officer retention bonus, reenlistment bonus for active members, special pay for nuclear qualified officers extending the period of active service, nuclear career accession bonus, and the nuclear career annual incentive bonus to December 31, 2001, and would extend the enlistment bonus for persons with critical skills and the Army enlistment bonus to September 30, 2001.

The Senate amendment contained a similar provision (sec. 613).

The Senate recedes with an amendment that would remove the references to the enlistment bonus for persons with critical skills and the Army enlistment bonus in favor of a consolidated enlistment bonus addressed elsewhere in this conference agreement.

Revision of enlistment bonus authority (sec. 624)

The House bill contained a provision (sec. 618) that would consolidate existing bonus authorities and establish a maximum amount of $20,000 that may be paid to any enlistee.

The Senate amendment contained a similar provision (sec. 621).

The Senate recedes with a clarifying amendment.

Consistency of authorities for special pay for reserve medical and dental officers (sec. 625)

The House bill contained a provision (sec. 614) that would clarify that reserve medical and dental officers are paid special pay in a consistent manner.

The Senate amendment contained similar provision (sec. 614).

The Senate recedes with a clarifying amendment.

Elimination of required congressional notification before implementation of certain special pay authority (sec. 626)

The House bill contained a provision (sec. 620) that would eliminate the requirement for the secretary concerned to notify the Congress of the intent to pay special pay to optometrists and nurse anesthetists.

The Senate amendment contained no similar provision.

The Senate recedes.

Special pay for physician assistants of the Coast Guard (sec. 627)

The House bill contained a provision (sec. 615) that would extend the authority to pay special pay currently provided to physician assistants in the military departments to physician assistants in the Coast Guard.

The Senate amendment contained a similar provision (sec. 615).

The House recedes.

Authorization of special pay and accession bonus for pharmacy officers (sec. 628)

The Senate amendment contained a provision (sec. 616) that would authorize the secretary of a military department, or in the case of the Public Health Service, the Secretary of Health and Human Services, to pay a special pay and an accession bonus for pharmacy officers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Correction of references to Air Force veterinarians (sec. 629)

The Senate amendment contained a provision (sec. 617) that would clarify that the special pay for board certified veterinarians in the armed forces and the Public Health Service includes Air Force biomedical sciences officers who hold a degree in veterinary medicine.

The House bill contained no similar provision.

The House recedes.

Career sea pay (sec. 630)

The House bill contained a provision (sec. 617) that would authorize the secretary of a military department to establish the rates of career sea pay up to a limit of $750 per month and would increase the maximum career sea pay premium pay from $100 per month to $350 per month for consecutive or cumulative duty at sea.

The Senate amendment contained a similar provision (sec. 619).

The House recedes with a clarifying amendment.

Increased maximum rate of special duty assignment pay (sec. 631)

The House bill contained a provision (sec. 616) that would, effective October 1, 2001, increase the limit on special duty assignment pay from $275 per month to $600 per month.

The Senate amendment contained a similar provision (sec. 620) that would be effective October 1, 2000.

The House recedes.

Entitlement of members of the National Guard and other reserves not on active duty to receive special duty assignment pay (sec. 632)

The Senate amendment contained a provision (sec. 622) that would authorize members of the Selected Reserve who are not on active duty to receive special duty assignment pay.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the amount of special duty assignment pay for members of the Selected Reserve not on active duty to one day of pay for each drill period in which the reserve member successfully participates each month.

Authorization of retention bonus for members of the armed forces qualified in a critical military skill (sec. 633)

The House bill contained a provision (sec. 619) that would, effective 90 days after the Secretary of Defense notifies Congress of the details of the implementation plan, establish a retention bonus, providing payments up to $200,000 over a career, for members qualified in a critical military skill. The authority for this bonus would expire on December 31, 2001.

The Senate amendment contained no similar provision.

The Senate recedes.

Entitlement of active duty officers of the Public Health Service Corps to special pays and bonuses of health professional officers of the armed forces (sec. 634)

The Senate amendment contained a provision (sec. 618) that would make the special pays and bonuses for active duty officers of the Public Health Service Corps equal to those of health professional officers of the armed forces.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Travel and Transportation Allowances

Advance payments for temporary lodging of members and dependents (sec. 641)

The House bill contained a provision (sec. 631) that would authorize advance payment of temporary lodging and living expenses incident to permanent changes in station.

The Senate amendment contained a similar provision (sec. 631).

The Senate recedes.

Additional transportation allowance regarding baggage and household effects (sec. 642)

The House bill contained a provision (sec. 632) that would authorize the secretary concerned to reimburse a member for mandatory pet quarantine fees for household pets up to a maximum of $275 when the fees are incident to a permanent change of station.

The Senate amendment contained no similar provision.

The Senate recedes.

Incentive for shipping and storing household goods in less than average weights (sec. 643)

The Senate amendment contained a provision (sec. 632) that would authorize the secretary concerned to pay a service member a share of the amount of savings resulting from the service member shipping or storing a lower household good or baggage weight than the average weight shipped or stored by members of the same grade and dependent status.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to develop regulations for this program in order to ensure that members of one service do not receive a benefit for which members of another service may not be eligible.

Equitable dislocation allowances for junior enlisted members (sec. 644)

The House bill contained a provision (sec. 633) that would require the Secretary of Defense to increase the amount of dislocation allowance paid to service members with dependents in pay grades E–1 through E–4 to the amount paid to service members in pay grade E–5.

The Senate amendment contained no similar amendment.

The Senate recedes.

Authority to reimburse military recruiters, senior ROTC cadre, and Military Entrance Processing personnel for certain parking expenses (sec. 645)

The House bill contained a provision (sec. 634) that would authorize the Secretary of Defense to reimburse service members and civilian employees for expenses incurred in parking their privately owned vehicles at their duty locations if they are assigned to duty as a recruiter, with a military entrance processing facility or with a Senior Reserve Officer Training Corps detachment.

The Senate amendment contained a similar provision (sec. 661).

The House recedes with an amendment that would make the provision effective October 1, 2001.

Expansion of funded student travel for dependents (sec. 646)

The House bill contained a provision (sec. 635) that would authorize funded student travel payments to be made for dependents pursuing graduate and vocational education programs in addition to secondary and undergraduate education programs.

The Senate amendment contained a similar provision (sec. 633).

The Senate recedes.

Subtitle D—Retirement and Survivor Benefit Matters

Exception to high–36 month retired pay computation for members retired following a disciplinary reduction in grade (sec. 651)

The Senate amendment contained a provision (sec. 641) that would require the computation of retired pay for military personnel who retire following a reduction in grade be based on basic pay of the grade held at the time of retirement rather than the average of the highest three years of basic pay.

The House bill contained no similar provision.

The House recedes.

Increase in maximum number of reserve retirement points that may be credited in any year (sec. 652)

The House bill contained a provision (sec. 641) that would increase, from 70 to 90, the maximum number of days in any one year that a reservist may accrue as credit toward retirement benefits.

The Senate amendment contained a similar provision (sec. 694).

The Senate recedes with a clarifying amendment.

Retirement from active reserve service after regular retirement (sec. 653)

The Senate amendment contained a provision (sec. 644) that would permit a retired active component service member who later serves, and is promoted in an active reserve position, to retire as a member of the retired reserve at the higher grade.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Same treatment for federal judges as for other federal officials regarding payment of military retired pay (sec. 654)

The Senate amendment contained a provision (sec. 645) that would amend section 371 of title 28, United States Code, to ensure that federal judges appointed under Article III of the Constitution are treated the same as other federal officials with regard to reduction in military retired pay.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Reserve Component Survivor Benefit Plan spousal consent requirement (sec. 655)

The House bill contained a provision (sec. 642) that would require retirement-eligible reservists to obtain the concurrence of their spouses before making a decision to decline or defer participation in the Reserve Component Survivor Benefit Plan or to select a level of participation that is less than the maximum available or to select coverage for a child but not the spouse.

The Senate amendment contained a similar provision (sec. 642).

The Senate recedes with a clarifying amendment.

Sense of Congress on increasing Survivor Benefit Plan annuities for surviving spouses age 62 or older (sec. 656)

The Senate amendment contained a provision (sec. 646) that would express the sense of Congress that legislation should be enacted that increases the minimum basic annuities provided under the Survivor Benefit Plan for surviving spouses of members of the uniformed services who are 62 years of age or older.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Revision to special compensation authority to repeal exclusion of uniformed services retirees in receipt of disability retired pay (sec. 657)

The conferees included a provision that would, effective October 1, 2001, make former members of the uniformed services retired for disability under chapter 61 of title 10, United States Code, eligible to receive the special compensation for severely disabled uniformed services retirees authorized by section 658 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

Subtitle E—Other Matters

Participation in Thrift Savings Plan (sec. 661)

The House bill contained a provision (sec. 651) that would authorize active duty and reserve members of the uniformed services to deposit up to five percent of their basic pay, before tax, each month in the Thrift Savings Plan now available for federal civil service employees.

The Senate amendment contained a similar provision (sec. 643) that would amend section 663 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to establish the effective date for offering the Thrift Savings Plan to active and reserve component military personnel, effective not later than 180 days after the date of enactment of this Act, and would eliminate the requirement for the President to identify the mandatory spending offsets that are currently provided in the Concurrent Resolution on the Budget for Fiscal Year 2001.

The House recedes with an amendment that would permit the Secretary of Defense, with the advice of the Thrift Board, to delay the effective date for both the active and reserve component participation by 180 days and require that Committees on Armed Services of the Senate and the House of Representatives be notified of any delay.

Determinations of income eligibility for special supplemental food program (sec. 662)

The Senate amendment contained a provision (sec. 669) that would exclude the basic allowance for housing when computing eligibility for the special supplemental food program for service members assigned outside the United States. The special supplemental food program is similar to the Women, Infants, and Children program in the United States.

The House bill contained no similar provision.

The House recedes.

Billeting services for reserve members traveling for inactive-duty training (sec. 663)

The Senate amendment contained a provision (sec. 693) that would require the Secretary of Defense to promulgate regulations that would authorize reservists traveling to inactive-duty training at a location more than 50 miles from their residence to be eligible for billeting in Department of Defense facilities on the same basis as active duty personnel traveling for official purposes.

The House bill contained no similar provision.

The House recedes.

Settlement of claims for payments for unused accrued leave and for retired pay (sec. 664)

The Senate amendment contained a provision (sec. 663) that would authorize the Secretary of Defense to settle claims for unused accrued leave and to waive time limitations for filing claims for payments for unused accrued leave and for retired pay.

The House bill contained no similar provision.

The House recedes.

Additional benefits and protections for personnel incurring injury, illness, or disease in the performance of funeral honors duty (sec. 665)

The Senate amendment contained a provision (sec. 668) that would authorize the payment of incapacitation pay for reservists who incur an injury, illness, or disease in the performance of funeral honors duties.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Authority for extension of deadline for filing claims associated with capture and interment of certain persons by North Vietnam (sec. 666)

The Senate amendment contained a provision (sec. 662) that would extend the time limitation for certain Vietnamese Commandos, or their survivors, to file claims when the Secretary of Defense determines that such an extension is necessary to prevent an injustice or that a failure to file within the time frame is due to excusable neglect.

The House bill contained no similar provision

The House recedes with a clarifying amendment.

Back pay for members of the Navy and Marine Corps selected for promotion while interned as prisoners of war during World War II (sec. 667)

The Senate amendment contained a provision (sec. 673) that would authorize the payment of back pay for former members of the Navy and Marine Corps who were unable to compete for promotion while interned as prisoners of war during World War II.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the payments to former members or their spouses.

Sense of Congress concerning funding for reserve components (sec. 668)

The Senate amendment contained a provision (sec. 691) that would express the sense of Congress that it is in the national interest for the President to provide funds for the reserve components of the armed forces that are sufficient to ensure that the reserve components meet requirements specified in the National Military Strategy.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to pay gratuity to certain veterans of Bataan and Corregidor

The Senate amendment contained a provision (sec. 665) that would authorize the Secretary of Veterans Affairs to pay a $20,000 gratuity to a veteran or to the surviving spouse of a veteran who served at Bataan or Corregidor, was captured and held as a prisoner of war, and was required to perform slave labor during World War II.

The House bill contained no similar provision.

The Senate recedes.

Benefits for members not transporting personal motor vehicles overseas

The Senate amendment contained a provision (sec. 634) that would authorize the secretary concerned to pay a service member a share of the amount of savings that accrue when an authorized member elects not to ship a personal vehicle overseas at government expense and would limit the amount payable to store a personal vehicle in lieu of shipment to an amount equal to the cost that would have been incurred by shipping the vehicle overseas and back.

The House bill contained no similar provision.

The Senate recedes.

Computation of survivor benefits

The Senate amendment contained a provision (sec. 650) that would reduce the amount of the offset from a survivor benefit annuity when the surviving spouse becomes eligible for social security benefits based on the contributions of the deceased service member.

The House bill contained no similar provision.

The Senate recedes.

Concurrent payment of retired pay and compensation for retired members with service-connected disabilities

The Senate amendment contained a provision (sec. 666) that would permit the concurrent payment of military retired pay and disability compensation from the Department of Veterans Affairs for retired service members with service-connected disabilities.

The House bill contained no similar provision.

The Senate recedes.

Concurrent payment to surviving spouses of Disability and Indemnity Compensation and annuities under Survivor Benefit Plan

The Senate amendment contained a provision (sec. 652) that would permit the concurrent payment of Disability and Indemnity Compensation and Survivor Benefit Plan annuities to surviving spouses of deceased service members.

The House bill contained no similar provision.

The Senate recedes.

Effective date of disability retirement for members dying in civilian medical facilities

The House bill contained a provision (sec. 643) that would authorize the secretary concerned to specify a date and time of death, other than that determined by the attending physician, for a member who dies in a civilian medical facility solely for the purpose of allowing a member to retire as if disabled.

The Senate amendment contained no similar provision.

The House recedes.

Eligibility of certain members of the Individual Ready Reserve for Servicemembers' Group Life Insurance

The Senate amendment contained a provision (sec. 664) that would authorize volunteers for assignment to a category in the Individual Ready Reserve that is subject to involuntary recall to active duty to participate in the Servicemembers' Group Life Insurance program.

The House bill contained no similar provision.

The Senate recedes.

Equitable application of early retirement eligibility requirements to military reserve technicians

The Senate amendment contained a provision (sec. 651) that would modify the early retirement eligibility requirements for all military technicians from a combination of 50 years of age and 25 years of service to 25 years of service or 50 years of age and 20 years of service.

The House bill contained no similar provision.

The Senate recedes.

Family coverage under Servicemembers' Group Life Insurance

The Senate amendment contained a provision (sec. 648) that would, at no cost to the government, extend life insurance coverage under the Servicemembers' Group Life Insurance to family members.

The House bill contained no similar provision.

The Senate recedes.

Fees paid by residents of the Armed Forces Retirement Home

The Senate amendment contained a provision (sec. 649) that would modify the fee structure paid by residents of the Armed Forces Retirement Home.

The House bill contained no similar provision.

The Senate recedes.

The conferees are aware of the financial difficulties of the Armed Forces Retirement Home and have received a number of complaints from residents about the fee structure and conditions at the homes. The conferees direct the Secretary of Defense, in consultation with the Armed Forces Retirement Home Board, to review the current and future financial status of the Armed Forces Retirement Home, to include the current fee structure. The Secretary of Defense shall submit a report not later than March 30, 2001, to the Committees on Armed Services of the Senate and the House of Representatives on the results of this review and any recommendations for changing the current fees or operations of the Armed Forces Retirement Home.

Recognition of members of the Alaska Territorial Guard as veterans

The Senate amendment contained a provision (sec. 671) that would prospectively recognize certain former members of the Alaska Territorial Guard as veterans.

The House bill contained no similar provision.

The Senate recedes.

Survivor benefit plan annuities for survivors of all members who die on active duty

The Senate amendment contained a provision (sec. 647) that would entitle a surviving

spouse of a member who dies while on active duty to a Survivor Benefit Plan annuity.

The House bill contained no similar provision.

The Senate recedes.

Travel by reservists on military aircraft to and from locations outside the continental United States for inactive-duty training

The Senate amendment contained a provision (sec. 667) that would permit reservists who live outside the continental United States attending drills or annual training in the United States to travel space-required on military aircraft.

The House bill contained no similar provision.

The Senate recedes.

TITLE VII-HEALTH CARE PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Health Care Services

Provision of domiciliary and custodial care for CHAMPUS beneficiaries and certain former CHAMPUS beneficiaries (sec. 701)

The House bill contained a provision (sec. 703) that would authorize the Secretary of Defense to reimburse certain former Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) beneficiaries for costs incurred for custodial or domiciliary care services during a period of temporary ineligibility for such services under CHAMPUS. The provision authorized a maximum expenditure of $100.0 million for the program.

The Senate amendment contained a provision (sec. 732) that would cap the program at $100.0 million per year and would grandfather those that participated in the Department of Defense home health care demonstration to allow their continued participation in the case management program, without regard to age.

The House recedes with an amendment that would incorporate the reimbursement provision in the House bill and direct the Comptroller General to report on the effectiveness of the existing coordination of the basic TRICARE program with the program for persons with disabilities and the individual case management program, as they relate to meeting the health care needs of disabled dependents of active duty military members.

Chiropractic health care for members on active duty (sec. 702)

The House bill contained a provision (sec. 737) that would require the Secretary of Defense to submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to phase in, over a period of five years, permanent chiropractic services for all active duty service personnel. The provision would also require the Secretary of Defense to continue to provide the same level of chiropractic health care services and benefits during fiscal year 2001 as were provided during fiscal year 2000.

The Senate amendment contained a provision (sec. 737) that would make permanent the provision of chiropractic health care services to military health care system beneficiaries who enroll in TRICARE Prime. The provision would direct the Secretary of Defense to develop and implement a plan to make available chiropractic services using a primary care manager model and would continue services at existing demonstration sites until TRICARE Prime enrollees at those sites would have access under the new provision.

The Senate recedes with a technical amendment.

School-required physical examinations for certain minor dependents (sec. 703)

The Senate amendment contained a provision (sec. 734) that would direct the Secretary of Defense to provide eligible dependents, between the ages of 5 years and 12 years, a physical examination when such an examination is required by a school in connection with the enrollment in that school. TRICARE Prime enrollees would require no copayment. Enrollees in TRICARE options other than Prime would pay appropriate cost shares.

The House bill contained no similar provision.

The House recedes.

Two-year extension of dental and medical benefits for surviving dependents of certain deceased members (sec. 704)

The Senate amendment contained a provision (sec. 735) that would extend the medical and dental benefits for surviving dependents of certain deceased members from one year to three years.

The House bill contained no similar provision.

The House recedes.

Two-year extension of authority for use of contract physicians at military entrance processing stations and elsewhere outside medical treatment facilities (sec. 705)

The House bill contained a provision (sec. 701) that would extend for two years, the authority of the Secretary of Defense to contract with physicians to provide health care and new-recruit examination services at military entrance processing stations and other locations.

The Senate amendment contained a similar provision (sec. 736).

The Senate recedes.

Medical and dental care for medal of honor recipients (sec. 706)

The House bill contained a provision (sec. 702) that would extend life-time medical and dental care, to be provided by the Department of Defense, to medal of honor recipients and their dependents.

The Senate amendment contained a similar provision (sec. 733).

The House recedes with a clarifying amendment.

Subtitle B-Senior Health Care

Implementation of TRICARE senior pharmacy program (sec. 711)

The House bill contained a provision (sec. 721) that would authorize the establishment of the TRICARE Senior Pharmacy Program. The program would provide Medicare eligible military retirees and their eligible family members the same pharmacy benefit as is currently available to other military health care beneficiaries through the TRICARE preferred provider and fee-for-services options commonly referred to as TRICARE Extra and TRICARE Standard. The House authorized an increase of $94.0 million to the Defense Health Program to fund this requirement.

The Senate amendment contained a provision (sec. 731) that would authorize a specific pharmacy benefit for eligible beneficiaries of the military health care system, including those eligible for Medicare. The provision would authorize a national mail order program and a retail pharmacy network.

The Senate recedes with an amendment that would grandfather all participants of the Base Realignment and Closure pharmacy benefit program.

Conditions for eligibility for CHAMPUS and TRICARE upon the attainment of age 65; expansion and modification of medicare subvention project (sec. 712)

The House bill contained a provision (sec. 725) that would extend the Medicare subvention, or TRICARE Senior Prime, program nationwide and would make the program permanent.

The Senate amendment contained a provision (sec. 701) that would extend TRICARE/CHAMPUS eligibility to all military retirees and their dependents, regardless of age.

The House recedes with an amendment that would extend the Medicare subvention program one year and would extend permanent TRICARE/CHAMPUS eligibility to all military retirees and their dependents, regardless of age.

The conferees note that continuation of the Medicare subvention program beyond the extended termination date would be contingent upon the Secretaries of Defense and Health and Human Services jointly developing and implementing program terms and conditions that are fair and equitable to both agencies, providing a report to the Congress, and a subsequent act of Congress.

The conferees recognize that the Department of Defense has provided some level of health care services to the senior population and would not expect reimbursement for that level of effort. The conferees believe the administrative costs and costs of resources expended during the process of approving a military treatment facility as a subvention site should be included when the Secretaries of Defense and Health and Human Services jointly develop the terms of a new subvention agreement.

While extending TRICARE/CHAMPUS eligibility to Medicare-eligible beneficiaries, the conferees direct the Secretary of Defense to refrain from using deductibles and copayments, in recognition of their participation in Medicare Part B as a condition of participation. The conferees urge the Secretary of Defense to implement, wherever reasonable, primary care impanelment programs patterned on the ''MacDill–65'' program which provide opportunities for senior retirees to establish a relationship with a military primary care provider while still taking full advantage of the added benefits under this provision.

The conferees also recognize that the ability of the Secretary of Defense to prepare reliable budget estimates is seriously compromised by the lack of any beneficiary enrollment requirements. With the addition of this significant TRICARE benefit for senior military retirees and their dependents, all retired military personnel will now have access to comprehensive health care services, no matter where they live. Therefore, the conferees direct the Secretary of Defense to submit a plan for universal, continuous enrollment of all eligible beneficiaries beginning in fiscal year 2002. Through the enrollment system, beneficiaries would select the component of the military health care system through which they would seek their health care services. The conferees expect the period of required enrollment would not exceed one year and some provision would be made for individual exceptions based on unforeseen circumstances. As the enrollment plan is being developed, the conferees encourage the Secretary of Defense to seek the views of affected beneficiary groups. Their views should be included in the final report. The required report shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than March 30, 2001.

Accrual funding for health care for Medicare-eligible retirees and dependents (sec. 713)

The conferees included a provision that would establish an accrual funding mechanism to finance, on an actuarially sound basis, liabilities of the Department of Defense under Department of Defense retiree health care programs for Medicare-eligible beneficiaries.

The conferees direct the Secretary of Defense to conduct a study using an independent entity to develop strategies for determining the periodicity and amount of payments from the Department of Defense Medicare-Eligible Retiree Health Care Fund under section 1113 of title 10, United States Code (as added by section 713). The conferees direct the Secretary of Defense to report to the Committees on Armed Services of the Senate and House of Representatives, not later than February 8, 2001, on the results of the study, including any recommendations and, if appropriate, legislative provisions necessary to implement the accrual funding mechanism.

Subtitle C-TRICARE Program

Improvement of access to health care under the TRICARE program (sec. 721)

The House bill contained a provision (sec. 739) that would eliminate the requirement to obtain non-availability statements under any new contract for those beneficiaries participating in TRICARE standard.

The Senate amendment contained a similar provision (sec. 714).

The Senate recedes with a technical amendment.

Additional beneficiaries under TRICARE prime remote program in the continental United States (sec. 722)

The House bill contained a provision (sec. 711) that would repeal the requirement for co-payments by family members of active duty military members under TRICARE Prime Remote and would require the same access and claims processing standards as would be available under TRICARE Prime. The provision would also extend the program to all uniformed service personnel and their immediate family members, as defined in section 101 of title 10, United States Code.

The Senate amendment contained an identical provision (sec. 711).

The conference agreement includes this provision.

Modernization of TRICARE business practices and increase of use of military treatment facilities (sec. 723)

The House bill contained a provision (sec. 713) that would require managers for the Department of Defense TRICARE program to implement improvements in business practices by the end of fiscal year 2001, and would require the Secretary of Defense to submit a plan for improvement by March 15, 2001. The provision would also authorize an increase of $134.5 million for the Defense Health Program to be used solely for the purpose of maximizing the use of military treatment facilities.

The Senate amendment contained a similar provision (sec. 713).

The Senate recedes with a clarifying amendment.

The conferees note that the Emergency Supplemental Act, 2000 (division B of Public Law 106–246) included $695.0 million for improvements in TRICARE for fiscal years 2000 and 2001. The conferees direct that $134.5 million of these funds be used for maximizing the use of military treatment facilities by improving the efficiency of health care operations in such facilities.

The conferees note that resource sharing initiatives are achieving significant savings by recapturing services in the direct care system. Savings can range from $1.25–$5.00 for every dollar expended. The conferees direct the Secretary of Defense to utilize the additional funds provided by this provision to achieve comparable savings.

The conferees understand that requirements for additional support staff are dynamic and require a flexible approach to ensure full utilization of military treatment facilities. The conferees direct the Secretary of Defense to develop a flexible mechanism to acquire additional support staff, as needed. Further, the conferees direct the Secretary of Defense to include, as part of the plan for improving TRICARE business practices, a methodology for the cost-effective use of additional support staff.

Extension of TRICARE managed care support contracts (sec. 724)

The Senate amendment contained a provision (sec. 579) that would provide authority to extend TRICARE managed care support contracts in effect or in final stages of acquisition to be extended up to four years.

The House bill contained no similar provision.

The House recedes.

Report on protections against health care providers seeking direct reimbursement from members of the uniformed services (sec. 725)

The House bill contained a provision (sec. 719) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives on ways to discourage or prohibit TRICARE health care providers from seeking inappropriate direct reimbursement from military service members or their families for eligible health care services.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Voluntary termination of enrollment in TRICARE retiree dental program (sec. 726)

The House bill contained a provision (sec. 720) that would authorize the Secretary of Defense to permit retirees who enrolled in the Department of Defense Retiree Dental Program to disenroll from the program under certain circumstances.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees recognize the necessity of a termination of enrollment appeal process and direct the Secretary to ensure appropriate dental expertise is included in such procedures. Additionally, the conferees note the importance of making available a dental benefit for retirees overseas and direct the Secretary of Defense to explore expansion of this program.

Claims processing improvements (sec. 727)

The House bill contained a provision (sec. 714) that would require the Secretary of Defense to implement several changes to the TRICARE claims process system.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Prior authorizations for certain referrals and nonavailability-of-health-care statements (sec. 728)

The House bill contained a provision (sec. 715) that would prohibit the Secretary of Defense from requiring any TRICARE managed care support contractors to establish prior approval requirements among network providers.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees do not intend that this provision would in any way interfere with the relationship between the primary care provider and his or her patients or the requirement that patients enrolled under TRICARE Prime be referred for specialty care by their primary care providers. Rather, the conferees intend that the Department of Defense would, in new managed care support contracts, eliminate the requirement for TRICARE primary care providers to seek authorization before making a referral to a specialist who is part of a managed care support contractor's network of providers.

Subtitle D—Demonstration Projects

Demonstration project for expanded access to mental health counselors (sec. 731)

The House bill contained a provision (sec. 704) that would direct the Secretary of Defense to conduct a demonstration project to determine the effect of increasing access to certified professional mental health counselors by removing the requirement for physician referral prior to engaging a counselor under the TRICARE program.

The Senate amendment contained no similar provision.

The Senate recedes.

Teleradiology demonstration project (sec. 732)

The House bill contained a provision (sec. 705) that would direct the Secretary of Defense to implement a teleradiology demonstration project for the purpose of increasing the efficiency of operations and coordination between outlying clinics and a major military medical facility.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add an additional test site.

Health care management demonstration program (sec. 733)

The Senate amendment contained a provision (sec. 740) that would direct the Secretary of Defense to conduct a test of two models to improve health care delivery in the Defense Health Program: one for studying alternative delivery policies, processes, organizations, technologies; and another for studying long-term disease management.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle E—Joint Initiatives With Department of Veterans Affairs

VA–DOD sharing agreements for health services (sec. 741)

The House bill contained a provision (sec. 738) that would require the Secretary of Defense to give full force and effect to any sharing agreement entered into between the Veterans Health Administration and the Department of Defense treatment facilities. The provision would also require the Secretary of Defense to review all sharing agreements.

The Senate amendment contained no similar provision.

The Senate recedes.

Processes for patient safety in military and veterans health care systems (sec. 742)

The House bill contained a provision (sec. 733) that would require the Secretary of Defense to implement a system of indicators,

standards, and protocols necessary to track patient safety.

The Senate amendment contained a provision (sec. 721) that would direct enhanced cooperation between the Department of Defense and Department of Veterans Affairs in the area of patient safety.

The House recedes with a technical amendment.

Cooperation in developing pharmaceutical identification technology (sec. 743)

The House bill contained a provision (sec. 734) that would require the Secretary of Defense to implement a pharmaceutical bar code identification program to improve the safety of Department of Defense pharmacy programs.

The Senate amendment contained a provision (sec. 722) that would direct the Secretary of Defense and the Secretary of Veterans Affairs to develop jointly a plan to bar code pills and to explore a bar code capability for the mail order pharmacy program.

The House recedes with a technical amendment.

Subtitle F—Other Matters

Management of anthrax vaccine immunization program (sec. 751)

The House bill contained a provision (sec. 735) that would strengthen congressional oversight of the Department of Defense Anthrax Vaccine Immunization Program (AVIP). The provision would require the Secretary of Defense to implement several initiatives to strengthen oversight of the program including: requiring the Secretary to track and report separations resulting from refusal to participate in the program; requiring guidance for emergency essential civilian personnel who are participating in AVIP; requiring the Secretary of Defense to put uniform medical and administrative exemptions into regulation; improving monitoring of adverse reactions; development of a plan for modernizing all-force protection immunizations; and requiring reports on financial and overall program management.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the procurement components of the provision and would focus on the administration of the AVIP.

Elimination of copayments for immediate family (sec. 752)

The House bill contained a provision (sec. 712) that would repeal the requirement for co-payments by family members of active duty military members enrolled in TRICARE Prime.

The Senate amendment contained a similar provision (sec. 712).

The House recedes with a clarifying amendment.

The conferees expect the Department of Defense to ensure that implementation of this provision would not impose additional costs on managed care support contractors. Further, it is not the intent of the conferees to eliminate copayments for pharmaceutical benefits under the mail order pharmacy program or such similar cost shares. The conferees expect implementation within 180 days after enactment of this Act.

Medical informatics (sec. 753)

The Senate amendment contained a provision (sec. 723) that would direct the Secretary of Defense to include two additional sections in the medical informatics report required by section 723 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65). The provision would also direct that, from within the resources of the Defense Health Program, $64.0 million be expended on a computerized patient record system, and $9.0 million be expended on an integrated pharmacy system in fiscal year 2001.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Patient care reporting and management system (sec. 754)

The Senate amendment contained a provision (sec. 739) that would direct the Secretary of Defense to implement a patient care reporting and management system in the military health system to identify, track, and report on errors and safety problems.

The House bill contained no similar provision.

The House recedes.

Augmentation of Army medical department by detailing reserve officers of the Public Health Service (sec. 755)

The Senate amendment contained a provision (sec. 742) that would authorize the Secretary of the Army and the Secretary of Health and Human Services to enter into an agreement to conduct a program under which officers of the Public Health Service Corps Inactive Reserve may be detailed to augment the Army Medical Department, subject to existing statutory authorities.

The House bill contained no similar provision.

The House recedes.

Privacy of Department of Defense medical records (sec. 756)

The Senate amendment contained a provision (sec. 744) that would direct the Secretary of Defense to create a blue ribbon advisory panel on Department of Defense policies regarding the privacy of medical records for beneficiaries of the military health care system.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Secretary of Defense to report to Congress on a comprehensive plan to improve privacy protections for Department of Defense medical records, consistent with the Health Insurance Portability and Accountability Act of 1996. The conferees further direct the Secretary of Defense to issue interim regulations to expedite implementation of this provision and allow for reasonable use of medical records for certain circumstances including, but not limited to, national security, law enforcement, patient treatment, and payment for health care services.

Authority to establish special locality-based reimbursement rates; reports (sec. 757)

The House bill contained a provision (sec. 716) that would authorize the Secretary of Defense to establish higher rates for reimbursement for services in some localities under certain conditions.

The Senate amendment contained a provision (sec. 715) that would enhance access to TRICARE in rural states by increasing the maximum allowable charge by physicians in rural areas.

The Senate recedes with a clarifying amendment.

The conferees intend that the Department of Defense focus on resolving provider participation issues, particularly in rural areas, where limited numbers of health care providers present extreme difficulties in accessing care.

Reimbursement for certain travel expenses (sec. 758)

The House bill contained a provision (sec. 717) that would authorize the Secretary of Defense to reimburse TRICARE beneficiaries for their reasonable expenses incurred while traveling to a referral more than 100 miles from the location at which they normally receive their primary care services.

The Senate amendment contained no similar provision.

The Senate recedes.

Reduction of cap on payments (sec. 759)

The House bill contained a provision (sec. 718) that would reduce the maximum amount retired TRICARE beneficiaries could pay under TRICARE to $3,000 per family. The House bill authorized an increase in the Defense Health Program of $32.0 million for this purpose.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Training in health care management and administration (sec. 760)

The House bill contained a provision (sec. 731) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and the House of Representatives on the continued implementation of section 715 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106). The provision would increase the number of senior management positions requiring professional management and administrative experience.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

The conferees direct the Secretary of Defense to ensure that senior managers involved in leading and managing the Department of Defense complex health care delivery program are provided all possible professional management and administrative opportunities to increase their ability to succeed in this dynamic environment.

Study on feasibility of sharing biomedical research facility (sec. 761)

The House bill contained a provision (sec. 736) that would require the Secretary of the Army to conduct a study on the feasibility of a military medical center sharing a biomedical research facility with the Department of Veterans Affairs and an academic institution to make more efficient use of funding for biomedical research.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would add an additional site for such a demonstration.

Study on comparability of coverage for physical, speech, and occupational therapies (sec. 762)

The House bill contained a provision (sec. 740) that would direct the Secretary of Defense to conduct a study comparing coverage and reimbursement for covered beneficiaries for physical, speech, and occupational therapies under the TRICARE program and the Civilian Health and Medical Program of the Uniformed Services to coverage and reimbursement for such therapies by insurers under Medicare and the Federal Employees Health Benefits Program.

The Senate amendment contained no similar provision.

The Senate recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Extended coverage under the Federal Employees Health Benefits Program

The House bill contained a provision (sec. 723) that would extend the period of the Federal Employees Health Benefits Program demonstration for one year and would require the Secretary of Defense to take actions to encourage participation in the program to its full authorized enrollment level.

The Senate amendment contained no similar provision.

The House recedes.

Extension of TRICARE senior supplement program

The House bill contained a provision (sec. 724) that would extend the period of the TRICARE Senior Supplement Program for one year.

The Senate amendment contained no similar provision.

The House recedes.

Service areas of transferees of former uniformed services treatment facilities

The Senate amendment contained a provision (sec. 743) that would expand the service areas of former uniformed services treatment facilities.

The House bill contained no similar provision.

The Senate recedes.

Study of accrual financing for health care for military retirees

The House bill contained a provision (sec. 732) that would direct the Secretary of Defense to conduct a study on the feasibility and desirability of financing the military health care program for uniformed services retirees on an accrual basis.

The Senate amendment contained a similar provision (sec. 741).

The conferees adopted an accrual funding provision elsewhere in this conference agreement.

Study of accrual financing for health care for retirees of the uniformed services

The House bill contained a provision (sec. 732) that would require the Secretary of Defense to conduct a study on the feasibility and desirability of financing the military health care program for uniformed services retirees on an accrual basis.

The Senate amendment contained a similar provision (sec. 741).

The House recedes with a technical amendment.

Study on health care options for medicare-eligible military retirees

The House bill contained a provision (sec. 722) that would require the Secretary of Defense to conduct a study on alternatives for providing continued health care benefits for Medicare-eligible military retirees.

The Senate amendment contained no similar provision.

The House recedes.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

ITEMS OF SPECIAL INTEREST

Acquisition programs at the National Security Agency

The Senate report accompanying S. 2549 (S. Rept. 106–292) would direct the National Security Agency (NSA) and the Department of Defense to manage the ongoing NSA modernization effort as though it were a major defense acquisition program, as defined in section 2430 of title 10, United States Code.

The House report accompanying H.R. 4205 (H. Rept. 106–616) contained no such direction.

The conferees agree that there is a need to improve the acquisition management and oversight processes to ensure sufficient structure, accountability, and visibility for the vital NSA modernization efforts. However, the conferees are not convinced that the DOD acquisition model is sufficiently flexible and timely to allow the NSA to deliver the necessary capabilities against the rapidly changing threat environment.

The conferees understand that representatives from the Intelligence Community (IC), the NSA, and the Office of the Secretary of Defense have jointly begun to define a formal plan to improve oversight of the NSA acquisition efforts, and that an interim oversight board has been used to review a major NSA acquisition program. The conferees understand that the IC and the DOD jointly intend to create a streamlined acquisition management and oversight process that will improve DOD and IC oversight of the NSA Acquisition process.

The conferees agree to allow some time for this new plan to achieve the objectives of providing sufficient structure, accountability, and visibility for the very important modernization efforts underway within NSA. The conferees take this position with the understanding that DOD and the IC will implement oversight procedures that will achieve several objectives: (1) aid the Director of NSA in the effort to accomplish fundamental financial and acquisition management reforms within the agency; (2) improve the linkage between the development of requirements and the acquisition process; (3) ensure that internal NSA acquisition processes comply with DOD and IC policy and with best practices; (4) improve the linkage across agencies for end-to-end performance; and (5) allow the Director to have sufficient flexibility to deliver urgently needed capability.

The conferees direct the Director of NSA, the Director of Central Intelligence, and the Secretary of Defense to provide the Congress with a report, concurrent with the budget request for fiscal year 2002, that outlines the oversight plan, including the changes the plan will make in the acquisition process. If implementation of this oversight plan fails to demonstrate a review mechanism that meets these objectives, the conferees may insist on requiring that NSA manage its programs as major defense acquisition programs in the future.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations

Department of Defense acquisition pilot programs (sec. 801)

The House bill contained a provision (sec. 801) that would amend the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355) to extend until fiscal year 2005 certain acquisition pilot programs and to require a report on the pilot programs.

The Senate amendment contained a provision (sec. 806) that would extend this authority through October 1, 2007.

The House recedes with an amendment that would add the 500 pound Joint Direct Attack Munition to the original pilot program and include a reporting requirement.

Multiyear services contracts (sec. 802)

The House bill contained a provision (sec. 808) that would amend section 2306b of title 10, United State Code, to clarify that this section applies to the multiyear procurement of services, as well as to the multiyear procurement of property.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would insert a new section in title 10, United States Code, that would clarify the authority to enter into multiyear contracts for the acquisition of services. The conferees direct the Secretary of Defense to provide to the congressional defense committees, not later than February 1, 2001, a report that contains information comparable to that required by section 2306b(l)(4) for each multiyear service contact and each extension of an existing multiyear service contract entered into, or planned to be entered into, during the current or preceding year.

Clarification and extension of authority to carry out certain prototype projects (sec. 803)

The House bill contained a provision (sec. 805) that would amend section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160), to extend for three years the authority of the Defense Advanced Research Projects Agency, the military departments, and other officials designated by the Secretary of Defense to carry out prototype projects using transactions other than contracts, cooperative agreements, and grants, which must be executed in accordance with statutes or regulations applicable to contracts.

The Senate amendment contained a provision (sec. 807) that would extend for three years the other transaction prototype authority, identify appropriate uses of this authority to include cost sharing arrangements and the participation of nontraditional defense contractors, and establish a pilot program for the transition to follow-on production contracts for prototypes developed under the section 845 authority.

The House recedes with an amendment to modify the circumstances under which section 845 authority can be used and to strike the pilot program for the transition to follow-on production contracts for prototypes developed under the section 845 authority.

The conferees note the recommendations contained in the report of the Comptroller General ''Acquisition Reform: DOD's Guidance on Using Section 845 Agreements Could be Improved'' (GAO/NSIAD -00–33, dated April 2000), that the Secretary of Defense provide updated guidance that lays out the conditions for using section 845 agreements and provides a framework to tailor the terms and conditions appropriate for each agreement. The General Accounting Office (GAO) recommended that the Secretary should establish and require the use of a set of metrics, including the number of commercial firms participating in section 845 agreements, which are measurable and directly related to the agreement's use. The GAO also recommended that these requirements should be in place in time to assist in the deliberations on whether to extend the authority past September 30, 2001. The conferees further note that the Department of Defense (DOD) concurred with the need for revised guidance to help determine when section 845 agreements should be used, and that the Department planned to issue an updated guide by April 2000. The conferees direct the Secretary of Defense to issue the revised DOD guidelines for using section 845 agreements within 90 days of the enactment of this Act.

Clarification of authority of Comptroller General to review records of participants in certain prototype projects (sec. 804)

The Senate amendment contained a provision (sec. 808) that would clarify the audit access of the Comptroller General over other transaction prototype authority agreements for those contractors who have only done

business with the government under other transaction authority or through cooperative agreements.

The House bill contained no similar provision.

The House recedes.

Extension of time period of limitation on procurement of ball bearings and roller bearings (sec. 805)

The House bill contained a provision (sec. 807) that would amend section 2534 of title 10, United States Code, to extend the limitations on the procurement of ball bearings and roller bearings. This provision would also extend the limitations on the procurement of naval valves for another three fiscal years, and authorize limitations on the procurement of polyacrylonitrile based carbon fiber (PAN carbon fiber) for the next three fiscal years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the limitations on the procurement of ball bearings and roller bearings to October 1, 2005. The conferees note that the domestic source restriction on PAN carbon fiber was first instituted in the 1980s after the Department of Defense determined that it was overly dependent on foreign industry for PAN carbon fibers. The conferees determined that a legislative restriction was unnecessary, because the Department of Defense has extended by three years the regulatory domestic source restriction on PAN based carbon fibers.

Reporting requirements relating to multiyear contracts (sec. 806)

The Senate amendment contained a provision (sec. 802) that would clarify the multiyear reporting requirements required by section 2306b of title 10, United States Code.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would require an annual report that addresses all multiyear contracts, regardless of the dollar value, and require a separate report prior to entering into a multiyear contract or extension above $500.0 million if the information required by section 2306b, for the contract or extension was not included in the annual report required by this provision.

Eligibility of small business concerns owned and controlled by women for assistance under the mentor-protege program (sec. 807)

The Senate amendment contained a provision (sec. 809) that would add small business concerns owned and controlled by women to the list of entities that are eligible to participate in the pilot mentor-protege program established by section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510).

The House bill contained no similar provision.

The House recedes.

Qualifications required for employment and assignment in contracting positions (sec. 808)

The Senate amendment contained a provision (sec. 811) that would require a baccalaureate degree and 24 semester credit hours in business disciplines for new entrants into the GS–1102 occupational series and for contracting officers above the simplified acquisition threshold.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Revision of authority for solutions-based contracting pilot program (sec. 809)

The Senate amendment contained a provision (sec. 815) that would amend section 5312 of the Clinger-Cohen Act (divisions D and E of the National Defense Authorization Act for Fiscal Year 1996 [Public Law 104–106]) to remove detailed statutory requirements concerning the development of a pilot plan to include elimination of the direct participation of private information technology specialists as part of a public-private working group.

The House bill contained no similar provision.

The House recedes.

Procurement notice of contracting opportunities through electronic means (sec. 810)

The Senate amendment contained a provision (sec. 818) that would allow electronic postings of solicitations through the single government-wide point of entry designated in the Federal Acquisition Regulations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Information Technology

Acquisition and management of information technology (sec. 811)

The House bill contained a provision (sec. 363) that would require that for the next three fiscal years all mission essential and mission critical information technology systems be registered with the Chief Information Officer of the Department of Defense (DOD). The House bill also contained a provision (sec. 806) that would require that in each of the next three fiscal years the Department of Defense Chief Information Officer certify that each major automated information system is in compliance with the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106) prior to granting milestone approval.

The Senate amendment contained a provision (sec. 803) with similar registration and approval requirements. The provision would also require the Chief Information Officers of the DOD and the military services to maintain a consolidated inventory of DOD mission critical and mission essential information systems, to identify interfaces between these and other information systems, and to maintain contingency plans for responding to a disruption in the operation of any of these information systems. The Senate provision included similar requirements to the House provisions.

The Senate recedes with an amendment that would establish registration and approval requirements to enhance the management and oversight of information technology acquisitions.

Tracking and management of information technology purchases (sec. 812)

The Senate amendment contained a provision (sec. 804) that would require the Secretary of Defense and the secretaries of the military departments to administer an automated system to track and manage purchases of information technology products and services in excess of the simplified acquisition threshold.

The House bill contained no similar provision.

The House recedes with an amendment requiring the Secretary of Defense to provide for the collection of data on purchases of information technology.

The conferees understand that the requirements of this section will be met through the incorporation of the new data elements into the Defense Contract Action Data System which is the DOD data collection system for reporting contract actions to the Federal Procurement Data System.

Appropriate use of requirements regarding experience and education of contractor personnel in the procurement of information technology services (sec. 813)

The Senate amendment contained a provision (sec. 816) that would limit the circumstances in which bid solicitations for contracts of information technology services set forth minimum contractor personnel requirements for contract award eligibility.

The House bill contained no similar provision.

The House recedes with an amendment that would preclude in the bid solicitation for any contract of information technology services, minimum requirements for contractor personnel unless: (1) the contracting officer first determines that the needs of the agency cannot be met without such requirement; or (2) the needs of the agency require the use of a type of contract other than a performance-based contract.

Navy-Marine Corps Intranet (sec. 814)

The House bill contained a provision (sec. 332) that would prohibit the Department of the Navy from using fiscal year 2001 funds for payment of a long-term contract for comprehensive end-to-end shore based information services, known as the Navy Marine Corps Intranet (NMCI), until supporting documentation is provided to Congress.

The Senate amendment contained a similar provision (sec. 810) that would require the Secretary of the Navy to submit a report to Congress before beginning performance of the NMCI contract. The Senate amendment would also require that the Marine Corps, the naval shipyards, and the naval aviation depots be excluded from the performance of the contract in the first year; the program be developed incrementally; the impact on federal employees be mitigated; and the program be implemented in accordance with the requirements of the Clinger-Cohen Act of 1996, and applicable regulations and directives.

The House recedes with an amendment that would prohibit the Department of Navy to obligate or expend funds on NMCI until the Comptroller of the Department of Defense and the Director of the Office of Management and Budget (OMB) have reviewed and commented on the Department of Navy's June 30, 2000, and July 15, 2000, reports to the Congress; and the Secretary of the Navy and the Chief of Naval Operations have submitted a joint certification to Congress that they have reviewed the business case for the contract, reviewed OMB and Department of Defense Comptroller comments, and have determined that implementation of the contract is in the best interest of the Department of the Navy. The amendment would also require additional certifications by the DOD Comptroller, the Secretary of the Navy, and Chief of Naval Operations before more than 15 percent of the planned total number of work stations could be provided under the NMCI program.

The conferees recognize the need to upgrade the Navy's shore based information infrastructure, but remain concerned about affordability and effective management oversight of the program. To reduce risk in the program, the conferees direct the Secretary of Navy to ensure that contract management organization and procedures are in place before a contract is awarded, service level

agreements are fully defined in the contract, requirements are validated for information technology services requested, a comprehensive funding transition plan and schedule, which includes complete and comprehensive cost estimates, are developed, a system for tracking NMCI costs and benefits is established, outcome-oriented performance measures beyond those in the service-level agreements are established, oversight and reporting responsibilities (both within the Navy and DOD) over the NMCI program are finalized, and measures of success are defined for the first increment of the program.

The conferees direct the Comptroller General to review the Department of Navy's June 30, 2000, and July 15, 2000, reports to Congress on the NMCI. The Comptroller General shall report to the Committees on Armed Services of the Senate and House of Representatives, the Secretary of Navy, and the Chief of Naval Operations on the risks that face the Navy on the NMCI program and recommend actions to mitigate such risks no later than 30 days after the enactment of this Act.

Sense of Congress regarding information technology systems for guard and reserve components (sec. 815)

The House bill contained a provision (sec. 1040) that would express the sense of Congress regarding information technology systems.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Subtitle C—Other Acquisition-Related Matters

Improvements in procurements of services (sec. 821)

The Senate amendment contained a provision (sec. 801) that would improve the procurement of services by establishing: (1) a governmentwide preference for performance based service contracting; (2) a Department of Defense Center of Excellence for service contracts; and (3) an incentive for the use of performance-based service contracts within the Department of Defense by treating performance based service contracts or performance based service task orders under $5.0 million as commercial items and thereby authorizing the use of simplified commercial procedures under Part 12 of the Federal Acquisition Regulations.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Financial analysis of use of dual rate for quantifying overhead costs at army ammunition plants (sec. 822)

The Senate amendment contained a provision (sec. 813) that would require the Secretary of the Army to conduct a financial analysis of the benefits and costs of permitting the use of dual overhead rates at Department of Army government-owned facilities as a means of encouraging commercial use of these facilities.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the scope of the financial analysis to Department of Army ammunition facilities.

Repeal of prohibition on use of Department of Defense funds for the procurement of nuclear-capable shipyard crane from a foreign source (sec. 823)

The Senate amendment contained a provision (sec. 143) that would strike section 8093(d) of the Department of Defense Appropriations Act, 2000 (Public Law 106–79) relating to the prohibition on the use of Department of Defense funds to procure a nuclear-capable shipyard crane from a foreign source.

The House bill contained no similar provision.

The House recedes.

Extension of waiver period for live-fire survivability testing for MH–47E and MH–60K helicopter modifications programs (sec. 824)

The House bill contained a provision (sec. 804) that would amend section 142 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) to authorize the Secretary of Defense to waive the survivability testing requirements contained in section 2366 of title 10, United States Code, for the MH–47E and MH–60K helicopters prior to full materiel release of those systems.

The Senate amendment contained no similar provision.

The Senate recedes.

Compliance with existing law regarding purchases of equipment and products (sec. 825)

The House bill contained a provision (sec. 813) that would limit funds to be expended by an entity of the Department of Defense (DOD) unless the entity agrees to comply with the Buy America Act, express the sense of Congress stating that DOD should only purchase American-made equipment and products, and require the Secretary of Defense to determine whether a person should be debarred from federal contracting if that person has been convicted of fraudulent use of ''Made in America'' labels.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the limitation on funding and express the sense of Congress that DOD should fully comply with the Buy America Act and section 2533, title 10, United State Code, regarding determinations of public interest under the Buy American Act.

Requirement to disregard certain agreements in awarding contracts for the purchase of firearms or ammunition (sec. 826)

The House bill contained a provision (sec. 810) that would prohibit the Department of Defense from using a preference for the procurement of items from a marketer or vendor of firearms or ammunition that has entered into an agreement to abide by a designated code of conduct, operating practice, or product design.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Subtitle D—Studies and Reports

Study on impact of foreign sourcing of systems on long-term military readiness and related industrial infrastructure (sec. 831)

The House bill contained a provision (sec. 809) that would require the Secretary of Defense to study and provide a report to Congress on whether parts, components, and materials of certain systems are obtained through domestic sources or from foreign sources, and the impact on military readiness of purchasing such items from foreign sources.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify the scope and requirements of the study.

Study of policies and procedures for transfer of commercial activities (sec. 832)

The Senate amendment contained a provision (sec. 817) that would require the Comptroller General to convene a panel to study rules and procedures for public-private competitions for the performance of government commercial activities.

The House bill contained no similar provision.

The House recedes with an amendment that clarifies the scope and timing of the study.

Study and report on practice of contract bundling in military construction contracts (sec. 833)

The House bill contained a provision (sec. 811) that would would require the Comptroller General to study the use ''contract bundling'' in military construction contracts.

The Senate amendment contained no similar provision.

The Senate recedes.

Requirement to conduct study on contract bundling (sec. 834)

The House bill contained a provision (sec. 812) that would require the Secretary of Defense to conduct a comprehensive study of contract bundling by the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would strike the requirement for the establishment of a contracting data base and require that the study review the effect of contract bundling on historically underutilized business zones.

LEGISLATIVE PROVISIONS NOT ADOPTED

Management of acquisition of mission-essential software for major defense acquisition programs

The House bill contained a provision (sec. 803) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics to designate a Director of Mission-Essential Software Management.

Senate amendment contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense to report to Congress by March 1, 2001, on: (1) the roles of the Undersecretary of Defense for Acquisition and Technology and the Chief Information Officer of the Department of Defense (DOD) in developing, managing, and reviewing policies regarding the procurement of mission-essential software; and (2) the amount of funds for information technology and software used to support Department of Defense weapon systems.

Repeal of requirement for contractor assurances regarding the completeness, accuracy, and contractual sufficiency of technical data provided by contractor

The Senate amendment contained a provision (sec. 805) that would eliminate the requirement for contractors providing technical data to the government to furnish written assurances that the technical data is complete, accurate, and satisfies the requirements of the contract.

The House bill contained no similar provision.

The Senate recedes.

Revision of the organization and authority of the cost accounting standards board

The Senate amendment contained a provision (sec. 814) that would modify the composition of the cost accounting standards (CAS) board and provide CAS waiver authority for firm fixed price contracts for which the requirement to provide cost or pricing data was waived.

The House bill contained no similar provision.

The Senate recedes.

Technical data rights for items developed exclusively at private expense

The House bill contained a provision (sec. 802) that would amend section 2320 of title 10, United States Code, by modifying the circumstances under which a contractor would be considered responsive to a solicitation.

The Senate amendment contained no similar provision.

The House recedes.

The conferees note that section 2320 of title 10, United States Code, establishes the statutory basis for regulations governing rights in technical data under Department of Defense contracts. This provision establishes the basic rule that the government has unlimited rights to technical data developed exclusively with federal funds; the government does not generally have rights in technical data established exclusively at private expense; and rights to data developed in part with federal funds and in part at private expense are negotiable. When the government purchases an item developed exclusively at private expense, however, section 2320 reserves the government's limited right to technical data that " * * * is necessary for operation, maintenance, installation, or training (other than detailed manufacturing or process data)."

Department of Defense officials have noted that it is increasingly common that commercially-developed systems or components are either returned to the manufacturer for repair or discarded. In such cases, these officials state, the government does not need technical data, and the insistence that contractors provide such data could discourage commercial companies from doing business with the government.

The conferees believes that this concern is based upon a misreading of the statute. Section 2320 requires contractors to provide only technical data that "is necessary" for operation, maintenance, installation, or training. This requirement provides executive branch officials with the flexibility to determine what data, if any, is necessary for these limited purposes. If, in view of the manner in which the system or component will be used, no data is necessary for these purposes, the government should not require the seller to provide any such data. The conferees direct the Department to review the regulations implementing section 2320 and adopt any changes that may be necessary to clarify this point.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Duties and Functions of Department of Defense Officers

Overall supervision of Department of Defense activities for combating terrorism (sec. 901)

The Senate amendment contained a provision (sec. 902) that would designate the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD–SOLIC) as the principal civilian advisor to the Secretary of Defense on, and the principal official within the senior management of the Department of Defense (DOD) (after the Secretary and Deputy Secretary of Defense) responsible for, combating terrorism. The ASD–SOLIC would provide overall direction and supervision for policy, program planning and execution, and allocation and use of resources for the activities of the Department of Defense for combating terrorism, including antiterrorism activities, counterterrorism activities, terrorism consequence management activities, and terrorism-related intelligence support activities.

The House bill contained no similar provision.

The House recedes with an amendment that provides the Secretary with the discretion to designate any one of the assistant secretaries with the overall supervision of the Department's combating terrorism activities. The amendment specifies that should the Secretary designate an assistant secretary other than ASD–SOLIC, then the responsibilities of the ASD-SOLIC related to combating terrorism shall be exercised subject to this provision.

Change of title of certain positions in the Headquarters, Marine Corps (sec. 902)

The House bill contained a provision (sec. 901) that would abolish the positions of Chief of Staff and Deputy and Assistant Chiefs of Staff from Headquarters, Marine Corps, and would authorize five Deputy Commandant positions within Headquarters, Marine Corps.

The Senate amendment contained no similar provision.

The Senate recedes.

Clarification of scope of Inspector General authorities under military whistleblower law (sec. 903)

The House bill contained a provision (sec. 903) that would clarify the responsibilities of inspectors general under section 1034 of title 10, United States Code, and would also clarify that the provisions of this statute applied to any officer of the armed forces or civilian employee of the Department of Defense assigned or detailed to serve as an Inspector General at any level in the Department.

The Senate amendment contained a similar provision (sec. 905).

The Senate recedes.

Policy to ensure conduct of science and technology programs so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation (sec. 904)

The Senate amendment contained a provision (sec. 914) that would clarify the duties of the Chief of Naval Research to stress the responsibility for transition of science and technology to higher levels of research, development, test and evaluation (RDT&E).

The House bill contained no similar provision.

The House recedes with an amendment that would emphasize the role in fostering the transition of science and technology to higher levels for all of the officers currently assigned such duties: the Undersecretary of Defense for Acquisition, Technology and Logistics, the secretaries of the military departments, and directors of defense agencies with assigned research, development, test, and evaluation. The provision would also specifically address the role of the Chief of Naval Research relative to assigned duties relating to basic and applied research and advanced technology development as provided in section 5022 of Title 10, United States Code. By transition to higher levels of RDT&E, the conferees intend to include the following: transition of technology to higher budget categories of RDT&E; to useful application in industry to operational military techniques; to accessing, retaining, training and educating military and civilian members of the Department of Defense; to procurement and to other applications that improve the effectiveness or reduce the cost of equipment or operations within the Department.

The conferees are concerned that the percentage of technology initiatives incorporated into acquisition programs continues to be low. In some cases, this transition problem may be attributable to the rapid pace of technological developments and the comparatively slow pace of the acquisition system. However, there also appears to be a communication problem between the science and technology community and the acquisition community in all three services. The conferees believe that a strong commitment to technology transition is needed in both communities to ensure the successful incorporation of technology developments into weapon systems.

Additional components of Chairman of the Joint Chiefs of Staff annual report on combatant command requirements (sec. 905)

The Senate amendment contained a provision (sec. 1021) that would amend section 153 of title 10, United States Code, to require the Chairman of the Joint Chiefs to include within his report to Congress on the readiness requirements of the combatant commanders information on the extent to which those requirements are addressed in the Future Years Defense Program.

The House bill contained no similar provision.

The House recedes with an amendment that would amend the date of the report to February 1 of each year, and would require the identification of the extent to which the Future Years Defense Program includes funds to address the capability shortfalls identified during the Joint Readiness Review conducted during the first quarter of the fiscal year.

Subtitle B—Department of Defense Organization

Western Hemisphere Institute for Security Cooperation (sec. 911)

The House bill contained a provision (sec. 908) that would amend Chapter 108 of Title 10, United States Code, authorizing the Army to operate the U.S. Army School of the Americas and would authorize the Secretary of Defense to operate a Defense Institute for Hemispheric Security Cooperation. The institute would be operated for the purpose of providing professional education and training in defense and security matters to military, law enforcement and civilian personnel of nations of the Western Hemisphere. The curricula of the institute would include a minimum of eight hours of instruction per student in human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society. There would be a board of visitors to oversee the activities and curricula of the institute and the board would submit an annual report to the Secretary of Defense and, in turn, to Congress.

The Senate amendment contained a provision (sec. 1204) that would amend Chapter 108 of Title 10, United States Code, authorizing the Army to operate the U.S. Army School of the Americas and would authorize the Secretary of Defense to operate a Western Hemisphere Institute for Professional Education and Training. The institute would be operated for the purpose of providing professional education and training to military, law enforcement and civilian personnel of the Western Hemisphere in areas such as leadership development, counterdrug operations, peace support operations, and disaster relief. The curricula of the institution would include, at a minimum, eight hours of instruction relating to human rights, the rule of law, due process, civilian control of the military, and the role of the military in a democratic society. There would be a board

of visitors, including four members of Congress and six members from academia, the religious community, and the human rights community, to review the institute's curricula and instruction. The board would submit an annual report to the Secretary of Defense. The Secretary of Defense would submit an annual report, in coordination with the Secretary of State and the heads of other agencies, to Congress detailing the activities of the institute during the previous calendar year.

The House recedes with an amendment that would name the institute the Western Hemisphere Institute for Security Cooperation; modify the composition of the board of visitors to include the Chairman and Ranking Members of the Armed Services Committees of the Senate and the House of Representatives, or their designees; modify the role of the Secretary of State with regard to the selection of the institute's foreign students; and require the Secretary of Defense to consult only with the Secretary of State in the preparation of the annual report.

Department of Defense regional centers for security studies (sec. 912)

The House bill contained a provision (sec. 909) that would amend title 10, United States Code, to consolidate various authorities that currently exist regarding the operation of Department of Defense (DOD) regional centers for security studies. The provision would also require congressional notification of an intent to establish additional regional centers and an annual report to Congress by the Secretary of Defense on the status, objectives, and operations of the regional centers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the consolidation requirement and expand the annual report section by requiring that budgetary and international participation information be included in the report. The amendment would also require the first annual report to include any recommendation for legislation that the Secretary considers appropriate for the operation of DOD regional centers.

The conferees note their intent to address next year the full range of issues identified by the Department, taking into account the information contained in the report required by this section.

Change in name of Armed Forces Staff College to Joint Forces Staff College (sec. 913)

The House bill contained a provision (sec. 910) that would amend section 2165 of title 10, United States Code, to change the name of the Armed Forces Staff College to Joint Forces Staff College.

The Senate amendment contained no similar provision.

The Senate recedes.

Special authority for administration of Navy Fisher Houses (sec. 914)

The Senate amendment contained a provision (sec. 908) that would clarify the degree to which the Navy Fisher Houses may be provided common support equivalent to category B community support activities and would permit the current general schedule employees to continue to serve until they leave those positions.

The House bill contained no similar provision.

The House recedes.

Supervisory control of Armed Forces Retirement Home Board by Secretary of Defense (sec. 915)

The Senate amendment contained a provision (sec. 911) that would require the Armed Forces Retirement Home Board to be subject to the authority, direction, and control of the Secretary of Defense on the performance of its responsibilities, and would give the Secretary of Defense authority over appointment and terms of board members, and would make the Chairman of the Retirement Home Board responsible to the Secretary of Defense.

The House bill contained no similar provision.

The House recedes with an amendment that would establish the effective date for the provision as the date on which the Secretary of Defense increases the monthly contribution of enlisted and warrant officer personnel from $0.50 to $1.00 per month.

Semiannual report on the Joint Requirements Oversight Council reform initiative (sec. 916)

The Senate amendment contained a provision (sec. 1022) that would require the Chairman of the Joint Chiefs of Staff to submit a semiannual report to the congressional defense committees on specific activities of the Joint Requirements Oversight Council.

The House bill contained no similar provision.

The House recedes with an amendment that would terminate the requirement for this report upon submission of a fifth and final report no later than March 1, 2003. The amendment would establish reporting periods and specific dates for the submission of the required reports and clarifies specific reporting requirements.

Comptroller General review of operations of Defense Logistics Agency (sec. 917)

The Senate bill contained a provision (sec. 1025) that would require the Comptroller General to conduct a review of all the functions of the Defense Logistics Agency to assess their efficiency, their effectiveness in meeting customer needs, their ability to adopt best business practices, and to identify alternative approaches for improving the agency's operations.

The House amendment had no similar provision.

The House recedes.

Comptroller General review of operations of Defense Information Systems Agency (sec. 918)

The Senate amendment contained a provision (sec. 1026) that would require the Comptroller General to conduct a comprehensive review of the operations of the Defense Information Systems Agency and make such recommendations that the Comptroller General determines would improve the support that this agency provides to the military services.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle C—Information Security

Institute for Defense Computer Security and Information Protection (sec. 921)

The Senate amendment contained a provision (sec. 1041) that would require the Secretary of Defense to establish an Institute for Defense Computer Security and Information Protection to conduct research and technology development in the area of information assurance and to facilitate the exchange of information regarding cyberthreats, technology, tools, and other relevant issues. The provision would also authorize $10.0 million for the Institute.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize $5.0 million for the Institute.

Information security scholarship program (sec. 922)

The Senate amendment contained a provision (sec. 1042) that would amend Part III of subtitle A of title 10, United States Code, by establishing an Information Security Scholarship Program. The program would authorize the Secretary of Defense to award grants to institutions of higher education to establish or improve programs in information security and to provide financial assistance to persons pursuing a baccalaureate or advanced degree in information assurance. Grant recipients would incur a government service commitment commensurate with the educational benefit, as determined by the Secretary. The provision would also authorize $20.0 million to support the program.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to utilize the scholarship program to support associate degrees or certification programs in information security, in addition to baccalaureate or advanced degrees, and would authorize $15.0 million to support the program.

Subtitle D—Reports

Date of submittal of reports on shortfalls in equipment procurement and military construction for reserve components in future-years defense programs (sec. 931)

The Senate amendment contained a provision (sec. 1024) that would amend section 10543 of title 10, United States Code, to specify that the report required by the section be submitted not later than 15 days after the date on which the President submits to Congress the budget for a fiscal year.

The House bill contained no similar provision.

The House recedes.

Report on number of personnel assigned to legislative liaison functions (sec. 932)

The House bill contained a provision (sec. 904) that would require the Secretary of Defense to provide to the Committees on Armed Services of the Senate and the House of Representatives, not later than December 1, 2000, a report identifying all personnel assigned to legislative affairs and legislative liaison functions throughout the military departments and all defense agencies.

The Senate amendment contained no similar provision.

The Senate recedes.

Joint report on establishment of national collaborative information analysis capability (sec. 933)

The House bill contained a provision (sec. 905) that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; (2) require the Secretary of Defense to complete the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity; and (3) restrict funds to establish, support, or implement a data mining and analysis capability until such a capability is specifically authorized by law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; and (2) require the Secretary of Defense to complete the data mining, profiling,

and analysis capability of the Army's Land Information Warfare Activity. The amendment would not restrict funds, but would require the Secretary to make appropriate use of such capability to provide support to appropriate national defense components.

Network centric warfare (sec. 934)

The House bill contained a provision (sec. 907) that would require the Secretary of Defense to submit a report to the congressional defense committees outlining the efforts of the Department to define and integrate network centric warfare concepts into its vision for future military operations.

The Senate amendment contained a similar provision (sec. 906) that would require the Secretary of Defense to submit three reports: (1) a report on the implementation of network centric warfare principles; (2) a study on the use of joint experimentation for developing network centric warfare concepts; and (3) a report on science and technology programs to support network centric warfare concepts.

The House recedes with an amendment that would establish a requirement for the Secretary of Defense to submit two reports: (1) a report on implementation of network centric warfare principles; and (2) a study on the use of joint experimentation for developing network centric warfare concepts. The amendment would further clarify specific elements of the information to be included in the reports.

Report on Air Force Institute of Technology (sec. 935)

The Senate amendment contained a provision (sec. 915) that would amend Part III of subtitle D of title 10, United States Code, to codify the Air Force Institute of Technology and provide a sense of the Senate that the Air Force should review the organizational structure and operations of the institute.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of the Air Force to submit a report to the Committee on Armed Services of the Senate and the House of Representatives on the roles and missions, organizational structure, funding, and operations of the Air Force Institute of Technology as projected through 2010.

Subtitle E—Other Matters

Flexibility in implementation of limitation on major Department of Defense headquarters activities personnel (sec. 941)

The Senate amendment contained a provision (sec. 901) that would repeal the requirement to reduce the number of personnel assigned to major Department of Defense headquarters activities.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 130a of title 10, United States Code, to give the Secretary of Defense the discretion to reduce the required personnel reductions in major Department of Defense headquarters by a cumulative total of 7.5 percent following a certification to Congress that execution of the current 15 percent reductions would adversely impact National Security.

Consolidation of certain Navy gift funds (sec. 942)

The Senate amendment contained a provision (sec. 912) that would authorize the Secretary of the Navy to transfer all amounts in the Naval Historical Center Fund to the Department of the Navy General Gift Fund and to close the Naval Historical Fund. The provision would authorize the Secretary of the Navy to transfer all amounts in the United States Naval Academy Museum Fund to the gift fund maintained for the benefit and use of the United States Naval Academy and to close the United States Naval Academy Museum fund.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Temporary authority to dispose of a gift previously accepted for the Naval Academy (sec. 943)

The Senate amendment contained a provision (sec. 913) that would authorize the Naval Academy to, during fiscal year 2001 and at the request of the donor, transfer a gift previously given to the Naval Academy Gift Fund to another entity.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Defense acquisition workforce

The House bill contained a provision (sec. 902) that would require the Secretary of Defense to implement 13,000 reductions in the Department of Defense acquisition workforce in fiscal year 2001 and would direct the Secretary of Defense to provide a report containing an implementation plan for re-shaping, recruiting, and sustaining the Department's acquisition workforce and any changes in statutory authorities that the Secretary deems necessary.

The Senate amendment contained a provision (sec. 812) that would establish a moratorium on further cuts in the acquisition workforce for three years and require a report on the sufficiency of the acquisition and support workforce of the Department of Defense.

The conference agreement does not include this provision.

National Defense Panel 2001

The Senate amendment contained a provision (sec. 903) that would require the Secretary of Defense to establish a non-partisan, independent panel to be known as the National Defense Panel 2001, to accompany the Quadrennial Defense Review being conducted in 2001.

The House bill contained no similar provision.

The Senate recedes.

Quadrennial National Defense Panel

The Senate amendment contained a provision (sec. 904) that would amend title 10, United States Code, to require that the Secretary of Defense establish, on a recurring basis, every four years in the year preceding the inauguration of a President, a non-partisan, independent panel to be known as the National Defense Panel to complement the Quadrennial Defense Review.

The House bill contained no similar provision.

The Senate recedes.

TITLE X—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Financial Matters

Transfer authority (sec. 1001)

The House bill contained a provision (sec. 1001) that would provide the reprogramming authority for the transfer of authorized funds made available in Division A of this Act.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Incorporation of classified annex (sec. 1002)

The House bill contained a provision (sec. 1002) that would incorporate the classified annex prepared by the Committee on Armed Services into this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment that would provide that the classified annex prepared by the committee of conference be incorporated into this Act.

Authorization of emergency supplemental appropriations for fiscal year 2000 (sec. 1003)

The House bill contained a provision (sec. 1003) that would authorize the emergency supplemental appropriations enacted in the 2000 Supplemental Appropriations and Rescissions Act (Public Law 106–246) or in title IX of the Department of Defense Appropriations Act, 2001 (Public Law 106–259). The supplemental provided funding for fiscal year 2000 expenses related to military operations in Kosovo, drug interdiction and counter-drug activities, and natural disasters

The Senate amendment contained a similar provision.

The House recedes with a technical amendment.

United States contribution to NATO common-funded budgets in fiscal year 2001 (sec. 1004)

The Senate amendment contained a provision (sec. 1003) that would authorize the U.S. contribution to NATO common-funded budgets for fiscal year 2001, including the use of unexpended balances from prior years. The resolution of ratification for the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary and the Czech Republic contained a provision (section 3(2)(c)(ii)) requiring a specific authorization for U.S. payments to the common-funded budgets of NATO for each fiscal year, beginning in fiscal year 1999, that payments exceed the fiscal year 1998 total.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Limitation on funds for Bosnia and Kosovo peacekeeping operations for fiscal year 2001 (sec. 1005)

The House bill contained a provision (sec. 1005) that would limit the amount of funds authorized to be appropriated for incremental costs of the armed forces for peacekeeping operations in Bosnia and Kosovo in fiscal year 2001 to the amounts contained in the budget request: $1,387.8 million for Bosnia and $1,650.4 million for Kosovo. The provision would authorize the President to waive the limitation after submitting to Congress: (1) a written certification that the waiver is necessary in the national security interests of the United States and that the exercise of the waiver will not adversely affect the readiness of U.S. military forces; (2) a report setting forth the reasons for the waiver, to include a discussion of the impact of U.S. military involvement in Balkan peacekeeping operations on U.S. military readiness; and (3) a supplemental appropriations request for the Department of Defense for the additional fiscal year 2001 costs associated with U.S. military participation in or support for peacekeeping operations in Bosnia and Kosovo.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Requirement for prompt payment of contract vouchers (sec. 1006)

The Senate amendment contained a provision (sec. 1005) that would require the Secretary of Defense to reduce the backlog of vouchers to be paid by the Defense Finance and Accounting Service to five percent or less of the total Mechanization of Contract Administration Service vouchers received. The provision would further require the Secretary of Defense to submit a report to Congress for any month in which the five percent goal is not met. The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to continue to report to Congress for the next four years.

Plan for the prompt recording of obligations of funds for contractual transactions (sec. 1007)

The Senate amendment contained a provision (sec. 1007) that would require the Secretary of Defense to submit a plan concerning the timely posting of obligations uniformly throughout the Department of Defense.

The House bill contained no similar provisions.

The House recedes with a technical and clarifying amendment.

Electronic submission and processing of claims for contract payments (sec. 1008)

The Senate amendment contained a provision (sec. 1008) that would require the Secretary of Defense to submit a plan to the congressional defense committees by March 31, 2001, for the electronic submission of contract supporting transactions, such as invoices, receiving reports, and certifications. The provision would also require the Secretary to carry out this plan without establishing a specific deadline.

The House bill contained no similar provision.

The House recedes with an amendment that would provide for a waiver in cases where the Secretary determines that the requirement for using electronic means for submitting claims for a particular type of contracts is unduly burdensome and establishes an implementation date of June 30, 2001, that may be waived until October 1, 2002.

Administrative offsets for overpayment of transportation costs (sec. 1009)

The Senate amendment contained a provision (sec. 1009) that would provide a streamlined offset procedure for amounts overpaid for transportation services that are below the simplified acquisition threshold of $100,000. The amounts offset would be credited to the appropriation or accounts that funded the transportation service.

The House bill contained no similar provision.

The House recedes with an amendment that would ensure an appeals process in cases where the vendor challenges the amount of the administrative offset.

Interest penalties for late payments of interim payments due under Government service contracts (sec. 1010)

The Senate amendment contained a provision (sec. 1010A) that would require the payment of interest on vouchers for service received and not paid for more than 30 days.

The House bill contained no similar provision.

The House recedes with a technical and clarifying amendment.

Subtitle B—Naval Vessels and Shipyards

Revisions to national defense features program (sec. 1011)

The House bill contained a provision (sec. 1011) that would amend section 2218 of title 10, United States Code, to permit the payment to a vessel operator, as consideration for making a vessel available to the government, on such terms as the Secretary of Defense or the secretary of a military department and the operator agree, in an amount equal to the cost of maintaining the vessel in a four day reduced operating status (ROS–4) condition in the ready reserve fleet for a period of 25 years.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require a notification to Congress 90 days prior to entering into a contract for national defense features authorized by this provision.

Sense of Congress on the naming of the CVN–77 aircraft carrier (sec. 1012)

The Senate amendment contained a provision (sec. 1058) that would express a sense of Congress that the President designate the final Nimitz-class aircraft carrier, CVN–77, as the U.S.S. Lexington.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Authority to transfer naval vessels to certain foreign countries (sec. 1013)

The Senate amendment contained a provision (sec. 1201) that would authorize the Secretary of the Navy to transfer to various countries on a combined lease-sale basis the following: four Kidd-class destroyers and four Oliver Hazard Perry-class frigates; and, on a grant basis, two Thomaston-class dock landing ships, four Garcia-class frigates, one Dixie-class destroyer tender, and two Knox-class frigates. Any expense incurred by the United States in connection with these transfers would be charged to the recipient. The provision would also: (1) direct that, to the maximum extent possible, the Secretary of the Navy shall require, as a condition of transfer, that repair and refurbishment associated with the transfer be accomplished in a shipyard located in the United States; and (2) stipulate that the authority to transfer these vessels will expire at the end of a two-year period that begins on the date of enactment of the National Defense Authorization Act for Fiscal Year 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the President to transfer to various countries the following: four Oliver Hazard Perry-class frigates on a combined lease-sale basis; and, on a grant basis, two Thomaston-class dock landing ships, four Garcia-class frigates, and two Knox-class frigates.

Authority to consent to retransfer of alternative former naval vessel by Government of Greece (sec. 1014)

The Senate amendment contained a provision (sec. 1212) that would provide authority for the retransfer of ex-LST 325 or any other former U.S. LST that is excess to the needs of the government of Greece.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Subtitle C—Counter-Drug Activities

The budget request for drug interdiction and other counter-drug activities of the Department of Defense (DOD) included approximately $1,070.1 million for fiscal year 2001: $836.3 million for the central transfer account, $155.9 million within the operating budgets of the military services for authorized counter-drug operations, and $76.8 million in the military construction account (division B of this Act) for infrastructure improvements at the forward operating locations.

The conferees recommend the following fiscal year 2001 budget for the Department's counter-drug activities.

Drug interdiction & counter-drug activities, operations and maintenance & military construction

[In millions of dollars; may not add due to rounding]

Fiscal Year 2001 Counter-drug Request	$1,070.1
Goal 1 (Dependent Demand Reduction)	22.7
Goal 2 (Support to DLEAs)	89.9
Goal 3 (DOD Personnel Demand Reduction)	74.0
Goal 4 (Drug Interdiction—TZ/SWB)	447.4
Goal 5 (Supply Reduction)	435.9
Increases:	
Caper Focus	6.0
Puerto Rico ROTHR Security	1.0
Southwest Border Fence	5.0
Tethered Aerostat	10.0
National Guard Counter-drug Activities	25.0
Global Hawk	18.0
Other counter-narcotics activities	23.1
Decreases:	
Air National Guard Fighter Counter-Drug Operations	5.0
Carribean Law Enforcement Support	3.0
Patrol Coastal Upgrades	3.0
Mexico Counter-Drug Support	3.0
Plan Colombia	41.4
Forward Operating Locations(division B)	76.8
Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246	270.6
Forward Operating Locations	116.5
Plan Colombia	154.1
Fiscal Year 2001 Counter-drug Funding	1,026.0

National Guard counter-drug activities

The conferees agree to authorize an increase of $25.0 million for the counter-drug activities of the National Guard including regional counter-drug training operations such as the Regional Counter-Drug Training Academy, and the Northeast Counter-Drug Training Center.

Global Hawk

The conferees agree to authorize $18.0 million for the concept demonstration of the Global Hawk unmanned aerial vehicle in a counter-drug role as required in title II this bill.

Other

The conferees agree to authorize $23.1 million for additional high-value counter-narcotics activities of the Department of Defense.

Caribbean law enforcement support

The budget request included $6.7 million for assistance to law enforcement agencies of

Carribean nations. The conferees agree to authorize a decrease of $3.0 million for this activity. The conferees expect the Department of State to provide support for this activity in the future.

Plan Colombia

The conferees agree to authorize a decrease of $41.4 million for Plan Colombia to reflect the fact that these funds were provided through the Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246).

Forward operating locations

The conferees agree to authorize a decrease of $76.8 million, as indicated in division B of this Act, for forward operating locations to reflect the fact that these funds were provided through the Emergency Supplemental Appropriations Act, 2000 (division B of Public Law 106–246).

Extension of authority to provide additional support for counter-drug activities of Colombia (sec. 1021)

The Senate amendment contained a provision (sec. 1011) that would extend through fiscal year 2006 the authority for the Department of Defense to provide counter-drug assistance to the Government of Colombia. The provision would also increase the level of resources authorized to be expended through this authority to $40.0 million each fiscal year.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the extension of the current program for Colombia through fiscal year 2006.

Report on Department of Defense expenditures to support foreign counter-drug activities (sec. 1022)

The House bill contained a provision (sec. 1021) that would require the Secretary of Defense to provide the congressional defense committees with a report that details the expenditure of funds by the Secretary during fiscal year 2000 in direct or indirect support of the counter-drug activities of foreign governments.

The Senate amendment contained no similar provision.

The Senate recedes.

Recommendations on expansion of support for counter-drug activities (sec. 1023)

The Senate amendment contained a provision (sec. 1012) that would require the Secretary of Defense to provide a report to the Committees on Armed Services of the Senate and House of Representatives that would outline the Secretary's recommendations on expanding the Department of Defense counter-drug authorities under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85).

The House bill contained no similar provision.

The House recedes.

Review of riverine counter-drug program (sec. 1024)

The Senate amendment contained a provision (sec. 1013) that would require the Secretary of Defense, acting through the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, to review the riverine counter-drug program and provide a report to Congress on the results of that review. The report should include an assessment of the effectiveness of the program for each country receiving support and a recommendation regarding which of the armed forces, units of the armed forces, or other organizations within the Department of Defense should be responsible for managing the program.

The House bill contained no similar provision.

The House recedes.

Report on tethered aerostat radar system (sec. 1025)

The House bill contained a provision (sec. 1022) that would require the Secretary of Defense, in consultation with the Commissioner of Customs, to provide Congress with a report on the status of the tethered aerostat radar system used to conduct counter-drug detection and monitoring, and border security and air sovereignty operations.

The Senate amendment contained a provision (sec. 315) that would authorize $33.0 million for continued operation and standardization of the tethered aerostat radar system.

The Senate recedes with an amendment that would require the Secretary of Defense to consult with the Secretary of the Treasury in the preparation of the report.

The conferees also agree to authorize an increase of $10.0 million for this program in the central transfer account, and an increase of $8.5 million for this program in title III of this Act.

Sense of Congress regarding use of the armed forces for counter-drug and counter-terrorism activities (sec. 1026)

The House bill contained a provision (sec. 1041) that would authorize the use of military personnel to assist the Immigration and Naturalization Service and the Customs Service in preventing the entry of terrorists, drug traffickers, weapons of mass destruction, illegal narcotics and related items into the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the President, as provided for under current law, should be able to use military personnel to assist law enforcement agencies in preventing the entry of terrorists, drug traffickers, weapons of mass destruction, illegal narcotics and related items into the United States. This provision would not supercede section 375 of title 10, United States Code, which specifically prohibits ''direct participation by a member of the Army, Navy, Air Force, or Marine Corps in a search, seizure, arrest, or other similar activity,'' or section 1385 of title 18, United States Code, which specifically prohibits the use of the military to execute the laws.

The conferees note that sections 373 and 374 of title 10, United States Code, allow the Secretary of Defense to make military personnel available to train, advise, and assist federal, state, and local civilian law enforcement agencies through the operation of equipment in support of enforcement activities, including counter-terrorism and counter-narcotics.

Subtitle D—Counterterrorism and Domestic Preparedness

Preparedness of military installation first responders for incidents involving weapons of mass destruction (sec. 1031)

The Senate amendment contained a provision (sec. 1023) that would direct, not later than 90 days after the date of enactment of this act, the Secretary of Defense to submit to Congress a report on the program of the Department of Defense (DOD) to ensure the preparedness of DOD first responders for incidents involving weapons of mass destruction on military installations. The provision would direct the Secretary to include within the report the following: (1) a detailed description of the program; (2) the schedule and costs associated with the implementation of the program; (3) how the program is being coordinated with first responders in the communities in the localities of the installations; (4) and the plan for promoting the interoperability of the equipment used by first responders on DOD installations with the equipment used by the first responders in the local communities.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report to include a description of deficiencies in the preparedness of DOD installations to respond to a weapon of mass destruction incident and the plans of the Department to correct those deficiencies.

Additional weapons of mass destruction civil support teams (sec. 1032)

The House bill contained a provision (sec. 1038) that would authorize the Secretary of Defense to establish up to five additional Weapons of Mass Destruction Civil Support Teams (WMD–CSTs) (for a total of 32), to the extent that sources of funding for such additional teams are identified.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment specifying that the Secretary shall establish five additional WMD–CSTs (for a total of 32). The amendment also would remove language stating that the Secretary shall establish the teams only to the extent that sources of funding are identified. The conferees note that $15.7 million is authorized, as noted elsewhere in this report, to fund the five additional WMD–CSTs.

Authority to provide loan guarantees to improve domestic preparedness to combat cyberterrorism (sec. 1033)

The House bill contained a provision (sec. 1036) that would authorize the Secretary of Defense, subject to appropriations, to guarantee the repayment of loans, up to $10.0 million with respect to all borrowers, for qualified commercial firms to improve their information security in ways that improve the information assurance of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would clarify that the Secretary of Defense can contract out to a private entity for administration of the loan guarantee program, but not for the guarantees themselves.

Report on the status of domestic preparedness against the threat of biological terrorism (sec. 1034)

The Senate amendment contained a provision (sec. 1028) that would require the President to prepare a report on the status of domestic preparedness against the threat of biological terrorism. The report shall be delivered to the Congress not later than March 31, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to prepare, in consultation with the Director of Central Intelligence, an intelligence estimate assessing the threat to the United States posed by a terrorist using a biological weapon. The intelligence estimate will also include an assessment of the relative consequences of a biological terrorist attack compared to attacks using other types of weapons. The Secretary shall submit the intelligence estimate to Congress not later than March 1, 2001.

Report on strategy, policies, and programs to combat domestic terrorism (sec. 1035)

The conferees continue to be concerned about the threat of domestic terrorism, particularly involving the use of weapons of mass destruction (WMD), and the ability of the Federal Government to counter this threat. The conferees note that the Comptroller General has published a series of reports on federal programs to combat domestic terrorism, documenting the progress and problems in organizing and preparing to respond to a domestic terrorist incident.

The conferees agree to a provision that would require the Comptroller General to provide an updated report to Congress, not later than 180 days after enactment of this Act, on federal strategy, policy and programs to combat domestic terrorism. The conferees direct the Comptroller General to include in the report on combating domestic terrorism a discussion of the following issues: lead agency responsibility for crisis and consequence management; adequacy of existing plans formulated by the various federal agencies; threat and risk assessments; command and control structures; exercises, including a thorough assessment of the recent Top Official Exercise 2000; cyberterrorism; and research and development efforts of new technologies.

Subtitle E—Strategic Forces

Revised nuclear posture review (sec. 1041)

The Senate amendment contained a provision (sec. 1015) that would require the Secretary of Defense, in consultation with the Secretary of Energy, to conduct a comprehensive review of the nuclear posture of the United States for the next 5 to 10 years.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees direct the Secretary of Defense, in conducting the revised nuclear posture review, to consult with the Secretary of Energy only on those matters that relate to the nuclear weapons stockpile. The conferees urge the Secretary of Defense to consider, in conducting the revised nuclear posture review, the results of the report on strategic stability under START III, as required by section 1503 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

Plan for the long-term sustainment and modernization of United States strategic nuclear forces (sec. 1042)

The Senate amendment contained a provision (sec. 1016) that would require the Secretary of Defense, in consultation with the Secretary of Energy, to develop a long-range plan for the sustainment and modernization of United States strategic nuclear forces to counter emerging threats and to satisfy the evolving requirements of deterrence.

The House bill contained no similar provision.

The House recedes.

The conferees direct the Secretary of Defense, in preparing the plan, to consult with the Secretary of Energy only on those matters that relate to the nuclear weapons stockpile.

Modification of scope of waiver authority for limitation on retirement or dismantlement of strategic nuclear delivery systems (sec. 1043)

The Senate amendment contained a provision (sec. 1017) that would: (1) amend section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to clarify that the waiver contained in that section applies to all of the strategic nuclear delivery systems specified in section 1302(a); and (2) following completion of a new nuclear posture review, allow the President to waive the limitation on retirement or dismantlement of strategic nuclear delivery systems if the President determines that it is in the national security interests of the United States to do so.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 1302(b) of the National Defense Authorization Act for Fiscal Year 1998 to modify the waiver contained in that section to apply to all of the strategic nuclear delivery systems specified in section 1302(a).

Report on the defeat of hardened and deeply buried targets (sec. 1044)

The Senate amendment contained a provision (sec. 1018) that would require the Secretaries of Defense and Energy to assess requirements and options for defeating hardened and deeply buried targets. The provision would expressly authorize the Department of Energy (DOE) to conduct any limited research and development that may be necessary to complete such assessments.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that a recent legal interpretation of existing law raised questions regarding whether DOE could participate in or otherwise support certain Department of Defense (DOD) studies and options assessments for defeating hardened and deeply buried targets. This expressly allows DOE to assist DOD with a review of these targets and the options for defeating such targets. The conferees believe that DOE should provide information and other assistance required to help DOD make informed decisions on whether: (1) to proceed with a new method of defeating hardened and deeply buried targets; and (2) to seek any necessary modifications to existing law.

The conferees are concerned that the ability to defeat hardened and deeply buried targets will continue to be a significant challenge for the foreseeable future.

Sense of Congress on the maintenance of the Strategic Nuclear Triad (sec. 1045)

The Senate amendment contained a provision (sec. 1019) that would express a sense of the Senate that, in light of the potential for further arms control agreements with the Russian Federation limiting strategic forces: (1) it is in the national interest of the United States to maintain a robust and balanced triad of strategic nuclear delivery systems; and (2) reductions to U.S. conventional bomber capability are not in the national interest of the United States.

The House bill contained no similar provision.

The House recedes with an amendment that would express a sense of Congress on this matter.

Subtitle F—Miscellaneous Reporting Requirements

Management review of working-capital fund activities (sec. 1051)

The Senate amendment contained a provision (sec. 1030) that would require the Comptroller General to review working-capital fund activities and identify potential process or policies that would result in more efficient and economical operations of those activities.

The House bill amendment contained no similar provision.

The House recedes.

Report on submarine rescue support vessels (sec. 1052)

The Senate amendment contained a provision (sec. 1031) that would require the Secretary of the Navy to report on the plan for providing submarine rescue support vessels through fiscal year 2007.

The House bill contained no similar provision.

The House recedes.

Report on Federal Government progress in developing information assurance strategies (sec. 1053)

The Senate amendment contained a provision (sec. 1032) that would require the Federal Government to report on the status of implementation of information assurance strategies outlined in Presidential Decision Directive Number 63 and the roles and responsibilities of the Department of Defense in defending against attacks on the critical infrastructure of the United States.

The House bill contained no similar provision.

The House recedes with a clarifying amendment on the scope, timing, and requirements of the information reported to Congress.

Department of Defense process for decision-making in cases of false claims (sec. 1054)

The Senate amendment contained a provision (sec. 1065) that would require the Secretary of Defense to submit to Congress a report describing the policies and procedures for Department of Defense decisionmaking under the Civil False Claims Act (31 U.S.C. 3729 et seq.) and any changes made in the policies and procedures since January 1, 2000.

The House bill contained no similar provision.

The House recedes with an amendment requiring that the report also address the manner in which the policies and procedures have been implemented.

Subtitle G—Government Information Security Reform

Government information security reform (secs. 1061–1065)

The Senate amendment contained a series of provisions (secs. 1401–1405) that would provide for reform of federal information security practices.

The House bill contained no similar provision.

The House recedes with an amendment that would simplify audit and evaluation requirements and would clarify the roles and responsibilities of the Department of Defense (DOD).

The amendment would establish a new subchapter of title 44, United States Code, addressing the responsibilities of the Office of Management and Budget (OMB) and federal agencies in the area of information security. This new subchapter would remain in effect for two years after the effective date of the provision. The amendment would provide specific guidance on the responsibilities of certain agencies including the DOD. The amendment would also address the relationship between the defense information assurance program established under section 2224, title 10, United States Code, and the government-wide information security program.

The conferees note that the conference agreement would provide the DOD authority to implement its own information assurance policy in accordance with the requirements of section 2224, title 10, United States Code. The amendment would require the Director of OMB to delegate policy and oversight authority with regard to national security systems, classified systems, and other critical

information systems of the Department of Defense and Intelligence Community to the Secretary of Defense, the Director of Central Intelligence, and, if designated by the President, an additional agency head. These agencies would be directed to develop their own information security policies, principles, standards, and guidelines. For the DOD, these policies, principles, standards and guidelines would be required to cover the full range of information assurance issues addressed in section 2224 of title 10, United States Code.

Subtitle H—Security Matters

Limitation on granting of security clearances (sec. 1071)

The Senate amendment contained a provision (sec. 1074) that would prohibit any officer, employee, or contractor of the Department of Defense, or any member of the armed forces, from receiving a security clearance if that person: (1) has been convicted in any court within the United States and sentenced to imprisonment for a term exceeding 1 year; (2) is an unlawful user of, or addicted to any controlled substance; (3) is currently mentally incompetent; or (4) has been discharged from the armed forces under dishonorable conditions.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense or the secretaries of the military departments to waive this provision in meritorious cases for persons who would otherwise be prohibited from receiving a security clearance.

Process for prioritizing background investigations for security clearances for Department of Defense personnel and defense contractor personnel (sec. 1072)

The Senate amendment contained a provision (sec. 1043) that would require the Secretary of Defense to establish a process for prioritizing background investigations for security clearances for Department of Defense personnel.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to establish a process for prioritizing background investigations for security clearances for Department of Defense personnel and contractors of the Department of Defense.

Authority to withhold certain sensitive information from public disclosure (sec. 1073)

The Senate amendment contained a provision (sec. 1044) that would authorize the Secretary of Defense, the Secretary of Transportation, and the Secretary of Energy to withhold from public disclosure otherwise authorized by law sensitive information provided by a foreign government or an international organization which is itself protecting the information from disclosure. The provision would not authorize the withholding of information from Congress or, except in the case of foreign intelligence or counterintelligence activities, the Comptroller General.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Expansion of authority to exempt geodetic products of the Department of Defense from public disclosure (sec. 1074)

The Senate amendment contained a provision (sec. 916) that would expand the authority of the Secretary of Defense to exempt geodetic products from public disclosure.

The House bill contained no similar provision.

The House recedes.

Expenditures for declassification activities (sec. 1075)

The House bill contained a provision (sec. 1035) that would: (1) Clarify section 230 of Title 10, United States Code; (2) limit the amount of funds expended during fiscal year 2001 by the Department of Defense to carry out declassification activities; and (3) prohibit the Department of Defense, as part of a special search, from being required to compile records that have already been declassified.

The Senate amendment contained no similar provision.

The Senate recedes.

Enhanced access to criminal history record information for national security and other purposes (sec. 1076)

The Senate amendment contained a provision (sec. 1057) that would amend section 9101 of title 5, United States Code, to provide expanded access to criminal history information by the Department of Defense and certain other executive departments and agencies. The provision would expand the authority to cover acceptance or retention in the armed forces, and appointment, retention, or assignment to a position of public trust or a critical employee. It would also authorize the Federal Government to obtain the information through the use of common identifiers, such as names, and would prohibit states and localities from conditioning the provision of such information on indemnification agreements.

The House bill contained no similar provision.

The House recedes with an amendment that would strike the authorization of the use of common identifiers and the prohibition on the requirement of indemnification agreements, and would repeal a superseded provision of law.

Two-year extension of authority to engage in commercial activities as security for intelligence collection activities (sec. 1077)

The Senate amendment contained a provision (sec. 1071) that would extend the authority provided by section 431(a) of Title 10, United States Code, by two years.

The House bill contained no similar provision.

The House recedes.

Coordination of nuclear weapons secrecy policies and consideration of health of workers at former Department of Defense nuclear facilities (sec. 1078)

The Senate amendment contained a provision (sec. 1077) that would: (1) Require the Secretary of Defense, in consultation with the Secretary of Energy, to ensure that secrecy policies do not prevent or discourage employees at former nuclear weapons facilities who may have been exposed to radioactive or other hazardous substances from discussing such exposures with appropriate health care providers; and (2) seek to identify individuals who are or were employed at sites that no longer store, assemble, disassemble, or maintain nuclear weapons, and, upon determination that such individuals may have been exposed to radioactive or hazardous substances, notify such individuals about any such exposure, including an explanation of how employees can discuss exposures with health care providers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that the Department of Defense operates a number of sites not engaged in the manufacture or storage of nuclear weapons that may nonetheless have exposed workers to hazardous substances. The conferees agree that the Secretary of Defense shall address in the review and notifications described in this provision workers exposed to radioactive or other hazardous materials at all such facilities where secrecy policies may otherwise pose an obstacle to seeking medical advice and treatment.

Subtitle I—Other Matters

Funds for administrative expenses under Defense Export Loan Guarantee program (sec. 1081)

The House bill contained a provision (sec. 1031) that would amend section 2540c of title 10, United States Code, to provide authority to the Secretary of Defense to fund administrative expenses under the Defense Export Loan Guarantee (DELG) Program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit to the Congress a report on the operation of the DELG Program and a determination as to which Defense Department agency, office, or other activity should administer, manage, and oversee the loan guarantee program. The conferees direct the Secretary to submit the report and determination to Congress prior to providing funds for DELG Program administrative expenses.

The conferees note that during four years of loan program operations, the Secretary has provided limited, ad hoc resources to implement the program. The conferees urge the Secretary to take such actions as directed so as to utilize expeditiously the authority to fund administrative expenses for the DELG Program.

Transit pass program Department of Defense personnel in poor air quality areas (sec. 1082)

The Senate amendment contained a provision (sec. 1055) that would direct the Secretary of Defense to, within 180 days of enactment of this Act, implement the transit pass program authorized in section 7905 of title 5, United States Code, in any area in the United States that does not meet the revised national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409).

The House bill contained no similar provision.

The House recedes.

Transfer of Vietnam-era TA–4 aircraft to a non-profit foundation (sec. 1083)

The House bill contained a provision (sec. 1033) that would authorize the transfer of an excess TA–4 aircraft to the non-profit Collings Foundation at no cost to the government.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require that the Collings Foundation demilitarize the aircraft within one year.

Transfer of 19th century cannon to museum (sec. 1084)

The House bill contained a provision (sec. 1034) that would authorize the Secretary of the Army to convey to the Cannonball House Museum in Macon, Georgia, a 12–pound Napoleon cannon with historical ties to the City of Macon.

The Senate amendment contained a similar provision (sec. 1059).

The Senate recedes with a clarifying amendment.

Fees for providing historical information to the public (sec. 1085)

The Senate amendment contained a provision (sec. 1056) that would authorize the secretaries of the military departments to charge the public fees for providing historical information from the services historical centers or agencies. These fees could be retained by the military departments to defray the costs of responding to requests for such information. The fees charged pursuant to this section could not exceed the costs of providing the information, and would not apply to requests from members of the armed forces or federal employees made in the course of their duties, or to requests under the Freedom of Information Act (5 U.S.C. 552).

The House bill contained no similar provision.

The House recedes.

The conferees direct the Comptroller General to provide a report to the Committees on Armed Services of the Senate and House of Representatives one year after the implementation of this provision by the military departments. The report should provide data on the fees collected for such information, and compare those sums with the actual costs to each military department of responding to such requests.

Grants to American Red Cross for Armed Forces emergency services (sec. 1086)

The Senate amendment contained a provision (sec. 1054) that would authorize the Secretary of Defense to make a grant to the American Red Cross up to $9.4 million in each of fiscal years 2001, 2002, and 2003. Such a grant could not be made until the American Red Cross certifies that it will expend, for the Armed Forces Emergency Services, an amount from non-federal sources that equals or exceeds the amount of the grant.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Technical and clerical amendments (sec. 1087)

The House bill contained a provision (sec. 1032) that would make various technical and clerical amendments to existing law.

The Senate amendment contained similar provisions (secs. 602 and 1052).

The Senate recedes with an amendment that would combine the provisions.

Maximum size of parcel post packages transported overseas for Armed Forces post offices (sec. 1088)

The Senate amendment contained a provision (sec. 1060) that would increase the authorized size of packages permitted to be mailed to eligible patrons of military post offices overseas to conform with those of the United States Postal Service.

The House bill contained no similar provision.

The House recedes.

Sense of Congress regarding tax treatment of members receiving special pay for duty subject to hostile fire or imminent danger (sec. 1089)

The Senate amendment contained a provision (sec. 1064) that would express a sense of the Senate that members of the armed forces who receive special pay for duty subject to hostile fire or imminent danger should receive the same tax treatment as members serving in combat zones.

The House bill contained no similar provision.

The House recedes with an amendment that would express the sense of Congress that tax treatment should be the same for special pay for duty subject to hostile for imminent danger and combat zone pay.

Organization and management of the civil air patrol (sec. 1090)

The House bill contained a provision (sec. 906) that would codify the agreement recently reached between the Secretary of the Air Force and the leadership of the Civil Air Patrol regarding the Civil Air Patrol's status as a volunteer civilian auxiliary of the Air Force.

The Senate amendment contained a similar provision.

The Senate recedes with an amendment that would not allow contract employees of the Air Force to commit federal resources in support of the Civil Air Patrol.

The amendment would also not require a minimum salary for these contract employees.

Additional duties for the Commission to Assess United States National Security Space Management and Organization (sec. 1091)

The Senate amendment contained a provision (sec. 907) that would amend section 1622 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to specify additional duties for the Commission to Assess United States National Security Space Management and Organization.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Commission on the future of the United States aerospace industry (sec. 1092)

The House bill contained a provision (sec. 1039) that would require the President to establish a commission to assess the future of the U.S. aerospace industry and to recommend actions to be taken by the Federal Government to support the ability of the U.S. aerospace industry to remain robust in the future.

The Senate amendment contained a similar provision (sec. 1061).

The House recedes with an amendment that would clarify the scope and requirements of the study. The conferees intend for the commission to provide guidance and insight to the next Administration as early as possible. Accordingly, the commission should plan to submit an interim report to the administration and the Congress outlining the areas the commission proposes to review and any preliminary findings.

Drug addiction treatment (sec. 1093)

The conference agreement includes a provision that would permit certain physicians to prescribe certain narcotic drugs to assist in combating heroin addiction.

LEGISLATIVE PROVISIONS NOT ADOPTED

Annual OMB/CBO joint report on scoring budget outlays

The Senate amendment contained a provision (sec. 1004) that would make minor administrative changes to the joint annual Office of Management and Budget/Congressional Budget Office (OMB/CBO) report on the scoring of budget outlays.

The House bill amendment contained no similar provision.

The Senate recedes.

Authority to provide headstones or markers for marked graves or otherwise commemorate certain individuals

The Senate amendment contained a provision (sec. 1067) that would require the Secretary of Veterans Affairs to, upon request, provide a headstone or marker for the marked or unmarked grave of the individual or at some other area appropriate for the purpose of commemorating the individual.

The House bill contained no similar provision.

The Senate recedes.

Breast cancer stamp extension

The Senate amendment contained a provision (sec. 1073) that would extend by two years the authorization for the breast cancer semipostal stamp.

The House bill contained no similar provision.

The Senate recedes.

Comprehensive study and support for criminal investigations and prosecutions by state and local law enforcement officials

The Senate amendment contained a provision (sec. 1068) that would require the Comptroller General to collect data and conduct a study of comparative treatment of hate crimes in jurisdictions having laws dealing specifically with such crimes and those having no such laws, and to submit a report to Congress. The provision would further authorize the Attorney General, upon request and where special circumstances existed, to provide assistance in the criminal investigation or prosecution of any hate crime. The Attorney General would be further authorized to make grants to states and localities to assist them in the investigation and prosecution of hate crimes.

The House bill contained no similar provision.

The Senate recedes.

Local Law Enforcement Enhancement Act of 2000

The Senate amendment contained several provisions (sec. 1501–1510) that would constitute the ''Local Law Enforcement Act of 2000.'' The Attorney General, at the request of a state or Indian tribe law enforcement official, could provide assistance in the investigation or prosecution of certain hate crimes. The Attorney General could also award grants to state, local, and Indian tribe law enforcement officials to assist with the investigation and prosecution of such crimes. Chapter 13 of title 18, United States Code, would be amended to establish a substantive federal prohibition of certain specific hate crime acts. No prosecution could be undertaken under this provision without certification from the Attorney General or certain other officials of the Department of Justice.

The House bill contained no similar provision.

The Senate recedes.

Plan to ensure compliance with financial management requirements

The House bill contained a provision (sec. 1006) that would require the Secretary of Defense to submit to the Congress a plan to ensure compliance by the Department of Defense, not later than October 1, 2001, with all statutory and regulatory financial management requirements.

The Senate amendment contained no similar provision.

The House recedes.

Protection of operational files of the Defense Intelligence Agency

The Senate amendment contained a provision (sec. 1045) that would authorize the Secretary of Defense to withhold from public disclosure the operational files of the Defense Intelligence Agency (DIA). These files would be protected from disclosure to the

same extent as provided for under section 701 of the National Security Act of 1947 (50 U.S.C. 431). The provision would also make applicable to these files the decennial review of provisions of section 702 of that Act (50 U.S.C. 432), with the Secretary exercising the authority granted to the Director of Central Intelligence under that section.

The House bill contained no similar provision.

The Senate recedes.

Repeal of certain provisions shifting outlays from one fiscal year to another

The House bill contained a provision (sec. 1004), that would repeal two provisions of the Department of Defense Appropriations Act for Fiscal Year 2000 (Public Law 106–79) concerning the Prompt Payment Act and the shifting of pay days for federal employees. The conferees note that similar provisions were enacted into law in the Emergency Supplemental Appropriations Act, 2000 (Public Law 106–246).

The Senate amendment contained similar provisions (secs. 1006 and 1010).

The House and Senate recede.

Report to the Congress regarding extent and severity of child poverty

The Senate amendment contained a provision (sec. 1062) that would require the Secretary of Health and Human Services to, not later than June 1, 2001, report to the Congress on the extent and severity of child poverty in the United States.

The House bill contained no similar provision.

The Senate recedes.

Sense of the Senate concerning long-term economic development aid for communities rebuilding from hurricane Floyd

The Senate amendment contained a provision (sec. 1066) that would express the sense of the Senate that additional community and regional development funding should be appropriated to assist communities in need of long-term economic development aid as a result of damage suffered by Hurricane Floyd.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that additional economic assistance for the victims of natural disasters was provided in the Emergency Supplemental Act, 2000 (Public Law 106–246).

TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—Civilian Personnel Management Generally

Employment and compensation of employees for temporary organizations established by law or executive order (sec. 1101)

The House bill contained a provision (sec. 1101) that would provide legislative and executive agencies the flexibility to use a streamlined process to hire and pay employees for temporary organizations established by law or executive order.

The Senate amendment contained a similar provision (sec. 1106).

The House recedes with an amendment that would limit the term of the management flexibility to three years, would designate the head of the temporary activity as the appointing authority for the temporary employees, and would limit the health and life insurance benefits to the same benefit as that afforded other temporary civil service employees.

Assistive technology accommodations program (sec. 1102)

The Senate amendment contained a provision (sec. 1101) that would authorize the Secretary of Defense to expand the Computer/Electronic Accommodations Program to provide assistive technology services to any department or agency of the Federal Government.

The House bill contained no similar provision.

The House recedes with an amendment that would restore the funding for this program to the Defense Health Program.

Extension of authority for voluntary separations in reductions in force (sec. 1103)

The House bill contained a provision (sec. 1104) that would extend, until September 30, 2005, the authority of the Secretary of Defense to allow certain civilian employees to volunteer for separation under reduction in force procedures even though those employees would not otherwise be subject to separation.

The Senate amendment contained a similar provision (sec. 1107).

The House recedes.

Electronic maintenance of performance appraisal systems (sec. 1104)

The Senate amendment contained a provision (sec. 1108) that would authorize the head of an executive branch agency to administer and to maintain the performance appraisal system electronically.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Study on civilian personnel services (sec. 1105)

The Senate amendment contained a provision (sec. 1112) that would require the Secretary of Defense to establish a four-year public-private competition pilot program to assess the extent to which the effectiveness and efficiency of providing civilian personnel services could be increased by conducting competitions for the performance of such services between the public and private sectors.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to study whether civilian personnel services could be enhanced by public-private competition and report to the Committees on Armed Services of the Senate and the House of Representatives, and include, if appropriate, a proposal for a demonstration program that would test such a concept.

Subtitle B—Demonstration and Pilot Programs

Pilot program for reengineering the equal employment opportunity complaint process (sec. 1111)

The House bill contained a provision (sec. 1106) that would authorize the Secretary of the Navy to carry out a five-year pilot program to demonstrate improved processes for the resolution of equal employment opportunity complaints.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to conduct a three-year pilot program to demonstrate improved processes for the resolution of equal employment opportunity complaints in a minimum of one military department and two defense agencies, and would require a report to the Committees on Armed Services of the Senate and the House of Representatives not later than two years after initiation of the pilot program.

Work safety demonstration program (sec. 1112)

The Senate amendment contained a provision (sec. 1105) that would direct the Secretary of Defense to conduct a two-year work safety demonstration program in which private sector work safety models would be used to determine whether the work safety record of civilian employees of Department of Defense can be improved.

The House bill contained no similar provision.

The House recedes.

Extension, expansion, and revision of authority for experimental personnel program for scientific and technical personnel (sec. 1113)

The Senate amendment contained a provision (sec. 1113) that would extend, expand, and revise the authority for the experimental civilian personnel program for scientific and technical personnel previously authorized in section 1101 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to expand the number of positions in the Defense Advanced Research Projects Agency from 20 to 40 and would extend the authority to the military departments for use in the defense laboratories, the National Imagery and Mapping Agency, and the National Security Agency.

The House bill contained no similar provision.

The House recedes.

Clarification of personnel management authority under personnel demonstration project (sec. 1114)

The Senate amendment contained a provision (sec. 1114) that would provide direct hiring authority to the defense laboratory directors to appoint individuals and fix their compensation without the review or approval of any official or agency other than the Under Secretary of Defense for Acquisition, Technology and Logistics.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to establish and to operate demonstration programs in the defense laboratories without the review or approval of the Office of Personnel Management and would raise the limit on compensation that may be provided to laboratory employees under a demonstration project. The amendment would authorize the Secretary of Defense to appoint individuals and fix their compensation without the review or approval of the Office of Personnel Management or any other outside official or agency.

The conferees believe that this is the single most important step the Secretary of Defense could take to enable the defense laboratories to compete with the private sector for scientific talent, and that the applicable requirements could adequately be addressed through after-the-fact review. The conferees urge the Secretary of Defense to provide the laboratory directors with direct hiring authority, as authorized by this section.

Subtitle C—Educational Assistance

Restructuring the restriction on degree training (sec. 1121)

The House bill contained a provision (sec. 1102) that would authorize the Secretary of Defense to pay tuition for a civilian employee to obtain an academic degree if that degree training occurs at an accredited institution and is part of a planned Department of Defense professional development program.

The Senate amendment contained a similar provision (sec. 1118).

The Senate recedes.

Student loan repayment programs (sec. 1122)

The Senate amendment contained a provision (sec. 1069) that would require the Director of the Office of Personnel Management

to, not later than 240 days after enactment of this Act, issue regulations that would implement the student loan repayment program, would eliminate the restriction on repayment of student loans to professional, technical, or administrative personnel, and would include federal student loan repayment programs established since enactment of earlier statutory authority.

The House bill contained no similar provision.

The House recedes.

Extension of authority for tuition reimbursement and training for civilian employees in the defense acquisition workforce (sec. 1123)

The House bill contained a provision (sec. 1103) that would extend the ''shortage of personnel'' designation for qualified civilian acquisition personnel of the Department of Defense until September 30, 2005, in order to permit such personnel to qualify for reimbursement of expenses for training and tuition.

The Senate amendment contained a similar provision (sec. 1104).

The House recedes.

Subtitle D-Other Benefits

Additional special pay for foreign language proficiency beneficial for United States national security interests (sec. 1131)

The Senate amendment contained a provision (sec. 1102) that would authorize the Secretary of Defense to provide additional pay for civilian employees who maintain a foreign language proficiency determined to be beneficial for national security interests.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the additional pay for maintaining proficiency in a foreign language to those who agree to deploy to an area in which the foreign language is determined to be critical to the national security interests.

Approval authority for cash awards in excess of $10,000 (sec. 1132)

The Senate amendment contained a provision (sec. 1109) that would authorize the Secretary of Defense to grant a cash award up to the maximum of $25,000 without seeking approval from the Office of Personnel Management.

The House bill contained no similar provision.

The House recedes.

Leave for crews of certain vessels (sec. 1133)

The Senate amendment contained a provision (sec. 1110) that would authorize the Military Sealift Command to pay civil service mariners, in an extended leave status, a lump-sum equal to the difference between their pay at a temporary promotion rate and their lower permanent grade rates.

The House bill contained no similar provision.

The House recedes.

Life insurance for emergency essential Department of Defense employees (sec. 1134)

The Senate amendment contained a provision (sec. 1111) that would authorize civilian employees designated by the Secretary of Defense as emergency essential and subject to being deployed to combat areas to elect to participate in the Federal Employees Group Life Insurance program.

The House bill contained no similar provision.

The House recedes.

Subtitle E—Intelligence Civilian Personnel

Expansion of defense civilian intelligence personnel system positions (sec. 1141)

The House bill contained a provision (sec. 1105) that would authorize the Secretary of Defense to create positions within the defense civilian intelligence personnel system outside the designated intelligence components of the Department of Defense.

The Senate amendment contained no similar provision.

The Senate recedes.

Increase in number of positions authorized for the Defense Intelligence Senior Executive Service (sec. 1142)

The Senate amendment contained a provision (sec. 1103) that would increase, by 25, the number of positions authorized for the defense intelligence senior executive service.

The House bill contained no similar provision.

The House recedes.

The conferees note that the 25 additional positions are authorized for the entire defense intelligence community and are not intended to be allocated to any single agency within the defense intelligence community. The conferees direct the Secretary of Defense to report to the Committees on Armed Services of the Senate and the House of Representatives, not later than March 15, 2001, on how the additional senior executive service positions are allocated within the defense intelligence community.

Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

Voluntary separation incentive pay and early retirement authority (secs. 1151–1153)

The House bill contained a provision (sec. 1107) that would provide temporary authority to the Secretary of the Air Force to use voluntary separation incentives and voluntary early retirement authority for restructuring the work force to separate up to 1000 civilian employees during each calendar year through December 31, 2003.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would provide temporary authority to the Secretary of Defense to use voluntary separation incentives and voluntary early retirement authority for workforce restructuring to meet mission needs, achieve one or more strength reductions, correct skill imbalances or reduce the number of high-grade, managerial, or supervisory positions. The temporary authority to use the voluntary separation incentives in fiscal year 2001 is limited to 1000 employees. The temporary authority to use voluntary separation incentives and the voluntary early retirement authority in each of fiscal years 2002 and 2003 is limited to 4000 employees. The Secretary of Defense may only carry out these programs in fiscal years 2002 and 2003 with respect to workforce restructuring to the extent provided in a law enacted by the 107th Congress.

LEGISLATIVE PROVISIONS NOT ADOPTED

Department of Defense employee voluntary early retirement authority

The Senate amendment contained a provision (sec. 1117) that would revise the authority for using voluntary early retirement authority within the Department of Defense to include restructuring of the workforce.

The House bill contained no similar provision.

The Senate recedes.

Extension of authority for voluntary separations in reductions in force

The Senate amendment contained a provision (sec. 1115) that would extend the authority for voluntary separations during reduction in force actions.

The House bill contained no similar provision.

The Senate recedes.

Extension, revision, and expansion of authorities for use of voluntary separation incentive pay and voluntary early retirement

The Senate amendment contained a provision (sec. 1116) that would extend the authority for voluntary separation incentive pay and voluntary early retirement through September 30, 2005, and would revise the authority for using the voluntary separation incentive pay within the Department of Defense to include restructuring of the workforce.

The House bill contained no similar provision.

The Senate recedes.

Strategic plan

The Senate amendment contained a provision (sec. 1119) that would require the Secretary of Defense to submit a strategic plan to the congressional defense committees not later than six months after enactment of this Act and before exercising any of the authorities for workforce restructuring.

The House bill contained no similar provision.

The Senate recedes.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A-Matters Related to Arms Control

Support of United Nations-sponsored efforts to inspect and monitor Iraqi weapons activities (sec. 1201)

The House bill contained a provision (sec. 1201) that would extend, through fiscal year 2001, the authority of the Department of Defense to support United Nations-sponsored inspection and monitoring efforts to ensure full Iraqi compliance with its international obligations to destroy its weapons of mass destruction and associated delivery systems. The provision would limit the assistance that could be provided by the Secretary of Defense to $15.0 million for fiscal year 2001.

The Senate amendment contained an identical provision (sec. 1202).

The conference agreement includes this provision.

Support of consultations on Arab and Israeli arms control and regional security issues (sec. 1202)

The Senate amendment contained a provision (sec. 1211) that would authorize up to $1.0 million from Defense-wide Operation and Maintenance accounts for the support of programs to promote informal, region-wide consultations among Arab, Israeli, and U.S. officials and experts on arms control and security issues concerning the Middle East region.

The House bill contained no similar provision.

The House recedes with an amendment that would expand the scope of the programs to include formal consultations.

Furnishing of nuclear test monitoring equipment to foreign governments (sec. 1203)

The Senate amendment contained a provision (sec. 1206) that would authorize the Secretary of Defense to accept contributions from a foreign government or other entities for the development, procurement, installation, operation, repair, or maintenance of equipment for monitoring nuclear test explosions, and to loan or convey nuclear test monitoring equipment to a foreign government, subject to a required agreement.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of Defense to convey or to provide nuclear test

monitoring equipment to a foreign government, subject to a required agreement.

The conferees believe that section 2608 of title 10, United States Code, already permits the Secretary of Defense to accept and to use contributions for purposes specified in the Senate amendment. Therefore, the conferees do not believe that additional authority is required. If the Secretary, in consultation with the Office of Management and Budget, determines that additional authority is required, the conferees are willing to reevaluate this matter in the future.

Additional matters for annual report on transfers of militarily sensitive technology to countries and entities of concern (sec. 1204)

The Senate amendment contained a provision (sec. 1075) that would require that the annual report required by section 1402 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) on transfers of militarily sensitive technology to countries of concern include a description of actions taken on recommendations of inspectors general contained in previous annual reports.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Subtitle B—Matters Relating to the Balkans

Annual report assessing effect of continued operations in the Balkans region on readiness to execute the national military strategy (sec. 1211)

The House bill contained a provision (sec. 1202) that would amend section 1035 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to make the report on the readiness impact of U.S. military operations in the Balkans an annual report.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would sunset the reporting requirement upon termination of U.S. military activities in the Balkans.

Situation in the Balkans (sec. 1212)

The House bill contained a provision (sec. 1203) that would require the President to establish, not later than May 31, 2001, militarily significant benchmarks for conditions that would achieve a sustainable peace in Kosovo and ultimately allow for the withdrawal of the U.S. military presence in Kosovo. In developing those benchmarks, the Congress would urge the President to seek the concurrence of North Atlantic Treaty Organization (NATO) member nations. The provision would also require the President to develop a comprehensive political-military strategy for addressing the political, economic, humanitarian and military issues in the Balkans, and to establish near-term, mid-term and long-term objectives in the region. Finally, the provision would require the President to submit semiannual reports, beginning no later than June 30, 2001, on the progress being made in developing and implementing a comprehensive political-military strategy, and the progress being made in achieving the conditions established by the benchmarks.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the President to submit a single semiannual report on the progress made in achieving both the benchmarks for Kosovo and the benchmarks for Bosnia, as required by section 7 of the 1998 Supplemental Appropriations and Rescissions Act (Public Law 105–174), and would make other technical modifications.

Semiannual report on Kosovo peacekeeping (sec. 1213)

The House bill contained a provision (sec. 1205) that would prohibit the use of Department of Defense funds for the continued deployment of U.S. ground combat troops in Kosovo after April 1, 2001, unless the President certifies to the Congress, prior to April 1, 2001, that the European Commission, the member nations of the European Union (EU), and the European member nations of the North Atlantic Treaty Organization (NATO) have provided specific amounts and types of assistance to the peacekeeping operations in Kosovo. The provision would also require the President to submit to the Congress, not later than April 30, 2001, a plan for the withdrawal of U.S. ground combat troops from Kosovo, if the President does not make the required certification; and submit a report to the Congress detailing the commitments and contributions of various European nations and organizations and the United Nations to the peacekeeping operations in Kosovo.

The Senate amendment contained a similar provision (sec. 1205) that would require a biannual report from the President to the Congress detailing the commitments and contributions of various European nations and organizations and the United Nations to the peacekeeping operations in Kosovo.

The House recedes.

The conferees note that, since congressional action focused attention on this issue earlier this year, European nations and organizations have made progress in providing the assistance and personnel they have pledged to peacekeeping operations in Kosovo. While more needs to be done by the Europeans in providing needed resources to the international community's operations, the conferees recognize that the pace of the civil implementation effort in Kosovo has improved since the beginning of the year. The conferees remain concerned, however, that U.S. troops, and the troops of other nations serving in Kosovo continue to perform a variety of non-military missions to compensate for remaining shortfalls in the civil implementation effort. In recognition of the fact that the United States bore the major share of the military burden for the air war on behalf of Kosovo, European nations agreed to pay the major share of the burden to secure the peace. The conferees believe that the Europeans must fulfill that commitment. The report required by this provision will provide the Congress with the information necessary, on a regular basis, to evaluate the performance of the nations and organizations covered by this provision in fulfilling their commitments regarding Kosovo. It is the intention of the conferees to pursue legislative options in the future if those commitments are not fulfilled.

Subtitle C—North Atlantic Treaty Organization and United States Forces in Europe

NATO fair burdensharing (sec. 1221)

The House bill contained a provision (sec. 1206) that would require the Secretary of Defense to submit a report to the Committees on Armed Services of the Senate and the House of Representatives on the costs to the United States of Operation Allied Force conducted against the Federal Republic of Yugoslavia. The report would include: (1) the costs of ordnance expended, fuel consumed, and personnel; (2) the estimated cost of the reduced service life of U.S. weapons systems which participated in the operation; and (3) whether and how the United States is being compensated by other NATO member nations for the costs of Operation Allied Force. The provision also would require a report from the Secretary whenever NATO undertakes a future military operation with the participation of the United States. The report would include: (1) how the costs of that operation are to be equitably distributed among the NATO member nations; or (2) how the United States is to be compensated by other NATO member nations, if the costs are borne disproportionately by the United States. The report would be due 30 days after the beginning of a military operation, or later, if the Secretary determines that such a delay is necessary to avoid an undue burden to ongoing operations.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) delete the requirement for the Secretary to report on whether and how the United States is being compensated by other NATO nations for the costs of Operation Allied Force; (2) change the reporting requirement on future NATO military operations to apply to all NATO operations, and to include information on the contributions to that operation made by each of the member nations of NATO and the contributions that each member nation of NATO makes or has pledged to make during any follow-on operation; and, (3) require the report on future operations to be submitted not later than 90 days after the completion of the military operation.

Repeal of restriction preventing cooperative airlift support through acquisition and cross-servicing agreements (sec. 1222)

The Senate amendment contained a provision (sec. 1203) that would amend section 2350c of title 10, United States Code, to repeal the restriction that authorizes the Secretary of Defense to enter into military airlift agreements with allied countries only under the authority of section 2350c.

The House bill contained no similar provision.

The House recedes.

GAO study on the benefits and costs of the United States military engagement in Europe (sec. 1223)

The House bill contained a provision (sec. 1207) that would require the Comptroller General to conduct a study assessing the value to the United States and its national security interests gained from the engagement of U.S. Armed Forces in Europe and from military strategies used to shape the international security environment in Europe. The study would include an assessment of a number of issues related to the U.S. military presence in Europe and the contributions made by the European allies of the United States. The report would be submitted to the Committees on Armed Services of the Senate and House of Representatives not later than March 1, 2001.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would change the report to a study of the benefits and costs of U.S. military engagement in Europe and change the date for the submission of the report to December 1, 2001.

Subtitle D-Other Matters

Joint data exchange center with Russian Federation on early warning systems and notification of ballistic missile launches (sec. 1231)

The Senate amendment contained a provision (sec. 1213) that would authorize the Secretary of Defense to establish, in conjunction

with the Government of the Russian Federation, a United States-Russian Federation joint center for the exchange of data from early warning systems and for notification of missile launches.

The House bill contained no similar provision.

The House recedes with an amendment that would: (1) authorize the Secretary of Defense to establish a U.S.-Russian Federation joint center for the exchange of data from early warning systems and for notification of missile launches; (2) require that the Secretary submit a report to the Armed Services Committees of the Senate and the House of Representatives on plans for the joint data exchange center; and (3) prohibit the obligation of more than $4.0 million of fiscal year 2001 funds for establishment of the joint data exchange center until 30 days after the date on which the Secretary submits a copy of a written agreement between the United States and Russia providing the details of the cost-sharing arrangement required in the Memorandum of Agreement of June 4, 2000.

Report on sharing and exchange of ballistic missile launch early warning data (sec. 1232)

The Senate amendment contained a provision (sec. 1029) that would require the Secretary of Defense to report on the feasibility and advisability of establishing a center at which missile launch early warning data from the United States and other nations would be made available to nations concerned with the launch of ballistic missiles.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to report on current and planned activities of the Department of Defense with respect to the sharing and exchange with other countries of early warning data concerning ballistic missile launches. The report shall include the Secretary's assessment of the benefits and risks of sharing such data with other countries on a bilateral or multilateral basis.

Annual report of Communist Chinese military companies operating in the United States (sec. 1233)

The House bill contained a provision (sec. 1208) that would express the sense of Congress that the Secretary of Defense has not complied with requirements of section 1237 of the Strom Thurmond National Defense Act for Fiscal Year 1999 (Public Law 105–261) to publish and update a list of Communist Chinese military companies operating in the United States.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the sense of Congress and would amend section 1237 to require the Secretary to report on, rather than publish, a list of Communist Chinese military companies operating in the United States. The Secretary would be directed to submit that report to the following: the Committee on Armed Services of the House of Representatives; the Committee on Armed Services of the Senate; the Secretary of State; the Secretary of the Treasury; the Attorney General; the Secretary of Commerce; the Secretary of Energy; and the Director of Central Intelligence.

Adjustment of composite theoretical performance levels of high performance computers (sec. 1234)

The House bill contained a provision (sec. 1209) that would amend section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to limit to 60 days, excluding days when the Congress is not in session because of an adjournment sine die, the time period for congressional review of a presidential change to the export control levels for high performance computers prior to that change going into effect.

The Senate amendment contained an identical provision (sec. 1214).

The conference agreement includes this provision.

The conferees believe that the administration needs to adequately assess the national security implications of commercial technological diffusion before new export levels are proposed. For that reason, the conferees direct the Secretary of Defense and the Director for Central Intelligence to jointly submit to Congress, not later than April 1, 2001, a report on the national security implications of trends in the research and development, manufacture, use, and proliferation of information technology in the commercial sector.

The report shall include a discussion of the following matters: (1) whether commercially available information technology has been or could be used for military and intelligence purposes by foreign nations and terrorist organizations, and the threats that such uses could pose to U.S. national security interests; (2) the advisability of inserting commercially available information technology as components into U.S. weapons systems, together with a discussion of the challenges associated with doing so; (3) whether the United States has the ability to control the proliferation of commercially available information technology effectively through unilateral or multilateral export control regimes; and (4) the identification of critical commercially available information technologies and associated knowledge for which unilateral, multilateral, or alternative export controls may be needed in the preservation of U.S. national security interests. The report should also consider the advisability of establishing a center to assess the military utility of commercially available information technology produced by both U.S. and foreign commercial sectors.

Increased authority to provide healthcare services as humanitarian and civic assistance (sec. 1235)

The Senate amendment contained a provision (sec. 321) that would allow under-served areas, as well as rural areas, to receive medical, dental, and veterinary services through the humanitarian and civic assistance program.

The House bill contained no similar provision.

The House recedes.

The conferees note that this increased authority is to be used in conjunction with authorized U.S. military operations in furtherance of U.S. security interests and the expansion of the operational readiness skills of the armed forces, and shall be carried out at no additional cost to the Department of Defense.

Sense of Congress regarding the use of children as soldiers (sec. 1236)

The Senate amendment contained a provision (sec. 1210) that would express the sense of Congress that the use of children as soldiers by governmental and non-governmental armed forces should be condemned worldwide, the optional protocol is a critical first step in ending the use of children as soldiers, that the President should consult closely with the Senate with the objective of building support for the optional protocol, that the President and Congress should work together to enact a law that establishes a fund for the rehabilitation and reintegration into society of child soldiers, and that the Secretaries of the Departments of State and Defense should undertake all possible efforts to persuade and encourage other governments to ratify and endorse the optional protocol on the use of child soldiers.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

Sense of Congress regarding undersea rescue and recovery (sec. 1237)

The conferees agree to a provision that would express the sympathy of the Congress and of the American people to the people of the Russian Federation over the death of the crewmen of the submarine Kursk. The provision urges the President of the United States and the President of the Russian Federation, in coordination with the leaders of other maritime nations, to cooperate in establishing a plan for response, rescue, and recovery of the crew of undersea vessels involved in undersea accidents or incidents.

United States-China Security Review Commission (sec. 1238)

The Senate amendment contained a provision (sec. 1076) that would amend The Trade Deficit Review Commission Act to establish a 12–member commission, the United States-China Security Review Commission, to monitor and assess the national security implications of the evolving bilateral trade and economic relationship between the United States and the People's Republic of China. The commission would be established on the framework of the Trade Deficit Review Commission, which is scheduled to complete its work by the end of this year, and would issue an annual report.

The House bill contained no similar provision.

The House recedes with an amendment that would establish a free-standing United States-China Security Review Commission to review the national security implications of trade and economic ties between the United States and the People's Republic of China. The amendment would facilitate the assumption by the United States-China Security Review Commission of its duties regarding the review by providing for the transfer to that commission of staff, materials, and infrastructure of the Trade Deficit Review Commission that are appropriate for the review after the submittal of the final report of the Trade Deficit Review Commission. The amendment would also provide that the members of the Trade Deficit Review Commission, as of the date of the enactment of this Act, shall serve as members of the United States-China Security Review Commission until such time as members are appointed.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on number of military personnel in Colombia

The House bill contained a provision (sec. 1204) that would establish a limit of 500 on the number of U.S. military personnel authorized to be on duty in the Republic of Colombia at any time. The limit would not apply to military personnel deployed to Colombia for the purpose of rescuing or retrieving U.S. Government personnel, military personnel attached to the U.S. Embassy, military personnel engaged in relief operations, or nonoperational transient military personnel.

The Senate amendment contained no similar provision.

The House recedes.

Prohibition on assumption by United States Government of liability for nuclear accidents in North Korea

The House bill contained a provision (sec. 1210) that would prohibit the President or any department, agency, or instrumentality of the U.S. Government from using the authority of Public Law 85–804 (50 U.S.C. 1431) or any other provision of law to enter into any contract or arrangement which would impose liability on the U.S. Government for nuclear accidents occurring in North Korea.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

LEGISLATIVE PROVISIONS ADOPTED

Specification of cooperative threat reduction programs and funds (sec. 1301)

The House bill contained a provision (sec. 1301) that would define Cooperative Threat Reduction (CTR) programs and Department of Defense funding for CTR programs, and make fiscal year 2001 CTR funds available for obligation for three fiscal years.

The Senate amendment contained no similar provision.

The Senate recedes.

Funding allocations (sec. 1302)

The budget request included $458.4 million for the Cooperative Threat Reduction (CTR) Program.

The House bill contained a provision (sec. 1302) that would authorize $443.4 million for the CTR Program for fiscal year 2001, a $15.0 million decrease. The provision would increase funding for strategic nuclear arms elimination projects in Russia and Ukraine, decrease funding for defense and military contacts, and deny funding, pursuant to the prohibition contained in section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), for activities related to a chemical weapons destruction facility in Russia.

The Senate amendment would authorize the budget request.

The Senate recedes with an amendment that would authorize $443.4 million for CTR programs to include: $177.8 million for strategic offensive arms elimination in Russia; $29.1 million for strategic nuclear arms elimination in Ukraine; $9.3 million for warhead dismantlement processing in Russia; $14.0 million for weapons transportation security in Russia; $57.4 million for planning, design, and construction of the storage facility for Russian fissile materials; $89.7 million for weapons storage security in Russia; $32.1 million for the elimination of the production of weapons grade plutonium at Russian reactors; $12.0 million for biological weapons proliferation prevention activities in the former Soviet Union; $13.0 million for other assessments and administrative support, and $9.0 million for defense and military contacts.

Prohibition on use of funds for elimination of conventional weapons (sec. 1303)

The House bill contained a provision (sec. 1303) that would prohibit the use of Cooperative Threat Reduction (CTR) funds to be used for the elimination of conventional weapons or delivery vehicles primarily intended to deliver such weapons.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees continue to believe that the CTR program should remain focused on eliminating the threat posed by weapons of mass destruction and their delivery vehicles in the former Soviet Union. The conferees are concerned by indications that the Department of Defense may be considering using CTR funds for the elimination of delivery systems primarily intended to deliver conventional weapons, and note that such actions would be prohibited by this section.

Limitations on use of funds for fissile material storage facility (sec. 1304)

The House bill contained a provision (sec. 1304) that would limit the use of fiscal year 2001 Cooperative Threat Reduction funds for construction, design, or planning of a second wing for the Mayak fissile material storage facility until 15 days after the date that the Secretary of Defense submits to Congress notification that Russia and the United States have signed a written transparency agreement that provides that the material stored at the facility is of weapons origin. The provision also establishes a funding cap for the first wing of the facility of not more than $412.6 million.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

The conferees agree to establish a funding cap for the first wing of the facility because of continuing concerns over the ability and willingness of Russia to pay its share of the costs, and the previous agreement of the Department of Defense to absorb additional costs without prior congressional consultation.

Limitation on use of funds to support warhead dismantlement processing (sec. 1305)

The House bill contained a provision (sec. 1307) that would limit fiscal year 2001 funds for warhead dismantlement processing in Russia until 15 days after the date that the Secretary of Defense submits to Congress notification that the United States has reached an agreement with Russia, providing for appropriate transparency measures regarding assistance by the United States with respect to such processing.

The Senate amendment contained no similar provision.

The Senate recedes.

Agreement on nuclear weapons storage sites (sec. 1306)

The House bill contained a provision (sec. 1308) that would direct the Secretary of Defense to seek to enter into an agreement with Russia regarding procedures to allow the United States appropriate access to nuclear weapons storage sites for which assistance under Cooperative Threat Reduction programs is provided.

The Senate amendment contained no similar provision.

The Senate recedes.

Limitation on use of funds for construction of fossil fuel energy plants; report (sec. 1307)

The House bill contained a provision (sec. 1309) that would prevent Cooperative Threat Reduction (CTR) funds from being used for the construction of a fossil fuel energy plant.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that prevents fiscal year 2001 CTR funds from being used for the construction of a fossil fuel energy plant intended to provide power to local communities already receiving power from nuclear energy plants that produce plutonium. The amendment also would require a report to Congress, no later than 60 days after enactment of this Act, detailing options for assisting Russia in the development of alternative energy sources to the three plutonium production reactors remaining in operation in Russia.

Reports on activities and assistance under cooperative threat reduction programs (sec. 1308)

The Senate amendment contained a provision (sec. 1207) that would consolidate several annual reporting requirements concerning the Cooperative Threat Reduction (CTR) program. The consolidated report would include: (1) an estimate of the total amount required to be expended to achieve the objectives of the program; (2) a description of a five year plan; (3) a description of the program activities carried out during the previous fiscal year; (4) a description of the audits and examinations conducted by the program to account for and ensure that the assistance is being used for its intended purpose; and (5) a current description of the tactical nuclear weapons arsenal of Russia. The first report would be submitted to Congress not later than the first Monday in February 2002. Also contained in the annual report would be a requirement for the Comptroller General of the United States to conduct an annual assessment of the information provided in the consolidated CTR report. The assessment would be due 60 days after the date on which the annual report is submitted to Congress.

The House bill contained a provision (sec. 1305) that would limit not more than 10 percent of fiscal year 2001 Cooperative Threat Reduction (CTR) funds from being expended or obligated until the Department of Defense submits to Congress an updated version of the CTR multiyear plan for fiscal year 2001, and another provision (sec. 1306) that would require the first report on Russian nonstrategic nuclear arms to be submitted to Congress not later than October 1, 2000.

The House recedes with an amendment that would add the provisions from the House bill to the CTR consolidated report, require the first consolidated report to be due on February 5, 2001, and narrow the scope of the Comptroller General's assessment to a review of the five year plan and the audits and examinations information in the annual report. This assessment would be submitted to Congress not later than 90 days after the date the CTR annual report is submitted to Congress, with the first Comptroller General's assessment submitted in 2001.

The conferees note that there have been repeated delays in the submission of the CTR reports to the Congress. The conferees expect that consolidating CTR reporting requirements into one annual report will facilitate the Department's ability to meet the congressionally mandated due date each year. The conferees believe that meeting this deadline provides the Congress with critical programmatic information crucial to the oversight of the CTR program. Failure to meet such deadlines impedes congressional oversight and is of great concern to the conferees. In light of this concern, the conferees expect the Department to meet the CTR report requirements and deadline, and agree that noncompliance may warrant future legislative measures to limit funding obligations and expenditures until such time as the necessary information is provided to the Congress.

Russian chemical weapons elimination (sec. 1309)

The Senate amendment contained a provision (sec. 1208) that would amend the prohibition contained in section 1305 of the National Defense Authorization Act for Fiscal

Year 2000 (Public Law 106–65) to limit fiscal year 2000 Cooperative Threat Reduction (CTR) funds, and funds appropriated after the date of enactment, from being obligated or expended to construct the Shchuch'ye chemical weapons destruction facility in Russia until 30 days after the Secretary of Defense certifies in writing to the Armed Services Committees of the Senate and the House of Representatives that for that fiscal year four specific criteria have been met. These criteria are: (1) that the government of Russia has agreed to provide at least $25.0 million annually for the construction, support, and operation of the facility; (2) that Russia has agreed to utilize this facility to destroy the remaining four stockpiles of nerve agents located throughout Russia; (3) that the United States has obtained multiyear commitments from the international community for the support of social infrastructure projects for Shchuch'ye; and (4) that Russia has agreed to destroy its chemical weapons production facilities at Volgograd and Novocheboksark.

The House bill contained no similar provision.

The House recedes with an amendment that would express support for international assistance, when practicable, to assist Russia in eliminating its chemical weapons stockpile in accordance with Russia's obligations under the Chemical Weapons Convention. The amendment would also require that the Secretary of Defense submit a report to the Armed Services Committees of the Senate and the House of Representatives that identifies: (1) the amount of money spent by Russia for chemical weapons elimination during fiscal year 2000; (2) the assistance being provided by the international community for the safe storage and elimination of Russia's stockpile of nerve agents, including those at Shchuch'ye; (3) the countries providing the assistance; and (4) the value of the assistance that the international community has already provided and has committed for this purpose.

The conferees agree not to repeal or amend the existing prohibition contained in Public Law 106–65 on funding for the chemical weapons destruction facility in Russia. The conferees believe the international community should take a more active role in assisting Russia with its chemical weapons elimination efforts. The conferees will continue to monitor progress in the effort to reduce and eliminate the threat from Russia's chemical weapons, including the participation of the international community in this effort. The conferees note that there are a number of options available within the CTR Program to advance U.S. threat reduction and nonproliferation objectives, including assisting Russia in its efforts to secure and eliminate its chemical weapons stockpiles. The conferees note the availability of prior-year funds that may be used to support this effort.

Limitation on use of funds for elimination of weapons grade plutonium program (sec. 1310)

The Senate amendment contained a provision (sec. 1209) that would prevent more than 50 percent of fiscal year 2001 Cooperative Threat Reduction (CTR) funds from being obligated or expended until 30 days after the Secretary of Defense submits to Congress a report on an agreement between the United States and Russia regarding a new option selected for the shut down or conversion of the reactors in the elimination of weapons grade plutonium program in Russia. The report must also contain the new date when such reactors will cease production of weapons grade plutonium and any cost sharing arrangements between Russia and the United States in undertaking the activities in this program.

The House bill contained no similar provision.

The House recedes.

Report on audits of Cooperative Threat Reduction programs (sec. 1311)

The House bill contained a provision (sec. 1310) that would direct the Comptroller General to submit to Congress a report not later than March 31, 2001, examining the procedures and mechanisms with respect to audits by the Department of Defense of the use of funds for Cooperative Threat Reduction programs.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

LEGISLATIVE PROVISIONS NOT ADOPTED

Limitation on use of funds for prevention of biological weapons proliferation in Russia

The House bill contained a provision (sec. 1311) that would limit Cooperative Threat Reduction funds from being obligated or expended for the prevention of proliferation of biological weapons in Russia until the President submits to Congress the report on the Expanded Threat Reduction Initiative required by section 1309 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65). This report was due March 31, 2000.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XIV—COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK

LEGISLATIVE PROVISIONS ADOPTED

Commission to assess the threat to the United States from electromagnetic pulse (EMP) attack (secs. 1401–1409)

The House bill contained a provision (secs. 1401–1409) that would establish a Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Defense to submit a report to Congress commenting on the Commission's findings and conclusions, describing the political-military scenarios that could possibly lead to an EMP attack against the United States, evaluating the relative likelihood of an EMP attack against the United States compared to other threats involving nuclear weapons, and explaining the actions intended to implement the recommendations of the Commission and the reasons for doing so.

TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

LEGISLATIVE PROVISIONS ADOPTED

Navy activities on the island of Vieques, Puerto Rico (secs. 1501–1508)

The House bill contained a provision (sec. 1501) that would convey the Navy property, comprising the Naval Ammunition Support Detachment, on the western side of the Island of Vieques, Puerto Rico, except the communication and radar sites, to the Commonwealth of Puerto Rico under the terms of the agreement between the President and the Governor of Puerto Rico.

The Senate amendment contained provisions (secs. 1301–1308) that would support the agreement reached between the President and the Governor of Puerto Rico intended to restore relations between the people of Vieques and the Navy, and to provide for the continuation of live fire training on the Island of Vieques. Specifically, the Senate bill would authorize $40.0 million for infrastructure and other economic projects on the Island of Vieques, and would require the President to conduct a referendum on Vieques to determine whether the people of Vieques approve or disapprove of the continuation of live-fire military training on the island. The conservation zones on the western side of the island, containing seven endangered and threatened species, would be transferred to the Secretary of Interior to be administered as wildlife refuges. If the people of Vieques approve the continuation of live-fire training, the provision would authorize an additional $50.0 million in economic aid for the island. If the people of Vieques disapprove the continuation of live-fire training, the provision would require the Navy and Marine Corps to cease all training operations on the Island of Vieques by May 1, 2003; to terminate any operations at Roosevelt Roads related to the use of training ranges on Vieques, to reduce other defense activities at Roosevelt Roads to levels necessary for national security reasons, and to transfer all Navy property on the eastern side of the Island of Vieques to the Secretary of the Interior. The Secretary of Interior would be required to retain the transferred properties subject to further congressional action regarding disposition.

The conferees remain concerned about the lack of live-fire access to the Naval training facility on the Island of Vieques, and the related negative consequences for Navy and Marine Corps readiness. In testimony before the Congress, the Chairman of the Joint Chiefs of Staff, along with the Chief of Naval Operations and the Commandant of the Marine Corps, stated that Vieques provides integrated live-fire training ". . . critical to our readiness." The Secretary of the Navy also testified that ". . . only by providing this preparation can we fairly ask our service members to put their lives at risk." The concern of the Joint Chiefs of Staff were reinforced by operational commanders including the Commander of the Sixth Fleet of the Navy who stated that the loss of Vieques would "cost American lives."

The House recedes.

The conferees agree to include provisions that would support the agreement reached between the President and the Governor of Puerto Rico regarding the future of Navy live-fire military training on Vieques. The conferees agree to authorize $40.0 million in immediate economic assistance for the Municipality of Vieques.

The conferees would specifically include a provision that would transfer, with certain exceptions, the land comprising the Navy Ammunition Support Detachment to the Municipality of Vieques. The property would be administered, managed, and controlled by the Municipality of Vieques in a manner that is determined to be most advantageous to the majority of the residents of Vieques. The relocatable over-the-horizon radar site, the telecommunications equipment site on Mount Pirata, and any easements or rights-of-way associated with these sites would be exempted from transfer and retained by the Navy.

The conservation zones on the land comprising the Navy Ammunition Support Detachment would be transferred to the Secretary of Interior to be administered and

managed by the Secretary as a wildlife refuge through a cooperative agreement among the Commonwealth of Puerto Rico, the Puerto Rico Conservation Trust, and the Secretary of Interior. Property adjacent to these wildlife refuge areas could be included in the cooperative agreement, however, such areas would not exceed 800 acres. If the cooperative agreement is not completed before the required transfer date, the Secretary of Interior should begin the administration and management of the land as wildlife refuges.

Given the importance of the Navy training range to national security and the unique circumstances of the people of Vieques, the conferees would also include a provision that would require a binding referendum by the people of Vieques to determine if the range should remain available for live-fire training. The referendum would require that the residents of Vieques vote on the future of live-fire training at the Navy range on Vieques. The vote would take place on May 1, 2001, or 270 days before or after that date. The conferees would authorize the referendum, despite remaining reservations regarding the propriety of such an action, and would also do so with the clear expectation that this represents a unique circumstance, and such local referenda should not be used to determine the status of national security assets.

The conferees agree to authorize an additional $50.0 million to provide economic assistance to the people of Vieques if there is a vote in favor of continued live-fire training at the Navy range.

If the people of Vieques disapprove continued live-fire training, or the Chief of Naval Operations and the Commandant of the Marine Corps jointly submit to the congressional defense committees a certification that the range is no longer needed for training by the Navy and the Marine Corps, all Navy owned land on the eastern side of the island, with the exception of the live-fire area, would be transferred to the Secretary of Interior to be administered and managed as a wildlife refuge. The live impact area would be administered as a wilderness area with no public access permitted.

Finally, the conferees would also include a provision that would impose a moratorium on new construction at Fort Buchanan pending a determination that such construction would be required despite the potential for relocation to Roosevelt Roads. Reserve component and nonappropriated fund facilities would not be included in the moratorium.

The conferees recognize and appreciate the sacrifice made by the people of Vieques and other communities located near U.S. military training installations, which have ensured the readiness of U.S. military forces. The conferees remain concerned that future training may be jeopardized as a result of historically poor relations with the people of Vieques, and the tragic accident which resulted in the death of a civilian employee of the Navy. The conferees hope that the Navy and the people of Vieques will successfully develop and sustain a cooperative relationship for the future.

TITLE XVI—VETERANS EDUCATION BENEFITS

LEGISLATIVE PROVISIONS ADOPTED

Additional opportunity for certain VEAP participants to enroll in basic educational assistance under Montgomery G.I. Bill (sec. 1601)

The Senate amendment contained a provision (sec. 683) that would authorize the secretary of a military department to, as a recruiting or retention incentive, permit a service member who was previously eligible for the Veterans Educational Assistance Program (VEAP) or who did not elect to participate in the Montgomery G.I. Bill to enroll in the Montgomery G.I. Bill educational benefit program.

The House bill contained no similar provision.

The House recedes with an amendment that would, during a one-year period following enactment, permit individuals who were previously enrolled in VEAP to enroll in the Montgomery G.I. Bill program after paying a premium not to exceed $2,700.

Modification of authority to pay tuition for off-duty training and education (sec. 1602)

The Senate amendment contained a provision (sec. 684) that would authorize the secretary of a military department to pay up to 100 percent of the charges of an educational institution for the tuition or expenses of a service member enrolled in an off-duty educational program and would permit service members to use their Montgomery G.I. Bill educational benefit to pay any portion of the charges that are not paid by the secretary of the military department.

The House bill contained no similar provision.

The House recedes.

Clarification of Department of Veterans Affairs duty to assist (sec. 1611)

The Senate amendment contained a provision (sec. 672) that would clarify the responsibility of the Secretary of Veterans Affairs to assist claimants in developing all facts pertinent to a claim for benefits.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Modification of time for use by certain members of the Selected Reserve of entitlement to educational assistance

The Senate amendment contained a provision (sec. 670) that would extend the time frame in which members of the Selected Reserve could use their educational benefits.

The House bill contained no similar provision.

The Senate recedes.

Modification of time for use by certain members of Selected Reserve of entitlement to certain educational assistance

The Senate amendment contained a provision (sec. 685) that would extend the period in which members of the Selected Reserve may use their Reserve Montgomery G.I. Bill benefits to five years after they separate from the reserves.

The House bill contained no similar provision.

The Senate recedes.

Short title

The Senate amendment contained a provision (sec. 681) that would establish the subtitle, ''Helping Our Professionals Educationally (HOPE) Act of 2000.''

The House bill contained no similar provision.

The Senate recedes.

Transfer of entitlement to educational assistance by certain members of the armed forces

The Senate amendment contained a provision (sec. 682) that would authorize the secretary of a military department, as a recruiting or retention incentive, to permit a service member to transfer their entitlement to the basic educational benefit under the Montgomery G.I. Bill, in whole or in part, to their dependents.

The House bill contained no similar provision.

The Senate recedes.

TITLE XVII—ASSISTANCE TO FIREFIGHTERS

LEGISLATIVE PROVISIONS ADOPTED

Assistance to Firefighters (secs. 1701–1707)

The Senate amendment contained a provision (sec. 1072) that would authorize a six-year, $3.1 billion competitive federal grant program to provide assistance to local firefighting departments for the purpose of protecting the health and safety of the public and firefighting personnel, including volunteers and emergency medical service personnel, against fire and fire-related hazards. The provision would authorize grant funds to be used for various firefighting related activities including the hiring of additional personnel, the training of personnel, the procurement of vehicles and other equipment, certification of fire inspectors, and similar activities. A 10 percent matching requirement of non-federal funds under this program would be required. The Director of the Federal Emergency Management Agency (FEMA) would be responsible for the administration of the program.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize a series of provisions (secs. 1701–1707) to provide assistance to local firefighting departments.

The amendment would authorize a two-year, $400.0 million competitive grant program to provide assistance to local firefighting departments. Each grant could not exceed $750,000. In order for a grant applicant to receive funds, the applicant would have to demonstrate a financial need for the assistance; outline the costs and benefits of public safety in relation to the use of the assistance; and agree to provide information to the National Fire Incident Reporting System. There would be a 30 percent matching requirement of non-federal funds under this program for fire departments that serve more than 50,000 people, and a 10 percent matching requirement of non-federal funds for fire departments that serve 50,000 people or less. The Director of FEMA would be required to ensure that communities protected by volunteer firefighters receive grant funding that at least reflects a proportionate share, as compared to the U.S. population as a whole. The Director of FEMA would also be required to submit a report to Congress that provides the current role and activities associated with the fire services, the adequacy of current funding, and a needs assessment to identify shortfalls. The Director of FEMA would consult with the chief executive of a state when making a direct grant.

The amendment would also include a two-year, $30.0 million program to provide assistance to state foresters or equivalent state officials for firefighting activities. The Secretary of Agriculture would be responsible for the administration of this program. The Secretary of Agriculture would be required to submit a report to Congress on the results of the assistance provided under this program.

The amendment would further authorize a two-year, $30.0 million competitive grant program to hospitals that serve as regional burn centers, to safety organizations that conduct burn safety programs to assist burn prevention programs, to programs that augment existing burn prevention programs, or to other entities that provide after-burn treatment and counseling for burn victims. The Director of FEMA would be responsible

for the administration of the program. The Director would be required to submit a report to Congress on the results of the assistance provided under this aspect of the grant program.

The amendment would also require the Secretary of Health and Human Services, in consultation with the Secretary of Labor, to conduct a study regarding the prevalence of hepatitis C among emergency response employees of the United States. The Secretary of Health and Human Services, in consultation with the Secretary of Labor, would also be authorized to make grants to qualifying local governments that are qualified to carry out demonstration projects that train employees to minimize the risk of hepatitis C infection, and to test and treat employees for the disease.

The amendment would further require the Secretary of Defense, in consultation with the Attorney General and the Secretary of Commerce, to conduct an engineering study to identify any portions of the 138–144 megahertz band that the Department of Defense can share with public safety radio services in various geographic regions of the United States. The study would include recommended measures necessary to prevent harmful interference between the Department of Defense systems and the public safety systems, and a reasonable schedule for the sharing of frequencies, provided such sharing can be accomplished without causing interference. The Secretary of Commerce and the Chairman of the Federal Communications Commission would also be required to submit a report to Congress on alternative frequencies that are, or could be made, available for use by public safety systems.

The amendment would authorize the Secretary of Defense to transfer excess personal property of the Department of Defense to firefighting agencies if the property is determined to be suitable for use in providing fire and emergency medical services. The property would have to be drawn from existing stocks of the Department of Defense and made without cost to the Department. The recipient firefighting department would accept the property on an as-is, where-is basis and cover all costs of the transfer of the property.

Finally, the amendment would require the establishment of a task force to identify defense technologies and equipment that could be readily put to use by fire service and emergency response personnel, and could be transferred to fire departments. The task force would consist of a representative from the Department of Defense and each of the seven organizations representing various views in firefighting.

TITLE XVIII—IMPACT AID

LEGISLATIVE PROVISIONS ADOPTED

Impact Aid Reauthorization Act of 2000 (secs. 1801–1818)

The conference agreement includes provisions that would amend the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) to extend the authority for, and to restructure, assistance programs for local educational agencies impacted by federal presence. The provisions would make adjustments to the impact aid program to accommodate military housing privatization initiatives and would restructure the formula to increase impact aid to schools serving military children. Other provisions would hold school districts harmless in cases where military children have been temporarily relocated to off-base housing while on-base housing is renovated and would provide additional support to school districts required to support privatized military housing areas constructed on non-federal land. The provisions would accelerate payment of impact aid to the most severely effected school districts and would authorize the Secretary of Education to provide grants to school districts to renovate and repair schools with the greatest need. The provisions would also establish a minimum funding level for small, poor school districts.

Overview

The budget request for fiscal year 2001 included $8,033,908,000 for military construction and family housing.

The House bill would authorize $8,433,908,000 for military construction and family housing.

The Senate amendment would provide $8,463,908,000 for this purpose.

The conferees recommend authorization of appropriations of $8,821,172,000 for military construction and family housing, including general reductions and revised economic assumptions.

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
DIVISION B					
MILITARY CONSTRUCTION					
Military Construction, Army	897,938	672,391	781,079	(160,343)	737,595 *
Military Construction, Navy	753,422	887,810	817,371	174,851	928,273
Military Construction, Air Force	530,969	703,873	763,491	339,239	870,208
Military Construction, Defense-wide	784,753	815,504	686,333	29,894	814,647 **
Military Construction, Army National Guard	59,130	129,139	181,629	207,401	266,531
Military Construction, Air National Guard	50,179	110,885	161,806	144,750	194,929
Military Construction, Army Reserve	81,713	104,854	92,497	27,025	108,738
Military Construction, Naval Reserve	16,103	56,574	38,091	45,970	62,073
Military Construction, Air Force Reserve	14,851	41,748	32,673	21,740	36,591
Base Realignment and Closure II, III, IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369
NATO Infrastructure	190,000	177,500	190,000	(18,000)	172,000
Total Military Construction	4,553,427	4,874,647	4,919,339	662,527	5,215,954
FAMILY HOUSING					
Family Housing Construction, Army	162,106	198,505	218,306	73,850	235,956
Family Housing Support, Army	978,275	953,744	958,364	(26,482)	951,793
Family Housing Construction, Navy and Marine Corps	362,822	417,225	386,874	55,333	418,155
Family Housing Support, Navy and Marine Corps	882,638	882,638	881,567	(1,071)	881,567
Family Housing Construction, Air Force	223,483	241,384	247,147	28,499	251,982
Family Housing Support, Air Force	826,271	820,879	807,425	(5,392)	820,879
Family Housing Support, Defense-wide	44,886	44,886	44,886	0	44,886
Total Family Housing	3,480,481	3,559,261	3,544,569	124,737	3,605,218

* *Reflects projects previously authorized in PL 106-65 (Fiscal Year 2000, Defense Authorization Act)*

** *Reflects reduction of FOLs proposed in the FY 00 Congressional Emergency Supplemental*

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1	Alabama	Army	Fort Rucker	Fitness Ctr	-	5,600	-	-	-
2	Alabama	Army	Redstone Arsenal	Dining Fac	-	5,100	-	-	-
3	Alabama	Army	Redstone Arsenal	Space & Missile Defense Cmd Bldg	23,400	23,400	23,400	15,600	39,000
4	Alabama	Air Force	Maxwell AFB	OTS Academic Fac	3,825	3,825	3,825	-	3,825
5	Alabama	Army National Guard	Redstone Arsenal	Patriot UTES&DS Maint Shop	-	-	8,083	-	-
6	Alabama	Air National Guard	Dothan AGS	Combat Com Squadron Fac	-	-	11,000	-	-
7	Alabama	Air Force Reserve	Maxwell AFB	Fuel Cell Maintenance Hanger	-	6,362	-	-	-
8	Alaska	Army	Fort Richardson	Central Vehicle Wash Fac	3,000	3,000	3,000	-	3,000
9	Alaska	Air Force	Cape Romanzof Radar Site	Generator Fuel Storage	3,900	3,900	3,900	-	3,900
10	Alaska	Air Force	Eielson AFB	Dormitory (120 Rooms)	14,540	14,540	14,540	-	14,540
11	Alaska	Air Force	Eielson AFB	Hazardous Material Storage	1,450	1,450	1,450	-	1,450
12	Alaska	Air Force	Eielson AFB	Joint Mobility Complex	-	-	25,000	25,000	25,000
13	Alaska	Air Force	Elmendorf AFB	Child Development Ctr	-	-	7,666	7,666	7,666
14	Alaska	Air Force	Elmendorf AFB	Dormitory (144 Rooms)	15,920	15,920	15,920	-	15,920
15	Alaska	Air Force	Elmendorf AFB	Upgrade Hangar Complex	11,600	11,600	11,600	-	11,600
16	Alaska	SOCOM	Kodiak	Cold Weather Training Fac Upgrade	-	5,200	-	-	-
17	Alaska	TRICARE	Fort Wainwright	Hospital Replacement, PH 2	44,000	44,000	44,000	-	44,000
18	Alaska	Air National Guard	Kulis ANGB	Corrosion Control Fac	-	-	12,000	12,000	12,000
19	Alaska	Navy Reserve	Anchorage	Marine Corps Reserve Training Ctr	6,403	6,403	6,403	-	6,403
20	Arizona	Army	Fort Huachuca	Chapel	-	4,000	-	-	-
21	Arizona	Army	Fort Huachuca	Child Development Ctr	-	3,350	-	3,350	3,350
22	Arizona	Army	Fort Huachuca	Field Operations Fac	1,250	1,250	1,250	-	1,250
23	Arizona	Navy	Camp Navajo NAVDET	Magazine Modernization	2,940	2,940	2,940	-	2,940
24	Arizona	Navy	Yuma MCAS	Combat Aircraft Loading Apron	8,200	8,200	8,200	-	8,200
25	Arizona	Air Force	Davis-Monthan AFB	Fitness Ctr	7,900	7,900	7,900	-	7,900
26	Arizona	Army National Guard	Papago Military Reservation	Add/Alter Readiness Ctr	-	2,265	-	2,265	2,265
27	Arizona	Army National Guard	Yuma	Readiness Ctr	-	1,598	-	1,598	1,598
28	Arkansas	Army	Pine Bluff Arsenal*	Ammunition Demilitarization Fac, PH 5	43,600	-	43,600	(43,600)	-
29	Arkansas	Army	Pine Bluff Arsenal	Chemical Defense Qualification Fac	15,500	92	2,592	(12,908)	2,592
30	Arkansas	Army	Pine Bluff Arsenal	Child Development Ctr	-	2,750	-	2,750	2,750
31	Arkansas	Air Force	Little Rock AFB	C-130 Squad Ops/Aircraft Maint Unit	7,960	7,960	7,960	-	7,960
32	Arkansas	Air Force	Little Rock AFB	Fitness Ctr	9,100	9,100	9,100	-	9,100
33	Arkansas	Air Force	Little Rock AFB	Easement "Blackjack Drop Zone"	-	1,259	1,259	1,259	1,259
34	Arkansas	ChemDemil	Pine Bluff Arsenal	Ammunition Demilitarization Fac, PH 5	-	43,600	-	43,600	43,600
35	Arkansas	Air National Guard	Fort Smith MAP	Fire Training Fac	1,760	1,760	1,760	-	1,760
36	Arkansas	Air National Guard	Fort Smith MAP	Operations and Training Fac	-	-	7,200	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
37	Arkansas	Army Reserve	Conway	Reserve Ctr	-	3,696	-	-	-
38	California	Army	Fort Irwin	Barracks Complex - North	31,000	31,000	31,000	-	31,000
39	California	Army	Presidio of Monterey	Barracks Addition	-	2,600	-	2,600	2,600
40	California	Army	Presidio of Monterey	Dir of Info Mngt Computer Cntr	-	2,000	-	-	-
41	California	Navy	Barstow MCLB	Paint and Undercoat Fac	-	6,660	-	6,660	6,660
42	California	Navy	Camp Pendleton MCB	Armor/Anti-Armor Tracking Range	4,100	4,100	4,100	-	4,100
43	California	Navy	Camp Pendleton MCB	Infantry Squadron Battle Course	4,000	4,000	4,000	-	4,000
44	California	Navy	Lemoore NAS	Bachelor Enlisted Quarters	8,260	8,260	8,260	-	8,260
45	California	Navy	Lemoore NAS	Child Development Ctr	-	2,500	-	3,790	3,790
46	California	Navy	Miramar MCAS	Ground Combat Training Range	7,350	7,350	7,350	-	7,350
47	California	Navy	Miramar MCAS	Physical Fitness Ctr	-	6,390	-	6,390	6,390
48	California	Navy	Monterey Nav Postgrad School	Bldg. 245 Extension, PH 1	-	5,280	-	5,280	5,280
49	California	Navy	North Island NADEP	Component Repair Clean Room Fac	4,340	4,340	4,340	-	4,340
50	California	Navy	North Island NAS	Berthing Wharf, PH 2	12,800	12,800	12,800	-	12,800
51	California	Navy	Point Mugu NAWCWD	Range Operations Ctr Add & Alter	11,400	12,600	11,400	-	11,400
52	California	Navy	Port Hueneme NSWC	Wpns Combat Systems Integration Lab	10,200	10,200	10,200	-	10,200
53	California	Navy	San Clemente NF	Aircraft Operations Building	8,860	8,860	8,860	-	8,860
54	California	Navy	San Diego NAVSTA	Berthing Pier PH 1	35,700	35,700	35,700	-	35,700
55	California	Navy	Twentynine Palms MCAGCC	Bachelor Enlisted Quarters	-	21,770	-	21,770	21,770
56	California	Navy	Twentynine Palms MCAGCC	Urban Assault Course	2,100	2,100	2,100	-	2,100
57	California	Air Force	Beale AFB	Control Tower	-	6,300	6,299	6,299	6,299
58	California	Air Force	Beale AFB	Water Treatment Plant & Distribution Line	3,800	3,800	3,800	-	3,800
59	California	Air Force	Los Angeles AFB	Fitness Ctr	6,580	6,580	6,580	-	6,580
60	California	Air Force	Vandenberg AFB	Upgrade Water Distribution System	4,650	4,650	4,650	-	4,650
61	California	DLA	DFSP North Island	Replace Fuel Storage Tanks	5,900	5,900	5,900	-	5,900
62	California	DLA	DFSP Twentynine Palms	Fuel Storage Fac	2,200	2,200	2,200	-	2,200
63	California	SOCOM	Coronado NAB	Applied Instruction Fac	4,300	4,300	4,300	-	4,300
64	California	SOCOM	North Island NAS	Small Craft Berthing Fac	1,350	1,350	1,350	-	1,350
65	California	TRICARE	Camp Pendleton MCB	Fleet Hospital Ops & Tng Cmd Spt Fac	2,900	2,900	2,900	-	2,900
66	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Horno)	3,950	3,950	3,950	-	3,950
67	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Las Pulgas)	3,750	3,750	3,750	-	3,750
68	California	TRICARE	Camp Pendleton MCB	Replace Med/Dent Clinic (Las Flores)	3,550	3,550	3,550	-	3,550
69	California	TRICARE	Edwards AFB	Med Clinic Replacement/Dent Clinic Alter	17,900	17,900	17,900	-	17,900
70	California	Army National Guard	Bakersfield	Organizational Maintenance Shop	1,380	1,380	-	(1,380)	-
71	California	Army National Guard	Camp Parks	Organizational Maintenance Shop	-	-	6,062	6,062	6,062
72	California	Army National Guard	Colton	Organizational Maintenance Shop	489	489	-	(489)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
73	California	Army National Guard	Escondido	Organizational Maintenance Shop	1,380	1,380	-	(1,380)	-
74	California	Army National Guard	Fresno	Organizational Maintenance Shop	1,869	1,869	-	(1,869)	-
75	California	Army National Guard	Fresno (Shields Avenue)	Organizational Maintenance Shop	-	-	2,847	2,847	2,847
76	California	Army National Guard	Los Alamitos AFRC	Organizational Maintenance Shop	489	489	-	(489)	-
77	California	Army National Guard	Richmond	Organizational Maintenance Shop	489	489	-	(489)	-
78	California	Army National Guard	San Jose	Organizational Maintenance Shop	1,869	1,869	-	(1,869)	-
79	California	Army National Guard	San Mateo	Organizational Maintenance Shop	461	461	-	(461)	-
80	California	Army National Guard	Santa Barbara	Organizational Maintenance Shop	483	483	-	(483)	-
81	California	Navy Reserve	Alameda NAS	Seawall	950	950	950	-	950
82	California	Air Force Reserve	March ARB	Deployment Equipment Staging Area	-	1,680	-	-	-
83	Colorado	Army	Pueblo Depot Activity	Ammunition Demilitarization Fac, PH 2	10,700	-	10,700	(10,700)	-
84	Colorado	Air Force	Buckley ANGB	Space Based Infrared Sys Pwr Connection	2,750	2,750	2,750	-	2,750
85	Colorado	Air Force	Peterson AFB	Computer Network Defense Fac	-	-	6,826	6,826	6,826
86	Colorado	Air Force	Peterson AFB	Dormitory (144 Rooms)	11,000	11,000	11,000	-	11,000
87	Colorado	Air Force	Peterson AFB	Operations Support Fac	2,260	2,260	2,260	-	2,260
88	Colorado	Air Force	Peterson AFB	Main Access Gate	-	2,310	-	2,310	2,310
89	Colorado	Air Force	Schriever AFB	Add to Operational Support Fac	8,450	8,450	8,450	-	8,450
90	Colorado	Air Force	U.S. Air Force Academy	Add/Alter Athletic Facilities	18,960	18,960	18,960	-	18,960
91	Colorado	ChemDemil	Pueblo Depot Activity	Ammunition Demilitarization Fac, PH 2	-	10,700	-	10,700	10,700
92	Colorado	Army National Guard	Fort Carson	Mobilization and Training Equip Site, PH 1	-	15,100	-	15,100	15,100
93	Colorado	Air National Guard	Buckley ANGB	Repl Jt Munitions Maint & Storage Complex	-	6,000	6,000	6,000	6,000
94	Connecticut	Navy	New London NSB	Drydock Support Fac	3,100	3,100	3,100	-	3,100
95	Connecticut	Air National Guard	Orange ANGS	Air Control Squadron Complex	-	-	12,000	-	-
96	Delaware	Army National Guard	Smyrna	Readiness Ctr	-	-	7,020	7,020	7,020
97	District of Columbia	Navy	Marine Corps Barracks	Bachelor Enlisted Quarters	17,197	17,197	17,197	-	17,197
98	District of Columbia	Navy	Marine Corps Barracks	Site Improvement	-	7,400	-	7,400	7,400
99	District of Columbia	Navy	Washington NAVDIST	Navy Museum Annex	2,450	2,450	2,450	-	2,450
100	District of Columbia	Navy	Washington NRL	Nano Science Research Lab	-	12,390	-	12,390	12,390
101	District of Columbia	Air Force	Bolling AFB	Child Development Ctr	4,520	4,520	4,520	-	4,520
102	Florida	Navy	Blount Island Command	Land Acquisition, PH 2	-	3,320	-	-	-
103	Florida	Navy	Fort Lauderdale NSWC	Seawall & Ship Berthing Fac	3,570	3,570	3,570	-	3,570
104	Florida	Navy	Jacksonville NAS	Child Development Ctr Addition	-	1,400	-	-	-
105	Florida	Navy	Mayport NS	Aircraft Carrier Wharf Improvements	-	6,830	-	6,830	6,830
106	Florida	Navy	Panama City CSS	Amphibious Warfare Integration Fac	-	-	9,960	9,960	9,960
107	Florida	Navy	Panama City NSWCSS	Child Development Ctr	-	1,000	-	-	-
108	Florida	Navy	Whiting Field Milton NAS	JPATS T-6A GSE/Aircraft Paint Fac	3,900	3,900	3,900	-	3,900

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
109	Florida	Navy	Whiting Field Milton NAS	JPATS T-6A Operations Maint Fac	1,230	1,230	1,230	-	1,230
110	Florida	Air Force	Eglin AFB	Precision Guided Munit Maint Fac	3,340	3,340	3,340	-	3,340
111	Florida	Air Force	Eglin AFB	Upgrade Dormitory (72 Rooms)	5,600	5,600	5,600	-	5,600
112	Florida	Air Force	Eglin Aux Field 9	Defense Access Road	2,360	2,360	2,360	-	2,360
113	Florida	Air Force	Eglin Aux Field 9	Upgrade Access Roads	5,600	5,600	5,600	-	5,600
114	Florida	Air Force	Patrick AFB	DEOMI Fac	12,970	12,970	12,970	-	12,970
115	Florida	Air Force	Tyndall AFB	Add/Alter F-22 Maintenance Fac	18,500	18,500	18,500	-	18,500
116	Florida	Air Force	Tyndall AFB	F-22 Operations Fac	6,800	6,800	6,800	-	6,800
117	Florida	Air Force	Tyndall AFB	Weapons Controller Training School	-	6,195	-	6,195	6,195
118	Florida	DLA	DFSP MacDill AFB	Replace Hydrant Fuel System	16,956	16,956	16,956	-	16,956
119	Florida	SOCOM	Eglin Aux Field 9	AGE Maintenance/Dispatch Complex	4,750	4,750	4,750	-	4,750
120	Florida	SOCOM	Eglin Aux Field 9	Air Field Readiness Improvements	3,000	3,000	3,000	-	3,000
121	Florida	SOCOM	Eglin Aux Field 9	Corrosion Control Fac	8,100	8,100	8,100	-	8,100
122	Florida	SOCOM	Eglin Aux Field 9	Hot Cargo Pad	7,354	7,354	7,354	-	7,354
123	Florida	SOCOM	Eglin Aux Field 9	Supply Package Fac	-	3,319	-	-	-
124	Florida	TRICARE	Eglin AFB	Hospital Add/Alter/Life Safety Upgrade	37,600	37,600	37,600	-	37,600
125	Florida	TRICARE	Patrick AFB	Medical Clinic	2,700	2,700	2,700	-	2,700
126	Florida	TRICARE	Tyndall AFB	Add/Alter Medical Clinic	7,700	7,700	7,700	-	7,700
127	Florida	Army Reserve	Clearwater	Army Aviation Support Fac	-	17,800	-	17,800	17,800
128	Florida	Army Reserve	Orlando	Add/Alter AFR Ctr/OMS	17,953	17,953	17,953	-	17,953
129	Florida	Army Reserve	St. Petersburg	Armed Forces Reserve Ctr, PH 1	-	10,000	-	10,000	10,000
130	Florida	Air Force Reserve	Homestead AFB	Add/Alter Fire Station, PH 2	-	-	-	2,000	2,000
131	Georgia	Army	Fort Benning*	Barracks Complex (Kelley Hill), PH 3B	24,000	-	-	(24,000)	-
132	Georgia	Army	Fort Benning	Fixed Wing Aircraft Parking Apron	15,800	15,800	15,800	-	15,800
133	Georgia	Army	Fort Gordon	Consolidated Fire Station	-	2,600	-	2,600	2,600
134	Georgia	Army	Fort Stewart/Hunter AAF *	Barracks Complex (Hunter AAF), PH 1C	26,000	-	-	(26,000)	-
135	Georgia	Navy	Albany MCLB	Renovate Vehicle Storage Fac	1,100	1,100	1,100	-	1,100
136	Georgia	Navy	Athens NSCS	Fitness Ctr	-	2,950	-	2,950	2,950
137	Georgia	Navy	TRIREFITFAC Kings Bay	Sand Blasting/Paint Fac	5,200	5,200	5,200	-	5,200
138	Georgia	Air Force	Fort Stewart/Hunter AAF	Air Support Operations Squadron Fac	4,920	4,920	4,920	-	4,920
139	Georgia	Air Force	Moody AFB	Dormitory	-	-	8,818	8,818	8,818
140	Georgia	Air Force	Moody AFB	Water Treatment Plant	2,500	2,500	2,500	-	2,500
141	Georgia	Air Force	Robins AFB	Add/Alter Storm Drainage System	-	11,762	-	11,762	11,762
142	Georgia	Air Force	Robins AFB	Airmen Dining Hall	-	-	4,095	4,095	4,095
143	Georgia	Air National Guard	Robins AFB	B-1 Munitions Maint and Trng Complex	8,500	8,500	8,500	-	8,500
144	Georgia	Navy Reserve	Atlanta NAS	Bachelor Enlisted Quarters, PH 1	-	-	5,970	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
145	Georgia	Navy Reserve	Atlanta NAS	Fitness Ctr Expansion	2,650	2,650	2,650	-	2,650
146	Georgia	Navy Reserve	Atlanta NAS	Reserve Training Building Addition	1,769	1,769	1,769	-	1,769
147	Georgia	Air Force Reserve	Dobbins AFB	C-130 Assault Strip	6,032	6,032	6,032	-	6,032
148	Hawaii	Army	Pohakuloa Training Facility	Saddle Access Road, PH 1	-	-	12,000	12,000	12,000
149	Hawaii	Army	Schofield Barracks	Barracks Complex (Wilson Str), PH 1B	46,400	22,400	22,400	(24,000)	22,400
150	Hawaii	Army	Schofield Barracks	Barracks Complex (Quad F)`				43,800	43,800
151	Hawaii	Army	Wheeler AAF	Barracks Complex	43,800	43,800	43,800	(43,800)	-
152	Hawaii	Navy	Camp Smith	CINCPAC Headquarters, PH 2	35,600	35,600	35,600	-	35,600
153	Hawaii	Navy	Kaneohe MCB	Bachelor Enlisted Quarters	18,400	18,400	18,400	-	18,400
154	Hawaii	Navy	Lualualei NAVUWEC	Consolidated Fleet Test Support Fac	2,100	2,100	2,100	-	2,100
155	Hawaii	Navy	Pearl Harbor FISC	Wharf Upgrade	12,000	12,000	12,000	-	12,000
156	Hawaii	Navy	Pearl Harbor NAVSTA	Bachelor Enlisted Quarters	16,500	16,500	16,500	-	16,500
157	Hawaii	Navy	Pearl Harbor NAVSTA	Relocate Seal Delivery Vehicle Team	14,200	14,200	14,200	-	14,200
158	Hawaii	Navy	Pearl Harbor NAVSTA	Sewer Force Main (Ford Island)	-	-	6,900	6,900	6,900
159	Hawaii	Air Force	Hickam AFB	Upgrade Hangar Complex	4,620	4,620	4,620	-	4,620
160	Hawaii	SOCOM	Pearl Harbor	Special Delivery Drydeck Fac	-	9,990	-	9,900	9,900
161	Hawaii	Army National Guard	Maui	Readiness Ctr	-	-	11,592	11,592	11,592
162	Idaho	Air Force	Mountain Home AFB	Enhanced Training Range, PH 3	10,125	10,125	10,125	-	10,125
163	Idaho	Air National Guard	Gowan Field	C-130 Assault Strip	-	-	-	9,000	9,000
164	Illinois	Navy	Great Lakes NTC	Child Development Ctr	-	3,400	-	-	-
165	Illinois	Navy	Great Lakes NTC	Recruit Barracks	37,000	37,000	37,000	-	37,000
166	Illinois	Navy	Great Lakes NTC	Recruit Barracks	37,700	37,700	37,700	-	37,700
167	Illinois	Navy	Great Lakes NTC	Replace RTC Drill Hall	11,700	11,700	11,700	-	11,700
168	Illinois	Navy	Great Lakes NTC	Physical Training Fac	35,000	35,000	35,000	-	35,000
169	Illinois	Air Force	Scott AFB	Munitions Storage/Land Acquisition	3,830	3,830	3,830	-	3,830
170	Illinois	Army National Guard	Aurora	Readiness Ctr	-	2,871	-	2,871	2,871
171	Illinois	Army National Guard	Danville	Readiness Ctr	-	2,435	-	2,435	2,435
172	Illinois	Air National Guard	Scott AFB	KC-135 Simulator Fac	1,500	1,500	1,500	-	1,500
173	Illinois	Air Force Reserve	Scott AFB	Support Group Training Fac	-	-	6,912	-	-
174	Indiana	Army	Newport AD	Ammunition Demilitarization Fac, PH 3	54,400	-	54,400	(54,400)	-
175	Indiana	Navy	Crane NWSC	Microwave Engineering Devices Ctr	-	8,460	-	-	-
176	Indiana	ChemDemil	Newport AD	Ammunition Demilitarization Fac, PH 3	-	54,400	-	54,400	54,400
177	Indiana	Army National Guard	Delphi	Organizational Maintenance Shop	1,563	1,563	1,563	-	1,563
178	Indiana	Army National Guard	Elkhart	Organizational Maintenance Shop	2,322	2,322	2,322	-	2,322
179	Indiana	Army National Guard	Logansport	Organizational Maintenance Shop	739	739	739	-	739
180	Indiana	Army National Guard	Plymouth	Organizational Maintenance Shop	951	951	951	-	951

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Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
181	Indiana	Army National Guard	South Bend	Organizational Maintenance Shop	951	951	951	-	951
182	Indiana	Air National Guard	Fort Wayne IAP	Repl Fuel Cell and Corrosion Control Fac	-	7,000	-	7,000	7,000
183	Indiana	Navy Reserve	Grissom ARB MCRC	Reserve Training Ctr	-	-	4,730	4,730	4,730
184	Indiana	Air Force Reserve	Grissom ARB	Services Complex, PH 2	-	11,290	-	11,290	11,290
185	Kansas	Army	Fort Riley	Advanced Waste Water Treatment Fac	-	-	22,000	22,000	22,000
186	Kansas	Army	Fort Riley*	Barracks Complex (Infantry Dr.), PH 1C	15,000	10,000	10,000	(5,000)	10,000
187	Kansas	Army	Fort Riley	Child Development Ctr	-	5,600	-	-	-
188	Kansas	Air Force	McConnell AFB	Approach Lighting System	-	-	2,100	2,100	2,100
189	Kansas	Air Force	McConnell AFB	KC-135 Squad Ops/Aircraft Maint Unit	-	9,764	-	9,764	9,764
190	Kansas	DLA	McConnell AFB	Hydrant Fuel System	11,000	11,000	11,000	-	11,000
191	Kansas	Army National Guard	Kansas City	Organizational Maintenance Shop	641	641	641	-	641
192	Kansas	Air National Guard	McConnell AFB	B-1 Power Check Pad w/Sound Suppressor	-	1,600	1,550	1,550	1,550
193	Kentucky	Army	Blue Grass AD*	Ammunition Demilitarization Support, PH 2	8,500	-	8,500	(8,500)	-
194	Kentucky	Army	Fort Campbell*	Barracks Complex (Market Garden Rd), PH 2C	9,400	-	-	(9,400)	-
195	Kentucky	Army	Fort Knox	Multi-Purpose Digital Training Range, PH 3	8,450	-	600	(7,900)	550
196	Kentucky	ChemDemil	Blue Grass AD	Ammunition Demilitarization Support, PH 2	-	8,500	-	8,500	8,500
197	Kentucky	SOCOM	Fort Campbell	Equipment Maintenance Complex	4,500	4,500	4,500	-	4,500
198	Kentucky	SOCOM	Fort Campbell	Flight Simulator Fac	5,400	5,400	5,400	-	5,400
199	Kentucky	SOCOM	Fort Campbell	Tactical Equipment Complex	6,400	6,400	6,400	-	6,400
200	Kentucky	Army National Guard	Fort Knox	Parking at MATES	-	-	3,929	3,929	3,929
201	Louisiana	Air Force	Barksdale AFB	B-52H Fuel Cell Maintenance Dock	-	-	14,074	14,074	14,074
202	Louisiana	Air Force	Barksdale AFB	Dormitory (96 Rooms)	6,390	6,390	6,390	-	6,390
203	Louisiana	Army Reserve	Fort Polk	Add/Alter USARC/OMS/Equip Conc Site	9,912	9,912	9,912	-	9,912
204	Louisiana	Army Reserve	New Orleans	USARC/OMS/Unheated Storage	10,375	-	10,375	(10,375)	-
205	Louisiana	Navy Reserve	New Orleans NAS	Air Passenger Terminal	590	590	590	-	590
206	Louisiana	Navy Reserve	New Orleans NAS	Joint Reserve Ctr, PH 1	-	10,375	-	7,000	7,000
207	Louisiana	Navy Reserve	New Orleans NSA	Physical Fitness/Recreational Area	-	-	1,670	1,670	1,670
208	Louisiana	Navy Reserve	New Orleans NSA	Warehouse Add'n for Administration Support	800	800	800	-	800
209	Maine	Navy	Brunswick NAS	Aircraft De-Ice/Rinse Fac	2,450	2,450	2,450	-	2,450
210	Maine	Navy	Portsmouth NSY	Standardize Waterfront Crane Rail System	-	4,960	4,960	4,960	4,960
211	Maryland	Army	Aberdeen Proving Ground	Ammunition Demilitarization Fac, PH 3	45,700	-	45,700	(45,700)	-
212	Maryland	Army	Aberdeen Proving Ground	Emergency Services Ctr	-	5,800	-	-	-
213	Maryland	Army	Aberdeen Proving Ground	Munitions Assessment/Processing Syst Fac	3,100	-	3,100	(3,100)	-
214	Maryland	Army	Fort Meade	Replace Barracks	-	-	19,000	19,000	19,000
215	Maryland	Navy	NavExplOrdDispTechCtr Ind'n Head	Joint Service EOD Equipment Support Fac	6,430	6,430	6,430	-	6,430
216	Maryland	Navy	NAS Patuxent River	Environmental Noise Reduction Wall	-	1,670	-	1,670	1,670

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Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
217	Maryland	Navy	NAS Patuxent River	RDT&E Support Fac	-	6,570	-	6,570	6,570
218	Maryland	ChemDemil	Aberdeen Proving Ground	Ammunition Demilitarization Fac, PH 3	-	45,700	-	45,700	45,700
219	Maryland	ChemDemil	Aberdeen Proving Ground	Munitions Assessment/Processing Syst Fac	-	3,100	-	3,100	3,100
220	Maryland	DLA	DFSP Patuxent River	Replace Operating Fuel Tanks	8,300	8,300	8,300	-	8,300
221	Maryland	NSA	Fort Meade	Critical Utility Control, PH 2	769	769	769	-	769
222	Maryland	NSA	Fort Meade	Route 32	3,459	3,459	3,459	-	3,459
223	Massachusetts	Air Force	Hanscom AFB	Renovate Acquisition Mgmt Fac, PH 2	-	-	17,851	12,000	12,000
224	Massachusetts	Air National Guard	Barnes MAP	Relocate Taxiway	-	4,000	-	4,000	4,000
225	Massachusetts	Air National Guard	Otis ANG	Upgrade Airfield Storm Water System	-	2,000	-	2,000	2,000
226	Massachusetts	Navy Reserve	Westover AFRB	Marine Reserve Training Fac	-	9,100	-	9,100	9,100
227	Massachusetts	Navy Reserve	Westover AFRB	MCR Technical Fac (Rescission FY 1998)	-	-	-	(2,400)	(2,400)
228	Massachusetts	Air Force Reserve	Westover AFRB	Repair/Alter Airman Quarters	-	7,450	-	7,450	7,450
229	Michigan	Army National Guard	Augusta	Organizational Maintenance Shop	-	3,600	3,600	3,600	3,600
230	Michigan	Army National Guard	Lansing	Combined Maintenance Shop, PH 1	-	-	22,743	17,000	17,000
231	Michigan	Army National Guard	Midland	Organizational Maintenance Shop	3,600	-	-	(3,600)	-
232	Michigan	Air National Guard	Alpena County RAP	Replace Operations and Training Fac	4,500	4,500	4,500	-	4,500
233	Michigan	Air National Guard	Selfridge ANGB	Upgrade Runway	-	-	18,000	18,000	18,000
234	Minnesota	Army National Guard	Camp Ripley*	Combined Maintenance Shop	-	-	-	-	-
235	Minnesota	Army National Guard	Mankato	Readiness Ctr	4,681	4,681	4,681	-	4,681
236	Mississippi	Navy	Meridian NAS	Control Tower and Beacon Tower	-	-	1,530	-	-
237	Mississippi	Navy	Meridian NAS	T-45 Aircraft Support Fac	4,700	4,700	4,700	-	4,700
238	Mississippi	Navy	Stennis Space Center	Warfighting Support Ctr	-	-	6,950	6,950	6,950
239	Mississippi	Air Force	Columbus AFB	Corrosion Control Fac	-	-	4,828	4,828	4,828
240	Mississippi	Air Force	Keesler AFB	Technical Training Fac	15,040	15,040	15,040	-	15,040
241	Mississippi	Army National Guard	Camp McCain (Elliot)	Modified Record Fire Range, Range 2B	-	2,000	-	2,000	2,000
242	Mississippi	Army National Guard	Oxford	Readiness Ctr	-	3,348	-	3,348	3,348
243	Mississippi	Air National Guard	Jackson IAP	C-17 Corrosion Control/Maint Hangar	10,500	10,500	12,800	1,700	12,200
244	Missouri	Army	Fort Leonard Wood	Air Field Improvement	-	4,200	-	4,200	4,200
245	Missouri	Army	Fort Leonard Wood	Basic Training Complex, PH 1A	38,600	38,600	38,600	-	38,600
246	Missouri	Air Force	Whiteman AFB	B-2 Conv Munitions Storage Igloos	4,150	4,150	4,150	-	4,150
247	Missouri	Air Force	Whiteman AFB	B-2 Munitions Assembly Area	7,900	7,900	7,900	-	7,900
248	Missouri	Army National Guard	Maryville	Readiness Ctr	-	-	-	4,225	4,225
249	Missouri	Navy Reserve	Whiteman AFB	Littoral Surveillance System	-	3,570	-	3,570	3,570
250	Montana	Air Force	Malmstrom AFB	Convert Commercial Gate	-	-	3,517	3,517	3,517
251	Montana	Air Force	Malmstrom AFB	Helicopter Operations Fac	-	-	2,362	2,362	2,362
252	Montana	Air Force	Malmstrom AFB	Minuteman III Missile Maint Fac	5,300	5,300	5,300	-	5,300

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253	Montana	Army National Guard	Bozeman	Readiness Ctr	-	-	-	4,916	4,916
254	Montana	Army National Guard	Havre	Organizational Maintenance Shop	461	461	461	-	461
255	Montana	Army National Guard	Kalispell	Organizational Maintenance Shop	493	493	493	-	493
256	Montana	Army National Guard	Libby	Organizational Maintenance Shop	463	463	463	-	463
257	Nebraska	Air Force	Offutt AFB	Fire/Crash Rescue Station	-	-	9,765	-	-
258	Nebraska	Army National Guard	Gering	Organizational Maintenance Shop	657	657	657	-	657
259	Nebraska	Army National Guard	Mead	Organizational Maintenance Shop	714	714	714	-	714
260	Nebraska	Army National Guard	North Platte	Organizational Maintenance Shop	508	508	508	-	508
261	Nevada	Navy	Fallon NAS	Corrosion Control Hanger	-	6,280	6,280	6,280	6,280
262	Nevada	DLA	DFSP Fallon NAS	Replace Operating Fuel Tanks	5,000	5,000	5,000	-	5,000
263	Nevada	Army National Guard	Carson City	USP&FO Administrative Building	-	-	4,472	4,472	4,472
264	Nevada	Air National Guard	Reno-Tahoe IAP	Fuel Storage Complex	-	-	5,000	5,000	5,000
265	New Hampshire	Air National Guard	Pease International Trade Port	Replace Medical Training Fac	-	-	4,000	4,000	4,000
266	New Hampshire	Army Reserve	Rochester	Land Acquisition	980	980	980	-	980
267	New Jersey	Army	Picatinny Arsenal	Armament Software Eng Ctr, PH 1	-	5,600	-	5,600	5,600
268	New Jersey	Navy	NWS Earle	Recreation Ctr	2,420	2,420	2,420	-	2,420
269	New Jersey	Air Force	McGuire AFB	Air Freight /Base Supply Complex, PH 1	-	10,600	-	10,600	10,600
270	New Jersey	Air Force	McGuire AFB	Fitness Ctr	9,772	9,772	9,772	-	9,772
271	New Jersey	Army Reserve	Fort Dix	OES Barracks Upgrade	-	-	9,975	-	-
272	New Mexico	Army	White Sands Missile Range	Professional Development Ctr	-	9,000	-	-	-
273	New Mexico	Air Force	Cannon AFB	Control Tower	-	-	4,934	4,934	4,934
274	New Mexico	Air Force	Holloman AFB	Repair Bonito Pipeline	-	-	18,380	18,380	18,380
275	New Mexico	Air Force	Kirtland AFB	Fire/Crash Rescue Station	-	7,350	-	7,350	7,350
276	New Mexico	Air Force	Kirtland AFB	Replace Airfield Pavement, PH 2	-	-	7,352	-	-
277	New York	Army	Fort Drum	Battle Simulation Ctr, PH 1	-	12,000	-	12,000	12,000
278	New York	Army	Fort Drum*	Consolidated Soldier Support Ctr, PH 2	10,300	-	-	(10,300)	-
279	New York	Army	United States Military Academy *	Cadet Physical Development Ctr, PH 2A	13,600	-	-	(13,600)	-
280	New York	TRICARE	Fort Drum	Veterinary Treatment Fac	1,400	1,400	1,400	-	1,400
281	New York	Army National Guard	Hancock Field (ANG)	Readiness Ctr	5,376	5,376	5,376	-	5,376
282	New York	Air National Guard	Hancock Field Syracuse	Small Arms Range Training Fac	-	1,250	-	1,250	1,250
283	New York	Air National Guard	Hancock Field (ANG) Syracuse	Upgrade Aircraft Maintenance Shops	-	9,100	-	9,100	9,100
284	New York	Air National Guard	Niagara Falls IAP	Upgrade Overrun and Runway	-	4,100	-	4,100	4,100
285	New York	Air Force Reserve	Niagara ARS	Visiting Airmen Quarters, PH 1	-	-	6,881	-	-
286	North Carolina	Army	Fort Bragg	Ammunition Holding Area	12,600	12,600	12,600	-	12,600
287	North Carolina	Army	Fort Bragg	Barracks Complex (Butner Rd), PH 1	26,000	26,000	26,000	-	26,000
288	North Carolina	Army	Fort Bragg	Barracks Complex (Longstreet Rd), PH 1	45,600	45,600	45,600	-	45,600

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Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
289	North Carolina	Army	Fort Bragg*	Barracks Complex (Tagaytay Str), PH 2B	38,600	3,108	3,108	(35,492)	3,108
290	North Carolina	Army	Sunny Point Army Terminal	Railroad Equipment Maintenance Fac	2,300	2,300	2,300	-	2,300
291	North Carolina	Navy	Camp LeJeune MCB	Amphibious Ops/Maint Storage Complex	9,500	9,500	9,500	-	9,500
292	North Carolina	Navy	Camp LeJeune MCB	Armories	10,000	14,000	10,000	4,000	14,000
293	North Carolina	Navy	Camp LeJeune MCB	Bachelor Enlisted Quarters	14,300	14,300	14,300	-	14,300
294	North Carolina	Navy	Camp LeJeune MCB	Child Development Ctr	4,420	4,420	4,420	-	4,420
295	North Carolina	Navy	Camp LeJeune MCB	Operations/Maintenance Storage Fac	3,650	3,650	3,650	-	3,650
296	North Carolina	Navy	Cherry Point MCAS	Aircraft Hangar Improvements	8,480	8,480	8,480	-	8,480
297	North Carolina	Navy	Cherry Point NADEP	Aircraft Stripping Fac Addition	7,540	7,540	7,540	-	7,540
298	North Carolina	Navy	New River MCAS	Aircraft Rinse Fac	800	800	800	-	800
299	North Carolina	Navy	New River MCAS	Control Tower	2,600	2,600	2,600	-	2,600
300	North Carolina	Air Force	Pope AFB	Dangerous Cargo Pads	24,570	24,570	24,570	-	24,570
301	North Carolina	Air Force	Seymour Johnson AFB	Repair Airfield Pavement	-	7,141	-	7,141	7,141
302	North Carolina	DODEA	Camp LeJeune MCB	Russell Elementary School	5,914	5,914	5,914	-	5,914
303	North Carolina	DLA	DFSP Cherry Point	Replace Fuel Storage Tanks	5,700	5,700	5,700	-	5,700
304	North Carolina	SOCOM	Fort Bragg	Media Operations Complex	8,600	8,600	8,600	-	8,600
305	North Carolina	Army National Guard	Fort Bragg	Military Educational Fac, PH 1	8,709	8,709	8,709	-	8,709
306	North Carolina	Air National Guard	Charlotte/Douglas IAP	Replace Base Supply Warehouse	-	6,300	-	6,300	6,300
307	North Dakota	Air Force	Minot AFB	Add to Missile Maint Fac	-	3,151	-	-	-
308	North Dakota	Army National Guard	Wahpeton	Armed Forces Readiness Ctr	-	-	10,960	10,960	10,960
309	Ohio	Army	Columbus	Military Entrance Processing Station	1,832	1,832	1,832	-	1,832
310	Ohio	Air Force	Wright-Patterson AFB	Consolidated Toxic Hazard Lab	-	14,908	-	14,908	14,908
311	Ohio	Air Force	Wright-Patterson AFB	Replace West Ramp, PH 1	22,600	22,600	22,600	-	22,600
312	Ohio	Air National Guard	Mansfield-Lahm MAP	Replace Squad Ops and Communications	-	7,700	-	7,700	7,700
313	Ohio	Air National Guard	Springfield-Buckley MAP	Relocate Pwr Check & Arm/DeArm Pad, PH 1	-	4,000	-	4,000	4,000
314	Ohio	Air National Guard	Toledo Express Airport	Replace Logistics Complex	-	6,900	-	-	-
315	Ohio	Navy Reserve	Columbus NMCRC	Consolidate Navy Marine Corps Reserve Ctr	-	7,080	-	7,080	7,080
316	Ohio	Navy Reserve	Rickenbacker NMCRC	Relocation and Consolidation of Facilities	-	-	7,080	-	-
317	Oklahoma	Army	Fort Sill	Tactical Equipment Shop, PH 2	-	10,991	10,100	10,100	10,100
318	Oklahoma	Air Force	Altus AFB	C-17 Cargo Compartment Trainer	-	2,939	2,939	2,939	2,939
319	Oklahoma	Air Force	Tinker AFB	Depot Corrosion Control Strip Fac (WCF)	12,380	12,380	12,380	-	12,380
320	Oklahoma	Air Force	Tinker AFB	Dormitory	-	8,715	-	8,715	8,715
321	Oklahoma	Air Force	Tinker AFB	Dormitory (96 Rooms)	5,800	5,800	5,800	-	5,800
322	Oklahoma	Air Force	Vance AFB	Maintenance Hanger	-	-	10,504	10,504	10,504
323	Oklahoma	Army National Guard	Sand Springs	Armed Forces Reserve Ctr	-	-	13,530	13,530	13,530
324	Oregon	Army	Umatilla DA	Ammunition Demilitarization Fac, PH 6	9,400	-	9,400	(9,400)	-

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325	Oregon	ChemDemil	Umatilla DA	Ammunition Demilitarization Fac, PH 6	-	9,400	-	9,400	9,400
326	Oregon	Army National Guard	Baker City	Readiness Ctr	3,122	3,122	3,122	-	3,122
327	Oregon	Army National Guard	Camp Rilea	Training Simulation Ctr	-	1,470	-	1,470	1,470
328	Oregon	Navy Reserve	Portland IAP	Reserve Ctr Alternation/Vehicle Maint Fac	1,420	1,420	1,420	-	1,420
329	Pennsylvania	Army	Carlisle Barracks	Academic Research Fac	10,500	10,500	10,500	-	10,500
330	Pennsylvania	Army	New Cumberland AD	Military Entrance Processing Station	3,700	3,700	3,700	-	3,700
331	Pennsylvania	Navy	Philadelphia NSWC	Gas Turbine Test Fac	-	10,680	-	10,680	10,680
332	Pennsylvania	DLA	DDSP New Cumberland	Child Development Ctr	4,700	4,700	4,700	-	4,700
333	Pennsylvania	DLA	DDSP New Cumberland	Replace Controlled Humidity Warehouse	13,000	13,000	13,000	-	13,000
334	Pennsylvania	Army National Guard	Fort Indiantown Gap	Repair Waste Treatment Sewage Plant Line	-	8,518	-	8,518	8,518
335	Pennsylvania	Army National Guard	Johnstown	Regional Maintenance Shop	-	4,500	-	4,500	4,500
336	Pennsylvania	Army National Guard	Mansfield	Readiness Ctr	-	3,100	-	3,100	3,100
337	Pennsylvania	Army National Guard	New Milford	Readiness Ctr	-	2,675	-	2,675	2,675
338	Pennsylvania	Air Force Reserve	Pittsburgh IAP	Combat Communications Fac	-	-	3,105	-	-
339	Pennsylvania	Air Force Reserve	Willow Grove ARS	Alter Hangar and Fire Suppression	2,400	2,400	2,400	-	2,400
340	Rhode Island	Navy	Division Newport NUWC	Shore Based Launch Fac	4,150	4,150	4,150	-	4,150
341	Rhode Island	Air National Guard	Quonset Point*	Maintenance Hanger, PH 1	-	-	-	-	-
342	South Carolina	Navy	Beaufort MCAS	Flightline Fire Safety Improvements	3,140	3,140	3,140	-	3,140
343	South Carolina	Navy	Parris Island MCRD	Field Training Complex	2,660	2,660	2,660	-	2,660
344	South Carolina	Air Force	Charleston AFB	Base Mobility Warehouse	-	-	9,449	9,449	9,449
345	South Carolina	Air Force	Charleston AFB	C-17 Add to Flight Simulator Fac	2,500	2,500	2,500	-	2,500
346	South Carolina	Air Force	Charleston AFB	Repair Runway, North Field	-	10,289	10,289	10,289	10,289
347	South Carolina	Air Force	Shaw AFB	Dining Fac	-	5,252	-	5,252	5,252
348	South Carolina	Air Force	Shaw AFB	USCENTAF Operations Weather Sqd Fac	2,850	2,850	2,850	-	2,850
349	South Carolina	DODEA	Laurel Bay	Laurel Bay Primary Classroom Addition	804	804	804	-	804
350	South Carolina	Army National Guard	Beaufort	Readiness Ctr	-	4,870	-	4,870	4,870
351	South Carolina	Army National Guard	Leesburg Training Center	Infrastructure Upgrades	-	-	5,682	5,682	5,682
352	South Carolina	Navy Reserve	Fort Jackson	Naval Reserve Readiness Ctr	-	5,200	-	5,200	5,200
353	South Dakota	Air Force	Ellsworth AFB	Base Civil Engineer Complex, PH 1	-	-	10,290	10,290	10,290
354	South Dakota	Army National Guard	Sioux Falls*	Consolidated Barracks/Education Fac	-	4,955	-	137	137
355	Tennessee	Army National Guard	Henderson	Organizational Maint Shop, PH 1	-	1,976	1,976	-	-
356	Tennessee	Army National Guard	Henderson	Readiness Ctr	-	-	-	5,165	5,165
357	Tennessee	Army National Guard	New Tazwell	Readiness Ctr	-	3,510	-	3,510	3,510
358	Texas	Army	Fort Bliss	Railyard Infrastructure	26,000	26,000	26,000	-	26,000
359	Texas	Army	Fort Hood	Command and Control Fac, PH 1	-	4,000	-	4,000	4,000
360	Texas	Army	Fort Hood	Fire Station/Transportation Motor Pool	-	6,492	-	6,492	6,492

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
361	Texas	Army	Fort Hood	Multi-Purpose Digital Trng Range, PH 1	16,000	16,000	16,000	-	16,000
362	Texas	Army	Fort Hood	Railhead Fac, PH 3	9,800	9,800	9,800	-	9,800
363	Texas	Army	Red River Army Depot	Ammunition Container Complex	800	800	800	-	800
364	Texas	Navy	Corpus Christi NAS	Parking Apron Expansion	-	4,850	-	4,850	4,850
365	Texas	Navy	Ingleside NS	Mobile Mine Assembly Unit Fac	-	2,420	-	2,420	2,420
366	Texas	Navy	Kingsville NAS	Aircraft Parking Apron	-	2,670	-	2,670	2,670
367	Texas	Air Force	Dyess AFB	C-130 Squad Ops/Aircraft Maint Unit	-	7,348	-	-	-
368	Texas	Air Force	Dyess AFB	Fitness Ctr	-	-	12,813	12,813	12,813
369	Texas	Air Force	Dyess AFB	Realistic Bomber Training Initiative	12,175	12,175	12,175	-	12,175
370	Texas	Air Force	Lackland AFB	Child Development Ctr	-	4,830	4,830	4,830	4,830
371	Texas	Air Force	Lackland AFB	Dormitory (96 Rooms)	5,500	5,500	5,500	-	5,500
372	Texas	Air Force	Laughlin AFB	Visitors Quarters	-	11,973	-	11,973	11,973
373	Texas	Air Force	Sheppard AFB	Dining Fac	-	6,450	-	6,450	6,450
374	Texas	TRICARE	William Beaumont Medical Ctr	Laboratory Renovation	-	4,200	-	4,200	4,200
375	Texas	Air National Guard	Ellington Field	Base Supply Complex	-	-	10,000	10,000	10,000
376	Texas	Army Reserve	Camp Bullis	USAR Ctr/Unheated Storage	1,464	1,464	1,464	-	1,464
377	Texas	Army Reserve	Fort Sam Houston	USAR Ctr/OMS/Equip Conc Site	13,678	13,678	13,678	-	13,678
378	Texas	Navy Reserve	Fort Worth NAS, JRB	Indoor Rifle Range	-	3,490	-	3,490	3,490
379	Texas	Navy Reserve	Fort Worth NAS, JRB	Religious Ministry Fac	-	1,580	-	1,830	1,830
380	Utah	Air Force	Hill AFB	C-130 Corrosion Control Fac (WCF)	16,500	16,500	16,500	-	16,500
381	Utah	Air Force	Hill AFB	Dormitory	-	11,550	11,550	11,550	11,550
382	Utah	Air National Guard	Salt Lake City IAP	Aircraft Maintenance Complex	10,300	10,300	10,300	-	10,300
383	Vermont	Air National Guard	Burlington IAP	Aircraft Maintenance Complex	-	-	9,300	9,300	9,300
384	Virginia	Army	Fort Eustis	Aircraft Maint Instructional Building	-	-	4,450	4,450	4,450
385	Virginia	Navy	AEGIS CSC Wallops Island	Spy 1-D T&E Fac Addition	3,300	3,300	3,300	-	3,300
386	Virginia	Navy	Dahlgren NSWC	Innovative Tech & Infrastructure Fac	11,300	11,300	11,300	-	11,300
387	Virginia	Navy	Dahlgren NSWC	Joint Warfare Analysis Ctr	-	-	19,400	19,400	19,400
388	Virginia	Navy	Little Creek NAB	Waterfront Operations Fac	2,830	2,830	2,830	-	2,830
389	Virginia	Navy	Norfolk NAS	Aircraft Maintenance Hangar	13,300	13,300	13,300	-	13,300
390	Virginia	Navy	Norfolk NAS	Aircraft Maintenance Hangar	11,800	11,800	11,800	-	11,800
391	Virginia	Navy	Norfolk NAS	Taxiway Extension & Lights	6,350	6,350	6,350	-	6,350
392	Virginia	Navy	Norfolk NAVSTA	Pier Enhancements	4,700	4,700	4,700	-	4,700
393	Virginia	Navy	Norfolk NSY, Portsmouth	Bachelor Enlisted Quarters	16,100	16,100	16,100	-	16,100
394	Virginia	Navy	Oceana NAS	Airfield Improvements	5,250	5,250	5,250	-	5,250
395	Virginia	Navy	Oceana NAS	Airfield Perimeter Fence	-	4,190	-	-	-
396	Virginia	Navy	Quantico MCCDC	Physical Training Fac	8,590	8,590	8,590	-	8,590

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
397	Virginia	Air Force	Langley AFB	Dormitory (96 Rooms)	7,470	7,470	7,470	-	7,470
398	Virginia	Air Force	Langley AFB	Fitness Ctr	-	12,180	-	12,180	12,180
399	Virginia	DLA	DFSP Oceana	Replace Fuel Storage Tank	2,000	2,000	2,000	-	2,000
400	Virginia	DLA	DSC Richmond	Emergency Services Fac	4,500	4,500	4,500	-	4,500
401	Virginia	SOCOM	Classified	Unit Training Fac	-	-	2,303	-	-
402	Virginia	SOCOM	FCTC Dam Neck	Operational Support Fac	5,500	5,500	5,500	-	5,500
403	Virginia	SOCOM	Little Creek NAB	Air Operations Fac	5,400	5,400	5,400	-	5,400
404	Virginia	SOCOM	Oceana NAS	Operations Support Fac	3,400	3,400	3,400	-	3,400
405	Virginia	Army National Guard	Richlands	Organizational Maintenance Shop	-	-	1,175	1,175	1,175
406	Virginia	Army Reserve	Fort A.P. Hill	USAR/OMS/Area Maint Support Activity	4,275	4,275	4,275	-	4,275
407	Washington	Navy	Bangor NSB	Strategic Security Support Fac	-	-	4,600	4,600	4,600
408	Washington	Navy	Bremerton NS	Fleet Recreation Fac	-	1,930	-	1,930	1,930
409	Washington	Navy	Everett NS	Aquatic Combat Training Fac	-	-	5,500	5,500	5,500
410	Washington	Navy	Puget Sound NSY,Bremerton	Chemical Metallurgical Lab	9,400	9,400	9,400	-	9,400
411	Washington	Navy	Puget Sound NSY, Bremerton	Industrial Skills Ctr	-	10,000	-	10,000	10,000
412	Washington	Navy	Puget Sound NSY, Bremerton	Oily Wastewater Collection	6,600	6,600	6,600	-	6,600
413	Washington	Navy	Puget Sound NSY, Bremerton	Pier Replacement, PH 1	38,000	38,000	38,000	-	38,000
414	Washington	Navy	Strat Wpns Fac Pac, Bremerton	Explosives Handling Wharf Mod	1,400	1,400	1,400	-	1,400
415	Washington	Air Force	Fairchild AFB	Joint Personnel Recovery Ctr	-	5,880	-	5,880	5,880
416	Washington	Air Force	Fairchild AFB	Runway Ctrline Lights	-	2,046	2,046	2,046	2,046
417	Washington	Air Force	McChord AFB	C-17 Add/Alter Nose Docks	3,750	3,750	3,750	-	3,750
418	Washington	Air Force	McChord AFB	C-17 Sqd Ops/Aircraft Maint Unit	6,500	6,500	6,500	-	6,500
419	Washington	Army National Guard	Bremerton	Readiness Ctr	2,639	4,341	4,248	1,702	4,341
420	Washington	Army National Guard	Yakima Training Center	Readiness Ctr	5,104	5,104	6,522	1,609	6,713
421	Washington	Army Reserve	Fort Lawton	Transfer	-	-	-	3,400	3,400
422	Washington	Army Reserve	Tacoma	USAR Ctr/OMS/AMSA, Marine	14,759	14,759	14,759	-	14,759
423	West Virginia	Air National Guard	Yeager ANG	Upgrade Parking Apron and Taxiway	-	-	6,000	6,000	6,000
424	West Virginia	Navy Reserve	Eleanor	Reserve Ctr	-	-	2,500	2,500	2,500
425	Wyoming	Air Force	F. E. Warren AFB	Command And Control Support Fac	10,200	10,200	10,200	-	10,200
426	Wyoming	Air Force	F. E. Warren AFB	Minuteman III Missile Service Complex	15,520	15,520	15,520	-	15,520
427	Wyoming	Air Force	F. E .Warren AFB	Upgrade Storm Water Drainage System	-	-	10,394	-	-
428	Wyoming	Air National Guard	Cheyenne	Control Tower	-	-	1,450	1,450	1,450
429	CONUS Classified	Air Force	Classified	Special Tactical Unit Detachment Fac	1,810	1,810	1,810	-	1,810
430	CONUS Various	Navy	CONUS Various	Bachelor Enlisted Quarters and Dining Fac	11,500	11,500	11,500	-	11,500
431	Bahrain	Navy	ASU	Operations Ctr	19,400	19,400	19,400	-	19,400
432	Curacao/Aruba	OSD	Aruba	Airfield Pavement/Rinse Fac	8,800	-	-	(8,800)	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
433	Curacao/Aruba	OSD	Aruba	Expeditionary Maintenance Facilities	860	-	-	(860)	-
434	Curacao/Aruba	OSD	Aruba	Expeditionary Aircraft Maint Hangar/Apron	590	-	-	(590)	-
435	Curacao/Aruba	OSD	Curacao	Expeditionary Maintenance Facilities	3,000	-	-	(3,000)	-
436	Curacao/Aruba	OSD	Curacao	Expeditionary Squadron Ops/AMU/Storage	2,200	-	-	(2,200)	-
437	Curacao/Aruba	OSD	Curacao	Airfield Pavement/Rinse Fac	29,500	-	-	(29,500)	-
438	Curacao/Aruba	OSD	Curacao	Aircraft Maint Hangar/Nose/Dock/Apron	9,200	-	-	(9,200)	-
439	Diego Garcia	Air Force	Diego Garcia	Munitions Storage Igloos	5,475	5,475	5,475	-	5,475
440	Ecuador	OSD	Manta	Aircraft Maint Hangar/Nose/Dock/Apron	6,723	-	-	(6,723)	-
441	Ecuador	OSD	Manta	Expeditionary Maintenance Facilities	4,900	-	-	(4,900)	-
442	Ecuador	OSD	Manta	Expeditionary Rescue Station	2,200	-	-	(2,200)	-
443	Ecuador	OSD	Manta	Expeditionary Squadron Ops/AMU/Storage	2,600	-	-	(2,600)	-
444	Ecuador	OSD	Manta	Expeditionary Visiting Airmen Qtrs/Dining Fac	4,650	-	-	(4,650)	-
445	Ecuador	OSD	Manta	Expeditionary Visiting Officer Quarters	1,600	-	-	(1,600)	-
446	Germany	Army	Bamberg ASG	Barracks Complex - Warner 7005	7,800	7,800	7,800	-	7,800
447	Germany	Army	Bamberg ASG	Barracks Complex - Warner 7041	3,850	3,850	3,850	-	3,850
448	Germany	Army	Darmstadt ASG	Barracks Complex - Kelley 4164	5,600	5,600	5,600	-	5,600
449	Germany	Army	Darmstadt ASG	Barracks Complex - Cambrai Fritsch 4002	5,700	5,700	5,700	-	5,700
450	Germany	Army	Kaiserslautern	Child Development Ctr	3,400	3,400	3,400	-	3,400
451	Germany	Army	Mannheim	Barracks Complex - Coleman 2	4,050	4,050	4,050	-	4,050
452	Germany	DFAS	Kleber Kaserne	Renovate Administrative Fac	7,500	7,500	7,500	-	7,500
453	Germany	DODEA	Hanau	Argonner Elem School Classroom Add	1,026	1,026	1,026	1,004	2,030
454	Germany	DODEA	Hohenfels	Construct New Middle/High School	13,774	13,774	13,774	-	13,774
455	Germany	DODEA	Schweinfurt	Schweinfurt Elem School Add	1,444	1,444	1,444	306	1,750
456	Germany	DODEA	Wurtzburg	Wuerzburg Elem School Classroom Add	1,798	1,798	1,798	837	2,635
457	Germany	DTRA	Darmstadt	Renovate Administrative Fac	2,450	2,450	2,450	-	2,450
458	Germany	TRICARE	Kitzingen	Health/Dental Clinic Life Safety Upgrade	1,400	1,400	1,400	-	1,400
459	Germany	TRICARE	Wiesbaden AB	Health/Dental Clinic Add/Alter	7,187	7,187	7,187	-	7,187
460	Guam	Navy	Naval Aetivities Guam	Child Development Ctr	-	1,000	-	-	-
461	Guam	DLA	DFSP Andersen AFB	Replace Fuel Storage Tanks	16,000	16,000	16,000	-	16,000
462	Guam	DLA	DFSP Andersen AFB	Replace Hydrant Fuel System	20,000	20,000	20,000	-	20,000
463	Italy	Navy	Naples NSA	Bachelor Enlisted Quarters	15,000	15,000	15,000	-	15,000
464	Italy	Navy	Sigonella NAS	Community Facilities	32,029	32,969	32,029	940	32,969
465	Italy	Air Force	Aviano AB	Dormitory (102 Rooms)	8,000	8,000	8,000	-	8,000
466	Italy	DLA	DFSP Sigonella	Replace Bulk Fuel Storage Fac	16,300	16,300	16,300	-	16,300
467	Italy	DODEA	Sigonella	Sigonella Elem School/High School Add	971	971	971	2,479	3,450
468	Italy	TRICARE	Naples NSA	Medical Dental Fac Replacement	43,850	-	42,400	(43,850)	-

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(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
469	Japan	DLA	DFSP Iwakuni MCAS	Bulk Fuel Storage Tanks	22,400	22,400	22,400	-	22,400
470	Japan	DLA	DFSP Misawa AB	Bulk Fuel Storage Tanks	26,400	26,400	26,400	-	26,400
471	Korea	Army	Camp Carroll	Whole Barracks Renewal Complex	-	10,000	-	10,000	10,000
472	Korea	Army	Camp Hovey	Dining Fac	-	4,200	-	4,200	4,200
473	Korea	Army	Camp Hovey	Whole Barracks Renewal Complex	-	-	-	26,000	26,000
474	Korea	Army	Camp Hovey	Unaccompanied Officers Quarters	-	-	-	-	-
475	Korea	Army	Camp Humphreys	Whole Barracks Renewal Complex	14,200	14,200	14,200	-	14,200
476	Korea	Army	Camp Page	Barracks Complex	19,500	19,500	19,500	-	19,500
477	Korea	Army	Yongpyong	MOUT Collective Fac	-	-	-	11,850	11,850
478	Korea	Air Force	Kunsan AB	Upgrade Water Distribution System	6,400	6,400	6,400	-	6,400
479	Korea	Air Force	Osan AB	Dormitory (156 Rooms)	11,348	11,348	11,348	-	11,348
480	Korea	Air Force	Osan AB	Upgrade Water Distribution System	10,600	10,600	10,600	-	10,600
481	Korea	SOCOM	Taegu AB	Tactical Equipment Maint Complex	1,450	1,450	1,450	-	1,450
482	Korea	DODEA	Osan	Elementary School Classroom Add	-	-	-	892	892
483	Korea	DODEA	Seoul	Elementary School Classroom Add	-	-	-	2,451	2,451
484	Korea	DODEA	Taegu AB	Elementary School Classroom Add	-	-	-	806	806
485	Kwajalein	Army	Kwajalein	Unaccompanied Pers Hous Renovation	18,000	18,000	-	(18,000)	-
486	Puerto Rico	Army	Fort Buchanan	Child Development Ctr	-	-	-	3,700	3,700
487	Puerto Rico	SOCOM	Roosevelt Roads	SOF Boat Maintenance Fac	1,241	1,241	1,241	-	1,241
488	Spain	Air Force	Rota NAVSTA	Enhance Rota, Various Facilities	5,052	5,052	5,052	-	5,052
489	Turkey	Air Force	Incirlik AB	Fire Training Fac	1,000	1,000	1,000	-	1,000
490	United Kingdom	DLA	DFSP RAF Mildenhall	Replace Hydrant Fuel System	10,000	10,000	10,000	-	10,000
491	United Kingdom	DODEA	RAF Feltwell	Feltwell Elem School Classroom Add	1,287	1,287	1,287	513	1,800
492	United Kingdom	DODEA	RAF Lakenheath	Lakenheath Elem School Classroom Add	3,086	3,086	3,086	2,564	5,650
493	Worldwide Unspecified	Army	Unspecified Worldwide	Classified Project	11,500	11,500	11,500	(500)	11,000
494	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(635)	(635)	(635)	(635)
495	Worldwide Unspecified	Army	Unspecified Worldwide	Planning And Design	72,106	83,261	74,882	14,600	86,706
496	Worldwide Unspecified	Army	Unspecified Worldwide	Host Nation	22,600	22,600	22,600	-	22,600
497	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning And Design	63,335	67,502	64,093	10,000	73,335
498	Worldwide Unspecified	Army	Unspecified Worldwide	Unspecified Minor Construction	15,000	17,000	15,000	5,700	20,700
499	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Fluctuation	-	(2,889)	(2,889)	(2,889)	(2,889)
500	Worldwide Unspecified	Navy	Unspecified Worldwide	General Reduction	-	-	-	(20,000)	(20,000)
501	Worldwide Unspecified	Navy	Unspecified Worldwide	Unspecified Minor Construction	7,659	7,659	7,659	4,000	11,659
502	Worldwide Unspecified	Air Force	Unspecified Worldwide	Planning And Design	54,237	56,949	71,529	20,391	74,628
503	Worldwide Unspecified	Air Force	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(15,000)	-	-
504	Worldwide Unspecified	Air Force	Unspecified Worldwide	Unspecified Minor Construction	9,850	9,850	9,850	1,500	11,350

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(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
505	Worldwide Unspecified	BMDO	Unspecified Worldwide	NMD Initial Deployment Facilities	85,095	85,095	85,095	-	85,095
506	Worldwide Unspecified	BMDO	Unspecified Worldwide	Planning And Design	14,729	14,729	14,729	-	14,729
507	Worldwide Unspecified	BMDO	Unspecified Worldwide	Unspecified Minor Construction	3,694	3,694	3,694	-	3,694
508	Worldwide Unspecified	ChemDemil	Unspecified Worldwide	General Reduction (ChemDemil)	-	-	-	(20,000)	(20,000)
509	Worldwide Unspecified	Defense Agencies	Unspecified Worldwide	Foreign Currency Fluctuation	-	(7,115)	(7,115)	(7,115)	(7,115)
510	Worldwide Unspecified	DLA	Unspecified Worldwide	Planning And Design	1,800	1,800	1,800	-	1,800
511	Worldwide Unspecified	DIA	Unspecified Worldwide	Planning And Design	6,786	6,786	6,786	-	6,786
512	Worldwide Unspecified	DFAS	Unspecified Worldwide	Unspecified Minor Construction	1,500	1,500	1,500	-	1,500
513	Worldwide Unspecified	DTRA	Unspecified Worldwide	Planning And Design	2,600	2,600	2,600	-	2,600
514	Worldwide Unspecified	Energy Cons Impr Prgm	Unspecified Worldwide	Energy Conservation Improv Program	33,570	-	16,785	(18,570)	15,000
515	Worldwide Unspecified	Joint Chiefs of Staff	Unspecified Worldwide	Unspecified Minor Construction	6,196	6,196	6,196	-	6,196
516	Worldwide Unspecified	OSD	Unspecified Worldwide	Planning And Design (OSD)	2,900	-	2,900	(1,100)	1,800
517	Worldwide Unspecified	OSD	Unspecified Worldwide	Minor Construction (Defense Level)	3,000	3,000	3,000	-	3,000
518	Worldwide Unspecified	OSD	Unspecified Worldwide	Planning And Design (Defense Level)	24,000	24,000	24,000	-	24,000
519	Worldwide Unspecified	OSD Contingencies	Unspecified Worldwide	Contingency Construction	10,000	10,000	10,000	(4,000)	6,000
520	Worldwide Unspecified	SOCOM	Unspecified Worldwide	Planning And Design	3,790	3,790	3,790	-	3,790
521	Worldwide Unspecified	TRICARE	Unspecified Worldwide	Planning And Design	22,000	22,000	22,000	-	22,000
522	Worldwide Unspecified	TRICARE	Unspecified Worldwide	Unspecified Minor Construction	3,000	3,000	3,000	-	3,000
523	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Planning And Design	4,232	6,348	7,542	20,547	24,779
524	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Unspecified Minor Construction	2,295	3,295	2,295	10,480	12,775
525	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Unspecified Minor WMDCST	-	-	25,000	25,000	25,000
526	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Planning And Design	9,119	9,875	16,396	11,300	20,419
527	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Unspecified Minor Construction	4,000	4,000	4,000	4,000	8,000
528	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Planning And Design	6,400	7,720	7,209	5,500	11,900
529	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	1,917	2,617	1,917	700	2,617
530	Worldwide Unspecified	Navy Reserve	Unspecified Worldwide	Planning And Design	1,521	1,597	1,559	2,200	3,721
531	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Planning And Design	2,304	2,419	3,228	1,000	3,304
532	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Unspecified Minor Construction	4,115	4,115	4,115	-	4,115
533	Worldwide Unspecified	Base Closure IV	BRAC IV	Base Realignment & Closure IV	1,174,369	1,174,369	1,174,369	(150,000)	1,024,369
534	Worldwide Unspecified	NATO Sec Invest Prgm	Unspecified Worldwide	NATO Security Investment Program	190,000	177,500	190,000	(18,000)	172,000
535	Worldwide Various	Navy	Various Worldwide	Host Nation Infrastructure Support	142	142	142	-	142
536	Worldwide Unspecified	Navy	Unspecified Worldwide	General Reduction	-	(20,000)	-	-	-
				Total	4,553,427	4,874,647	4,919,339	662,527	5,215,954
				* Authorized for Appropriation in FY00 Authorization Act				-	-

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(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
1	Alaska	Army	Fort Wainright	Family Hous Revitalization (75 Units)	-	-	24,000	24,000	24,000
2	Arizona	Army	Fort Huachuca	Family Hous Replacement Const (110 Units)	16,224	16,224	16,224	-	16,224
3	California	Army	Fort Irwin	Family Hous Const (24 Units)	-	-	-	4,700	4,700
4	California	Navy	Lemoore NAS	Replace Family Hous (160 Units)	27,768	27,768	27,768	-	27,768
5	California	Navy	Lemoore NAS	Replace Family Hous (100 Units)	-	20,103	-	20,103	20,103
6	California	Navy	Twentynine Palms MCAGCC	Replacement Construction (79 Units)	13,923	13,923	13,923	-	13,923
7	California	Air Force	Edwards AFB	Replace Family Hous (57 Units)	-	9,870	-	9,870	9,870
8	California	Air Force	Travis AFB	Replace Family Hous (64 Units)	-	9,870	-	9,870	9,870
9	District of Columbia	Air Force	Bolling AFB	Replace Military Family Hous (136 Units)	17,137	17,137	17,137	-	17,137
10	Hawaii	Army	Schofield Barracks	Family Hous Replacement Const (72 Units)	15,500	15,500	15,500	-	15,500
11	Hawaii	Navy	Kaneohe Bay MCAS	Replace Capehart South (84 Units)	21,910	21,910	21,910	-	21,910
12	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Hale Moku (98 Units)	22,230	22,230	22,230	-	22,230
13	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Radford Terr (112 Units)	23,654	23,654	23,654	-	23,654
14	Hawaii	Navy	Pearl Harbor CNB	Replace Family Hous, Pearl City (62 Units)	14,237	14,237	14,237	-	14,237
15	Idaho	Air Force	Mountain Home AFB	Family Hous Replacement Const (119 Units)	-	-	22,694	10,598	10,598
16	Kentucky	Army	Fort Campbell	Family Hous Replacement Const (56 Units)	7,800	7,800	7,800	–	7,800
17	Kentucky	Army	Fort Campbell	Family Hous Replacement Const (128 Units)	-	8,000	20,000	20,000	20,000
18	Louisiana	Navy	New Orleans Naval Complex	Family Hous Construction (100 Units)	-	5,000	-	5,000	5,000
19	Maine	Navy	Brunswick NAS	Replace/New Enlisted Homes (168 Units)	18,722	18,722	18,722	-	18,722
20	Maryland	Army	Fort Detrick	Family Hous Replacement Const (48 Units)	5,600	5,600	5,600	-	5,600
21	Mississippi	Navy	Gulfport NCBC	Family Hous (157 Units)	-	20,700	-	20,700	20,700
22	Mississippi	Navy	Pascagoula NS	Family Hous (140 Units)		-	21,605	-	-
23	Nevada	Air Force	Nellis AFB	Family Hous (26 Units)	-	5,000	-	5,000	5,000
24	Missouri	Army	Fort Leonard Wood	Family Hous Replacement Const (24 Units)	-	-	-	4,150	4,150
25	North Carolina	Army	Fort Bragg	Family Hous Replacement Const (112 Units)	14,600	14,600	14,600	-	14,600
26	North Carolina	Army	Fort Bragg	Family Hous Replacement Const (54 Units)	-	7,400	-	7,400	7,400
27	North Carolina	Navy	Camp Lejeune	Revitalize Family Hous (149 Units)	-	-	7,838	-	-
28	North Dakota	Air Force	Cavalier AFS	Construct Military Family Hous (2 Units)	443	443	443	-	443
29	North Dakota	Air Force	Minot AFB	Replace Military Family Hous (134 Units)	19,097	19,097	19,097	-	19,097
30	South Carolina	Army	Fort Jackson	Family Hous New Construction (1 Unit)	250	250	250	-	250
31	Texas	Army	Fort Bliss	Family Hous Replacement Const (64 Units)	10,200	10,200	10,200	-	10,200
32	Texas	Army	Fort Sam Houston	Replace Family Hous (80 Units)	-	-	10,000	-	-
33	Virginia	Army	Fort Belvoir	Family Hous, New Construction (27 Units)	-	5,500	-	-	-
34	Virginia	Army	Fort Lee	Replace Family Hous (51 Units)	-	8,600	-	8,600	8,600
35	Washington	Navy	Whidbey Island NAS	Replace/New Family Hous (98 Units)	16,873	16,873	16,873	-	16,873
36	Korea	Army	Camp Humphreys	Family Hous New Construction (60 Units)	21,800	21,800	21,800	-	21,800

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
37	Puerto Rico	Army	Fort Buchanan	Family Hous Replacement Const (31 Units)	-	-	-	5,000	5,000
38	Worldwide Unspecified	Army	Unspecified Worldwide	Construction Improvement	63,590	72,440	63,590	-	63,590
39	Worldwide Unspecified	Army	Unspecified Worldwide	Planning	6,542	6,542	8,742	-	6,542
40	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(1,951)	-	-	0
41	Worldwide Unspecified	Army	Unspecified Worldwide	Furnishings Account	44,374	44,374	44,374	-	44,374
42	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Adjustment	-	(17,960)	(19,911)	(19,911)	(19,911)
43	Worldwide Unspecified	Army	Unspecified Worldwide	Interest Payment	1	1	1	-	1
44	Worldwide Unspecified	Army	Unspecified Worldwide	Leasing	202,011	202,011	202,011	-	202,011
45	Worldwide Unspecified	Army	Unspecified Worldwide	Maintenance of Real Property	397,792	397,792	397,792	-	397,792
46	Worldwide Unspecified	Army	Unspecified Worldwide	Management Account	90,286	83,715	90,286	(6,571)	83,715
47	Worldwide Unspecified	Army	Unspecified Worldwide	Miscellaneous Account	855	855	855	-	855
48	Worldwide Unspecified	Army	Unspecified Worldwide	Services Account	44,855	44,855	44,855	-	44,855
49	Worldwide Unspecified	Army	Unspecified Worldwide	Utilities Account	198,101	198,101	198,101	-	198,101
50	Worldwide Unspecified	Navy	Unspecified Worldwide	Construction Improvements	183,547	192,147	183,547	9,530	193,077
51	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning	19,958	19,958	19,958	-	19,958
52	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Adjustment	-	-	(1,071)	(1,071)	(1,071)
53	Worldwide Unspecified	Navy	Unspecified Worldwide	Furnishings Account	30,884	30,884	30,884	-	30,884
54	Worldwide Unspecified	Navy	Unspecified Worldwide	Leasing	142,690	142,690	142,690	-	142,690
55	Worldwide Unspecified	Navy	Unspecified Worldwide	Management Account	84,914	84,914	84,914	-	84,914
56	Worldwide Unspecified	Navy	Unspecified Worldwide	Maintenance of Real Property	393,830	393,830	393,830	-	393,830
57	Worldwide Unspecified	Navy	Unspecified Worldwide	Miscellaneous Account	1,239	1,239	1,239	-	1,239
58	Worldwide Unspecified	Navy	Unspecified Worldwide	Mortgage Insurance Premiums	71	71	71	-	71
59	Worldwide Unspecified	Navy	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(5,391)	-	-
60	Worldwide Unspecified	Navy	Unspecified Worldwide	Services Account	63,953	63,953	63,953	-	63,953
61	Worldwide Unspecified	Navy	Unspecified Worldwide	Utilities Account	165,057	165,057	165,057	-	165,057
62	Worldwide Unspecified	Air Force	Unspecified Worldwide	Construction Improvements	174,046	174,046	174,046	-	174,046
63	Worldwide Unspecified	Air Force	Unspecified Worldwide	Planning	12,760	12,760	13,730	-	12,760
64	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation Adjustment	-	(6,839)	-	(6,839)	(6,839)
65	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation	-	(5,392)	(12,231)	(5,392)	(5,392)
66	Worldwide Unspecified	Air Force	Unspecified Worldwide	Furnishings Account	38,180	38,180	38,180	-	38,180
67	Worldwide Unspecified	Air Force	Unspecified Worldwide	Leasing	114,628	114,628	114,628	-	114,628
68	Worldwide Unspecified	Air Force	Unspecified Worldwide	Management Account	55,685	55,685	55,685	-	55,685
69	Worldwide Unspecified	Air Force	Unspecified Worldwide	Maintenance of Real Property	428,456	428,456	428,456	-	428,456
70	Worldwide Unspecified	Air Force	Unspecified Worldwide	Miscellaneous Account	2,332	2,332	2,332	-	2,332
71	Worldwide Unspecified	Air Force	Unspecified Worldwide	Mortgage Insurance Premiums	34	34	34	-	34
72	Worldwide Unspecified	Air Force	Unspecified Worldwide	Prior Years Unobligated Funds	-	-	(6,615)	-	-

Fiscal Year 2001 Authorization of Appropriations for Military Construction

(Dollars in Thousands)

Item	State	Service	Installation Name	Project Name	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
73	Worldwide Unspecified	Air Force	Unspecified Worldwide	Services Account	27,997	27,997	27,997	-	27,997
74	Worldwide Unspecified	Air Force	Unspecified Worldwide	Utilities Account	158,959	158,959	158,959	-	158,959
75	Worldwide Unspecified	DIA	Unspecified Worldwide	Furnishings Account	3,564	3,564	3,564	-	3,564
76	Worldwide Unspecified	DIA	Unspecified Worldwide	Leasing	25,924	25,924	25,924	-	25,924
77	Worldwide Unspecified	DLA	Unspecified Worldwide	Management Account	271	271	271	-	271
78	Worldwide Unspecified	DLA	Unspecified Worldwide	Utilities Account	421	421	421	-	421
79	Worldwide Unspecified	DLA	Unspecified Worldwide	Services Account	77	77	77	-	77
80	Worldwide Unspecified	DLA	Unspecified Worldwide	Maintenance of Real Property	316	316	316	-	316
81	Worldwide Unspecified	DLA	Unspecified Worldwide	Furnishings Account	22	22	22	-	22
82	Worldwide Unspecified	NSA	Unspecified Worldwide	Leasing	12,554	12,554	12,554	-	12,554
83	Worldwide Unspecified	NSA	Unspecified Worldwide	Maintenance of Real Property	653	653	653	-	653
84	Worldwide Unspecified	NSA	Unspecified Worldwide	Services Account	415	415	415	-	415
85	Worldwide Unspecified	NSA	Unspecified Worldwide	Furnishings Account	146	146	146	-	146
86	Worldwide Unspecified	NSA	Unspecified Worldwide	Utilities Account	444	444	444	-	444
87	Worldwide Unspecified	NSA	Unspecified Worldwide	Management Account	15	15	15	-	15
88	Worldwide Unspecified	NSA	Unspecified Worldwide	Miscellaneous Account	64	64	64	-	64
				Total	3,480,481	3,559,261	3,544,569	124,737	3,605,218

FY 2001 BRAC MILITARY CONSTRUCTION PROJECTS—AIR FORCE: BRAC IV CONSTRUCTION, FISCAL YEAR 2001

[Dollars in Thousands]

State	Installation or location	Description	Amount
Texas	Fort Sam Houston	Defense Reutilization and Marketing Organization Complex	12,800
Total Air Force-BRAC IV Construction			12,800

TITLE XXI—ARMY

Overview

The House bill would authorize $1,824,640,000 for Army military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $1,978,295,000 for this purpose.

The conferees recommend authorization of appropriations of $1,925,344,000 for Army military construction and family housing for fiscal year 2001.

The conferees agree to the following reductions: $635,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States; and $19,911,000, which represents the combination of savings from adjustment to foreign currency rates for military family housing construction and military family housing support outside the United States. The reductions shall not cancel any military construction authorized by title XXI of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Army construction and land acquisition projects (sec. 2101)

The House bill contained a provision (sec. 2101) that would authorize Army construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2102)

The House bill included a provision (sec. 2102) that would authorize new construction and planning and design of family housing units for the Army for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2103)

The House bill contained a provision (sec. 2103) that would authorize improvements to existing units of family housing for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Army (sec. 2104)

The House bill contained a provision (sec. 2104) that would authorize specific appropriations for each line item contained in the Army's budget for fiscal year 2001. This section would also provide an overall limit on the amount the Army may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Modification of authority to carry out certain fiscal year 2000 projects (sec. 2105)

The Senate amendment contained a provision (sec. 2105) that would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to make technical corrections in the funding authorization for Fort Stewart, Georgia, and Fort Riley, Kansas. The provision would also amend section 2104 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amount authorized for appropriation for unspecified minor construction from $9.5 million to $14.6 million. The provision would also make certain conforming changes.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amount authorized for CONUS Various due to a change in scope.

Modification of authority to carry out certain fiscal year 1999 projects (sec. 2106)

The House bill contained a provision (sec. 2105) would amend section 2101 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261) to provide for an increase in the amount authorized for the construction of a railhead facility at Fort Hood, Texas.

The Senate amendment contained a similar provision (sec. 2106) that would amend section 2101 of the Military Construction Act for Fiscal Year 1999 (division B of Public Law 105–261) to increase the amount authorized for the construction of a barracks project at Fort Riley, Kansas, from $41.0 million to $44.5 million, and a railhead facility at Fort Hood, Texas, from $32.5 million to $45.3 million. The provision would also make certain technical corrections.

The House recedes with a technical amendment.

Modification of authority to carry out fiscal year 1998 project (sec. 2107)

The Senate amendment contained a provision (sec. 2107) that would amend section 2101 of the Military Construction Act for Fiscal Year 1998 (division B of Public Law 105–85) to provide an increase in the amount authorized for the construction of a barracks project at Hunter Army Airfield, Fort Stewart, Georgia, from $54.0 million to $57.5 million. The provision would also make certain technical corrections.

The House bill contained no similar provision.

The House recedes.

Authority to accept funds for realignment of certain military construction project, Fort Campbell, Kentucky (sec. 2108)

The Senate amendment contained a provision (sec. 2108) that would authorize the Secretary of the Army to accept funds from the Federal Highway Administration (FHA) or the Commonwealth of Kentucky to fund the additional costs associated with the realignment of a rail connector military construction project at Fort Campbell, Kentucky, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–210). The provision would authorize the Secretary to use the funds received from the FHA or the Commonwealth in the same manner as funds authorized and appropriated for the rail connector project. The provision would also specify that the costs associated with realignment include, but are not limited to, redesign costs, additional construction costs, additional costs due to construction delays related to the realignment, and additional real estate costs.

The House bill contained no similar provision.

The House recedes with a technical amendment.

TITLE XXII—NAVY

Overview

The House bill would authorize $2,187,673,000 for Navy military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $2,095,163,000 for this purpose.

The conferees recommend authorization of appropriations of $2,227,995,000 for Navy military construction and family housing for fiscal year 2001.

The conferees agree to general reductions of $20,000,000 in the authorization of appropriations for the Navy military construction and military family housing accounts. The reductions are to be offset by savings from favorable bids, reduction in overhead costs, and cancellation of projects due to force structure changes. The conferees further agree to a reductions of $2,889,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States and $1,071,000, which represents the combination of savings from adjustment to foreign currency rates for military family housing support outside the United States. The general reductions shall not cancel any military construction authorized by title XXII of this Act.

ITEMS OF SPECIAL INTEREST

Improvements to military family housing, Navy

The conferees recommend that, within authorized amounts for improvements to military family housing and facilities, the Secretary of the Navy execute the following projects: $9,030,000 for Whole House Revitalization (98 units) at Marine Corps Base, Camp Pendleton, California; and $500,000 for Whole House Revitalization (one unit) at the 8th and I Marine Corps Barracks, District of Columbia.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Navy construction and land acquisition projects (sec. 2201)

The House bill contained a provision (sec. 2201) that would authorize Navy construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2202)

The House bill contained a provision (sec. 2202) that would authorize new construction and planning and design of family housing units for the Navy for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2203)

The House contained a provision (sec. 2203) that would authorize improvements to existing units of family housing for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate bill amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Navy (sec. 2204)

The House bill contained a provision (sec. 2204) that would authorize specific appropriations for each line item in the Navy's budget for fiscal year 2001. This provision would also provide an overall limit on the amount the Navy may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Modification of authority to carry out fiscal year 1997 project at Marine Corps Combat Development Command, Quantico, Virginia (sec. 2205)

The House bill contained a provision (sec. 2205) that would modify the authorized use of funds authorized for appropriation for fiscal year 1997 for a military construction project at Marine Corps Command Development Command, Quantico, Virginia. The provision would permit the use of previously authorized funds to carry out a military construction project involving infrastructure development at that installation.

The Senate amendment contained a similar provision (sec. 2205).

The House recedes with a technical amendment.

TITLE XXIII—AIR FORCE

Overview

The House bill would authorize $1,766,136,000 for Air Force military construction and family housing programs for fiscal year 2001.

The Senate amendment would authorize $1,851,909,000 for this purpose.

The conferees recommend authorization of appropriations of $1,943,069,000 for Air Force military construction and family housing for fiscal year 2001.

The conferees agree to a $12,231,000 reduction which represents the combination of savings from adjustment to foreign currency rates for military family housing construction and military family housing support outside the United States. The reduction shall not cancel any military construction authorized by title XXIII of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Air Force construction and land acquisition projects (sec. 2301)

The House bill contained a provision (sec. 2301) that would authorize Air Force construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Family housing (sec. 2302)

The House bill contained a provision (sec. 2302) that would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Improvements to military family housing units (sec. 2303)

The House bill contained a provision (sec. 2303) that would authorize improvements to existing units of family housing for fiscal year 2001.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

Authorization of appropriations, Air Force (sec. 2304)

The House bill contained a provision (sec. 2304) that would authorize specific appropriations for each line item in the Air Force budget for fiscal year 2001. This provision would also provide an overall limit on the amount the Air Force may spend on military construction projects.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

TITLE XXIV—DEFENSE AGENCIES

Overview

The House bill would authorize $860,390,000 for Defense Agencies military construction and family housing programs for fiscal year 2001. The bill would also authorize $1,174,369,000 for base closure activities.

The Senate amendment would authorize $736,884,000 for Defense Agencies military construction and family housing programs for fiscal year 2001. The amendment would also authorize $1,174,369,000 for base closure activities.

The conferees recommend authorization of appropriations of $859,533,000 for Defense Agencies military construction and family housing for fiscal year 2001. The conferees also recommend authorization of appropriations of $1,024,369,000 for base closure activities.

The conferees agree to a general reduction of $20,000,000 in the authorization of appropriations for the chemical demilitarization program. The reduction represents the combination of project savings in military construction for chemical demilitarization resulting from favorable bids, reduced overhead charges, and cancellations due to force structure changes. The conferees do not intend this reduction to interfere with timely compliance with the Chemical Weapons Convention. The conferees further agree to a reduction of $7,115,000, which represents the combination of savings from adjustment to foreign currency rates for military construction outside the United States. The reductions shall not cancel any military construction projects authorized by title XXIV of this Act.

ITEMS OF SPECIAL INTEREST

Military construction projects, Manta Air Base, Ecuador

The conferees agree, upon certification by the Secretary of Defense that sufficient aircraft will be scheduled to operate out of the Manta Air Base, Ecuador, to justify construction of projects at that facility, funds that have been authorized and appropriated shall be made available for the construction of large aerial surveillance aircraft related facilities, visiting officers' quarters, visiting airmen quarters, and dining facilities at Manta, Ecuador.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Defense Agencies construction and land acquisition projects (sec. 2401)

The House bill contained a provision (sec. 2401) that would authorize defense agencies construction projects for fiscal year 2001. The authorized amounts are listed on an installation-by-installation basis.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Energy conservation projects (sec. 2402)

The Senate amendment contained a provision (sec. 2402) that would authorize the Secretary of Defense to carry out energy conservation projects.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize for appropriation $15.0 million to carry out energy conservation projects.

Authorization of appropriations, Defense Agencies (sec. 2403)

The House bill contained a provision (sec. 2402) that would authorize specific appropriations for each line item in the Defense Agencies budgets for fiscal year 2001. This provision would also provide an overall limit on the amount the Defense Agencies may spend on military construction projects.

The Senate amendment contained a similar provision (sec. 2403).

The conference agreement includes a similar provision.

Modification of authority to carry out certain fiscal year 1990 project (sec. 2404)

The Senate amendment contained a provision (sec. 2404) that would amend section 2401 of the Military Construction Act for Fiscal Year 1990 and 1991 (division B of Public Law 101–189), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law

103–261) to provide for an increase in the amount authorized for the construction of the Portsmouth Naval Hospital, Virginia, from $342,854,000 to $351,354,000.

The House bill contained no similar provision.

The House recedes with a technical amendment.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Overview

The House bill would authorize $177,500,000 for the U.S. contribution to the NATO Security Investment Program for fiscal year 2001.

The Senate amendment would authorize $190,000,000 for this purpose.

The conferees agree to authorize $172,000,000 for the U.S. contribution to the NATO Security Investment Program.

LEGISLATIVE PROVISIONS ADOPTED

Authorized NATO construction and land acquisition projects (sec. 2501)

The House bill contained a provision (sec. 2501) that would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization Security Investment Program in an amount equal to the sum of the amount specifically authorized in section 2502 of the House bill and the amount of recoupment due to the United States for construction previously financed by the United States.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Authorization of appropriations, NATO (sec. 2502)

The House bill contained a provision (sec. 2502) that would authorize appropriations of $177,500,000 as the United States contribution to the North Atlantic Treaty Organization (NATO) Security Investment Program.

The Senate amendment would authorize $190,000,000 for this purpose.

The conferees agree to authorize $172,000,000 for the United States contribution to the NATO Security Investment Program.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Overview

The House bill would authorize $443,200,000 for military construction and land acquisition for fiscal year 2001 for the Guard and Reserve components.

The Senate amendment would authorize $508,146,000 for this purpose.

The conferees recommend authorization of appropriations of $668,862,000 for military construction and land acquisition for fiscal year 2001. This authorization would be distributed as follows:

Army National Guard	$266,531,000
Air National Guard	194,929,000
Army Reserve	108,738,000
Naval and Marine Corps Reserve	62,073,000
Air Force Reserve	36,591,000
Total	668,862,000

ITEMS OF SPECIAL INTEREST

Support for Weapons of Mass Destruction Civil Support Teams

The conferees included $25.0 million for Unspecified Minor Construction, Army National Guard, to support the activation of the Weapons of Mass Destruction Civil Support Teams. Although these teams are to be assigned to locations that have existing facilities to accommodate their needs, the conferees understand that the Army National Guard has identified a requirement of approximately $31.0 million for the renovation of facilities to accommodate these teams. The conferees are aware that the military construction program for the reserve components is underfunded and that this requirement would place an additional burden on an already constrained military construction program for the Army National Guard. The conferees agree to authorize additional funds for this purpose on a one-time basis and direct the Secretary of the Army to provide a report on the expenditure of these funds not later than October 1, 2001.

LEGISLATIVE PROVISIONS ADOPTED

Authorized Guard and Reserve construction and land acquisition projects (sec. 2601)

The House bill contained a provision (sec. 2601) that would authorize appropriations for military construction for the guard and reserve by service component for fiscal year 2002.

The Senate amendment contained a similar provision.

The conference agreement includes a similar provision.

The state list contained in this report is intended to be the binding list of specific projects authorized at each location.

Authority to contribute to construction of airport tower, Cheyenne Airport, Cheyenne, Wyoming (sec. 2602)

The Senate amendment contained a provision (sec. 2602) that would authorize $1,450,000 for a contribution by the Air National Guard to construction of a new airport tower at Cheyenne Airport, Cheyenne, Wyoming.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary of the Air Force to contribute to the Cheyenne Airport Authority, consistent with applicable agreements, up to $1,450,000 from the funds authorized for appropriation in section 2601 to provide for the construction of an airport tower, at Cheyenne Airport, Cheyenne, Wyoming, in support of the Air National Guard mission.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

LEGISLATIVE PROVISIONS ADOPTED

Expiration of authorizations and amounts required to be specified by law (sec. 2701)

The House bill contained a provision (sec. 2701) that would provide that authorizations for military construction projects, repair of real property, land acquisition, family housing projects and facilities, contributions to the North Atlantic Treaty Organization Security Investment Program, and guard and reserve projects will expire on October 1, 2003, or the date of enactment of an Act authorizing funds for military construction for fiscal year 2004, whichever is later. This expiration would not apply to authorizations for which appropriated funds have been obligated before October 1, 2003, or the date of enactment of an Act authorizing funds for these projects, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 1998 projects (sec. 2702)

The House bill contained a provision (sec. 2702) that would provide for selected extension of certain fiscal year 1998 military construction authorizations until October 1, 2001, or the date of the enactment of the Act authorizing funds for military construction for fiscal year 2002, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Extension of authorizations of certain fiscal year 1997 projects (sec. 2703)

The House bill contained a provision (sec. 2703) that would provide for selected extension of certain fiscal year 1997 military construction authorizations until October 1, 2001, or the date of the enactment of the Act authorizing funds for military construction for fiscal year 2002, whichever is later.

The Senate amendment contained a similar provision.

The House recedes with a technical amendment.

Effective date (sec. 2704)

The House bill contained a provision (sec. 2704) that would provide that Titles XXI, XXII, XXIII, XXIV, XV, and XXVI of this bill shall take effect on October 1, 2000, or the date of the enactment of this Act, whichever is later.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Joint use military construction projects (sec. 2801)

The Senate amendment contained a provision (sec. 2801) that would express the sense of Congress that the Secretary of Defense, when preparing the budget request, should identify military construction projects suitable for joint use, specify in the budget request joint use military construction projects, and give priority to joint use military construction projects. The provision would also direct the Secretary to include in the budget request a certification by each secretary concerned that the service screened each construction project in the budget request for the feasibility for joint use. The provision would further require the Secretary of Defense to submit, not later than September 30 of each year, a report that included the number of military construction projects evaluated for joint use construction, when the project could be executed, and a list of the military construction projects determined to be feasible for joint use. The provision would also make certain conforming changes.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Defense to implement the program requirement by fiscal year 2003. The amendment would also eliminate the requirement that the Secretary of Defense conduct an annual evaluation.

Exclusion of certain costs from determination of applicability of limitation on use of funds for improvement of family housing (sec. 2802)

The Senate amendment contained a provision (sec. 2802) that would amend section 2825 of title 10, United States Code, to authorize the secretary concerned to exclude certain costs from the application of the limitation on the use of funds for improvement of military family housing units. The specific costs that would be excluded are the installation, maintenance, and repair of communications, security, or anti-terrorism equipment required by the occupant in the performance of

his duties. The provision would also exclude the cost of repairing or replacing the exterior of the unit or units if such repair or replacement is necessary to meet historic preservation standards.

The House bill contained no similar provision.

The House recedes with an amendment that would exclude only those costs associated with the installation, maintenance, and repair of communications, security, or antiterrorism equipment required by the occupant in the performance of his duties.

Revision of space limitations for military family housing (sec. 2803)

The House bill contained a provision (sec. 2801) that would amend section 2826 of title 10, United States Code, to require the secretary concerned to ensure that the room patterns and floor areas of military family housing units constructed, acquired, or improved by the secretary shall be generally comparable to those available in the locality of the military installation on which such military family housing units are located.

The Senate amendment contained a similar provision (sec. 2803).

The House recedes with a technical amendment.

Modification of lease authority for high-cost military family housing (sec. 2804)

The House bill contained a provision (sec. 2802) that would amend section 2828 of title 10, United States Code, to modify the authorized terms of leasing for military family housing to support the United States Southern Command in Miami, Florida.

The Senate amendment contained a provision (sec. 2804) that would amend section 2828 of title 10, United States Code, to eliminate the $60,000 per year limitation on the lease of an individual housing unit and to authorize the Secretary of the Army to enter into leases for eight housing units in the Miami area for no more than five years. The provision would further amend section 2828 to authorize the Secretary concerned to adjust the maximum cost authorized for family housing leases based on the percentage that the national average monthly cost of housing differ during the two preceding fiscal years. The provision would authorize the Secretary of the Army to adjust the maximum amount of the eight family housing unit leases in the Miami area by the percent the annual average cost of housing for the Miami Military Housing Area exceeds the annual average cost for the same region for the fiscal year preceding the fiscal year.

The House recedes with a technical amendment.

Provision of utilities and services under alternative authority for acquisition and improvement of military housing (sec. 2805)

The Senate amendment contained a provision (sec. 2806) that would amend section 2872 of title 10, United States Code, to authorize the service secretaries to provide utilities and services to privatized housing units located on a military installation on a reimbursable basis. The payments received for such services would be credited to the appropriate account or working capital fund from which the cost of furnishing the utilities and services are paid.

The House bill contained no similar provision.

The House recedes with an amendment that would clarify the list of covered utilities and services.

Extension of alternative authority for acquisition and improvement of military housing (sec. 2806)

The House bill contained a provision (sec. 2803) that would amend section 2885 of title 10, United States Code, to extend the authorities contained in subchapter 169 of title 10, United States Code, for an additional five-year period to 2006.

The Senate amendment contained a provision (sec. 2807) that would amend section 2885 of title 10, United States Code, to extend the authorities contained in subchapter 169 of title 10, United States Code, for an additional three-year period.

The House recedes with an amendment that would extend the authorities contained in subchapter 169 of title 10, United States Code, to December 31, 2004.

Expansion of definition of armory to include readiness centers (sec. 2807)

The House bill contained a provision (sec. 2804) that would amend section 18232 of title 10, United States Code, to clarify that the term ''readiness center'' shall have the same meaning as the term ''armory.''

The Senate amendment contained a similar provision (sec. 2808).

The Senate recedes with a technical amendment.

Subtitle B—Real Property and Facilities Administration

Increase in threshold for notice and wait requirements for real property transactions (sec. 2811)

The House bill contained a provision (sec. 2811) that would amend section 2662 of title 10, United States Code, to increase the threshold for notice and wait requirements for real property transactions from $200,000 to $500,000.

The Senate amendment contained a similar provision (sec. 2811).

The Senate recedes.

Enhancement of authority of military departments to lease non-excess property (sec. 2812)

The House bill contained a provision (sec. 2812) that would amend section 2667 of title 10, United States, to modify the permissible forms of consideration received by the secretary concerned for the lease of non-excess real property under the control of the secretary.

The Senate amendment contained a provision (sec. 2812) that would amend section 2667 of title 10, United States Code, to authorize the secretary concerned to lease facilities that are under the control of that department and that are not excess to the needs of that department. The secretary concerned would be authorized to accept as compensation for the leases, either payment in-kind or cash. The provision would further authorize the secretary concerned to use cash proceeds from leases for maintenance, protection, alteration, repair, improvements or restoration of property or facilities, construction or acquisition of new facilities, lease facilities, and facilities support. The provision would authorize the secretary concerned to construct or acquire facilities in excess of $500,000 only after submission of a report on the facts of the construction or acquisition of such facilities to the congressional defense committees and passage of a waits 30–day waiting period. The provision would also authorize the secretary concerned to indemnify the leasee from any claim for personal injury or property damage, that results from the release of hazardous substance, pollutants or contaminants, petroleum, or unexploded ordnance as a result of Department of Defense activities on the military installation at which the leased property is located.

The Senate recedes with an amendment that would include the construction of new facilities as in-kind consideration and authorize the secretary concerned to use funds received from money rentals for the construction or acquisition of new facilities. The amendment would impose a notice and wait requirement for any new construction or acquisition of new facilities exceeding $500,000. The amendment would also not include a requirement for a certification by the Comptroller General prior to secretarial acceptance of in-kind consideration or money rentals.

Conveyance authority regarding utility systems of military departments (sec. 2813)

The House bill contained a provision (sec. 2813) that would amend section 2688 of title 10, United States Code, to require the secretary concerned to comply with the competition requirements of section 2304 of title 10, United States Code, in the conveyance of utility system infrastructure. The provision would also require that the secretary concerned carry out a conveyance or award only if he determines that the conveyance or award complies with State laws, regulations, rulings, and policies governing the provision of utility systems.

The Senate amendment contained a provision (sec. 2813) that would amend section 2688 of title 10, United States Code, to clarify that the secretary concerned may use procedures other than competitive procedures only under the circumstances specified in section 2304 (c) through (f) of title 10, United States Code.

The House recedes with an amendment that would require the secretary concerned to structure the solicitation process for the privatization of utility systems on military installations in such a manner that would allow, to the maximum extent possible, all interested regulated and unregulated entities the opportunity to acquire and operate utility systems on military installations regardless of franchise rights in the area of the installation concerned. The amendment would also direct the secretary concerned to require the conveyee or awardee of the utility system to manage and operate the utility system consistent with federal and state regulations pertaining to health safety, fire, and environmental requirements.

Permanent conveyance authority to improve property management (sec. 2814)

The Senate amendment contained a provision (sec. 1063) that would extend the authority of the Administrator of the General Services Administration to convey surplus property to local governments for law enforcement purposes until December 2002.

The House bill amendment contained no similar provision.

The House recedes with an amendment that would make permanent the authority of the Administrator of the General Services Administration to convey surplus property to local governments for law enforcement purposes.

Subtitle C—Defense Base Closure and Realignment

Scope of agreements to transfer property to redevelopment authorities without consideration under the base closure laws (sec. 2821)

The Senate amendment contained a provision (sec. 2821) that would amend section 2905 of the Department of Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510) and section 204 of the Defense Authorization Amendments and Base Closure Realignment Act (title II of Public Law 100–526) to clarify that the seven-year period to account for the proceeds from

any sale or lease of property received by the redevelopment authority begins with the date of the initial transfer of property.

The House bill contained no similar provision.

The House recedes.

Subtitle D—Land Conveyances

Part I—Army Conveyances

Transfer of jurisdiction, Rock Island Arsenal, Illinois (sec. 2831)

The House bill contained a provision (sec. 2831) that would authorize the transfer of, and exchange of jurisdiction on, a parcel of real property with improvements consisting of approximately 23 acres at Rock Island Arsenal, Illinois, between the Secretary of the Army and the Secretary of Veterans' Affairs. The parcel is to be incorporated into the Rock Island National Cemetery.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Army Reserve Center, Galesburg, Illinois (sec. 2832)

The House bill contained a provision (sec. 2832) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 4.65 acres in Galesburg, Illinois, to Knox County, Illinois.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Charles Melvin Price Support Center, Illinois (sec. 2833)

The House bill contained a provision (sec. 2839) that would authorize the Secretary of the Army to convey a parcel of real property with improvements consisting of approximately 752 acres to the Tri-City Regional Port District of Granite City, Illinois. As consideration for the conveyance, the Secretary shall determine if the Port District satisfies the criteria to qualify for a public benefit conveyance. If the public interest is served, the Secretary may accept an amount less than fair market value for a lease of the property. The cost of any surveys necessary for the conveyance would be borne by the Port District.

The Senate amendment contained a similar provision (sec. 2831).

The Senate recedes with an amendment that would authorize the Secretary of the Army to require as a condition for the conveyance that the Port District lease to the Department of Defense or any other federal agency facilities on the property to be conveyed. The amendment would also make certain technical corrections.

Land conveyance, Fort Riley, Kansas (sec. 2834)

The House bill contained a provision (sec. 2841) that would authorize the Secretary of the Army to convey, without consideration, approximately 70 acres of real property at the Fort Riley Military Reservation, Fort Riley, Kansas, to the State of Kansas. The purpose of the conveyance would be to establish a State-operated veterans cemetery. All costs associated with the conveyance would be borne by the State. The provision would waive the screening requirement under section 2696 of title 10, United States Code.

The Senate amendment contained a similar provision (sec. 2836).

The House recedes with a technical amendment.

Land conveyance, Fort Polk, Louisiana (sec. 2835)

The House bill contained a provision (sec. 2834) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 200 acres at Fort Polk, Louisiana, to the State of Louisiana. The property is to be used for the establishment of a State-run veterans' cemetery. The cost of any surveys necessary for the conveyance would be borne by the Commission.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Army Reserve Center, Winona, Minnesota (sec. 2836)

The House bill contained a provision (sec. 2833) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements to Winona State University Foundation. The property is to be used for educational purposes. The cost of any surveys necessary for the conveyance would be borne by the Foundation.

The Senate amendment contained an identical provision (sec. 2837).

The conference agreement includes this provision.

Land conveyance, Fort Dix, New Jersey (sec. 2837)

The House bill contained a provision (sec. 2836) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately two acres and containing a parking lot in advertently constructed on the parcel, at Fort Dix, New Jersey, to Pemberton Township, New Jersey.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Nike Site 43, Elrama, Pennsylvania (sec. 2838)

The House bill contained a provision (sec. 2837) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 160 acres in Elmara, Pennsylvania, to the Board of Supervisors of Union Township, Pennsylvania. The parcel is to be used for municipal and other public purposes. The cost of any surveys necessary for the conveyance would be borne by the Township.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Army Reserve Local Training Center, Chattanooga, Tennessee (sec. 2839)

The House bill contained a provision (sec. 2840) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 15 acres at the Army Reserve Local Training Center, Chattanooga, Tennessee, to the Medal of Honor Museum, Inc., Chattanooga, Tennessee. The parcel is to be used as a museum and for other educational purposes. The cost of any surveys necessary for the conveyance would be borne by the Corporation.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

Land exchange, Fort Hood, Texas (sec. 2840)

The House bill contained a provision (sec. 2838) that would authorize the Secretary of the Army to convey a parcel of real property with improvements, consisting of approximately 100 acres at Fort Hood, Texas, to the City of Copperas Cove, Texas. As consideration for the conveyance, the City would convey one or more parcels of real property, consisting of approximately 300 acres, to the Secretary. The cost of any surveys necessary for the conveyances would be borne by the City.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Fort Pickett, Virginia (sec. 2841)

The House bill contained a provision (sec. 2835) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property with improvements, consisting of approximately 700 acres, at Fort Pickett, Virginia, to the Commonwealth of Virginia. The property is to be used for the development and operation of a public safety training facility. The cost of any surveys necessary for the conveyance would be borne by the Commonwealth.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Fort Lawton, Washington (sec. 2842)

The Senate amendment contained a provision (sec. 2834) that would authorize the Secretary of the Army to convey, without consideration, a parcel of real property at Fort Lawton, Washington, consisting of Area 500 and Government Way from 36th Avenue to Area 500 to the City of Seattle, Washington. The property is to be used for inclusion in Discovery Park, Seattle, Washington.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Vancouver Barracks, Washington (sec. 2843)

The House bill contained a provision (sec. 2842) that would authorize the Secretary of the Army to convey, without consideration, to the City of Vancouver, Washington, two parcels of real property, including any improvements, at Vancouver Barracks, Washington, known as East and West Barracks.

The Senate amendment contained a provision (sec. 2835) that would authorize the Secretary of the Army to convey, without consideration, to the City of Vancouver, Washington, a parcel of real property, including any improvements, at Vancouver Barracks, Washington, known as the West Barracks.

The House recedes.

Part II—Navy Conveyances

Modification of land conveyance, Marine Corps Air Station, El Toro, California (sec. 2846)

The House bill contained a provision (sec. 2852) that would amend section 2811 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189) to modify the permissible uses of funds received by the Secretary of the Navy.

The Senate amendment contained a similar provision (sec. 2851).

The House recedes with a technical amendment.

Modification of authority for Oxnard Harbor District, Port Hueneme, California, to use certain Navy property (sec. 2847)

The House bill contained a provision (sec. 2851) that would amend section 2843 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337) to clarify the restrictions on the use of real property under the jurisdiction of the Secretary of the Navy by the Oxnard Harbor District, Port Hueneme, California. This provision would also clarify the forms of consideration that the District shall pay to the Secretary for the use of the property.

The Senate amendment contained an identical provision (sec. 2855).

The conference agreement includes this provision.

Transfer of jurisdiction, Marine Corps Air Station, Miramar, California (sec. 2848)

The House bill contained a provision (sec. 2853) that would authorize the transfer of, and exchange of jurisdiction on, a parcel of real property with improvements, consisting of approximately 250 acres at Marine Corps Air Station, Miramar, California, between the Secretary of the Navy and the Secretary of the Interior. The parcel is to be incorporated into the Vernal Pool Unit of the San Diego National Wildlife Refuge.

The Senate amendment contained no similar provision.

The Senate recedes.

Land exchange, Marine Corps Recruit Depot, San Diego, California (sec. 2849)

The House bill contained a provision (sec. 2856) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 44.5 acres at Marine Corps Recruit Depot, San Diego, California, to the San Diego Unified Port District. As consideration for the conveyance, the Port District would convey to the Secretary a parcel of real property contiguous to the installation and would construct suitable replacement facilities and necessary supporting structures, as determined by the Secretary.

The Senate amendment contained no similar provision.

The Senate recedes.

Lease of property, Naval Air Station, Pensacola, Florida (sec. 2850)

The House bill contained a provision (sec. 2855) that would authorize the Secretary of the Navy to lease real property improvements to be designed and constructed by the Naval Aviation Museum Foundation at the National Museum of Naval Aviation at Naval Air Station, Pensacola, Florida, to the Foundation for a period up to 50 years, with an option to renew for an additional 50 years. The improvements are to be used for the development and operation of a National Flight Academy. As a condition for the lease, the Foundation would make the property available at no cost to the Secretary under certain specified conditions. This section would also authorize the Secretary to provide assistance to the Foundation in the form services on a reimbursable basis.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Naval Reserve Center, Tampa, Florida (sec. 2851)

The House bill contained a provision (sec. 2858) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 2.18 acres and comprising the Naval Reserve Center, Tampa, Florida, to the Tampa Port Authority. As consideration for the conveyance, the Port Authority would be required to provide a replacement facility and to bear all reasonable costs incurred during the relocation. The cost of any surveys necessary for the conveyance would be borne by the Port Authority.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of land conveyance, Defense Fuel Supply Point, Casco Bay, Maine (sec. 2852)

The Senate amendment contained a provision (sec. 2852) that would amend section 2839 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337) to authorize the Secretary of Defense to replace electric utility service removed during environmental remediation at Defense Fuel Supply Point, Casco Bay, Maine. The provision would also authorize the Secretary, in consultation with the community, to improve the utility services and install telecommunications service, provided the community funds the cost of the improvements.

The House bill contained no similar provision.

The House recedes with an amendment that would direct the Secretary of Defense to use funds available from Operations and Maintenance, Defense-Wide to replace the electric utility service.

Land conveyance, Naval Computer and Telecommunications Station, Cutler, Maine (sec. 2853)

The Senate amendment contained a provision (sec. 2854) that would authorize the Secretary of the Navy to convey, without consideration, a parcel of real property with improvements consisting of approximately 263 acres known as the Naval Computer and Telecommunications Station, Cutler, Maine, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine. The provision would authorize the Secretary to lease the property to the recipient pending the conveyance of the deed and would authorize the Secretary to require the recipient of the property to reimburse the cost of any environmental assessment or other studies required with respect to the conveyance of the property paid by the Secretary.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Modification of land conveyance authority, former Naval Training Center, Bainbridge, Cecil County, Maryland (sec. 2854)

The Senate amendment contained a provision (sec. 2853) that would amend section 1 of an Act to convey land in Cecil County, Maryland (Public Law 99–596) to authorize the Secretary of the Navy to reduce the amount of consideration received from the State of Maryland by an amount equal to the cost of restoring the historic buildings on the property. The total amount of the reduction would not exceed $500,000.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Marine Corps Base, Camp Lejeune, North Carolina (sec. 2855)

The Senate amendment contained a provision (sec. 2856) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements consisting of approximately 50 acres known as the railroad right-of-way located between Highway 24 and Highway 17 at Marine Corps Base, Camp Lejeune, North Carolina, to the City of Jacksonville, North Carolina. The parcel is to be used for a bike/green way trail. The city would reimburse the Secretary for the costs incurred in carrying out the conveyance.

The House bill contained no similar provision.

The House recedes with clarifying amendment.

Land exchange, Naval Air Reserve Center, Columbus, Ohio (sec. 2856)

The House bill contained a provision (sec. 2857) that would authorize the Secretary of the Navy to convey a parcel of real property with improvements, consisting of approximately 24 acres comprising the Naval Air Reserve Center at Rickenbacker International Airport, Ohio, to the Rickenbacker Port Authority of Columbus, Ohio. As consideration for the conveyance, the Authority would convey to the Secretary a parcel of real property consisting of approximately 15 acres. This section would require the Secretary to utilize the property conveyed by the Authority as the site for a joint reserve center for units associated with the Naval Air Reserve Center at the Airport and the Naval and Marine Corps Reserve Center currently located in Columbus, Ohio. The cost of any survey necessary for the exchange would be borne by the Authority.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Naval Station, Bremerton, Washington (sec. 2857)

The conferees agree to include a provision that would authorize the Secretary of the Navy to convey a parcel of real property with improvements consisting of approximately 45.8 acres and comprising the former East Park Transient Family Accommodations, Naval Station, Bremerton, Washington, to the City of Bremerton, Washington. The property would be used for public benefit purposes. The conveyance would be without consideration except in the event the City uses the property for other purposes. In such an event, the City would pay fair market value, as determined by an appraisal acceptable to the Secretary. The City would be required to reimburse the Secretary for any administrative expenses incurred in carrying out the conveyance.

Part III—Air Force Conveyances

Land conveyance, Los Angeles Air Force Base, California (sec. 2861)

The House bill contained a provision (sec. 2863) that would authorize the Secretary of the Air Force to convey on terms the Secretary considers appropriate, any or all portions of four parcels of real property with improvements, totaling approximately 111 acres at Los Angeles Air Force Base, California. As consideration for the conveyance, the recipient shall provide for the design and construction, acceptable to the Secretary, of one or more facilities to consolidate the mission and support functions at the installation. Any such facilities would comply with specified seismic and safety standards. The provision would also authorize the Secretary to enter into a lease for the facility for a period not to exceed 10 years in the event the fair market value of a facility provided as consideration for the conveyance exceeds the fair market value of the conveyed property. Rental payments under the lease would be established at the rate necessary for the lessor to recover, by the end of the lease term, the difference between the fair market value of the facility and the fair market value of the conveyed property. The cost of any surveys necessary for the conveyance would be borne by the recipient.

The Senate amendment contained an identical provision (sec. 2862).

The conference agreement includes this provision.

Land conveyance, Point Arena Air Force Station, California (sec. 2862)

The House bill contained a provision (sec. 2862) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with improvements, consisting of approximately 82 acres at the Point Arena Air Force Station,

California, to Mendocino County, California. The property is to be used for municipal and other public purposes. The cost of any surveys necessary for the conveyance would be borne by the County.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would modify the condition of conveyance to authorize Mendocino County to reconvey the property without consideration only for public benefit purposes.

Land conveyance, Lowry Air Force Base, Colorado (sec. 2863)

The House bill contained a provision (sec. 2864) that would authorize the Secretary of the Air Force to convey, without consideration, or lease, under such terms as he considers appropriate, to the Lowry Redevelopment Authority approximately 23 acres at the former Lowry Air Force Base, Colorado. The purpose of the conveyance would be for economic development and other public purposes.

The Senate amendment contained no similar provision.

The Senate recedes.

Land conveyance, Wright Patterson Air Force Base, Ohio (sec. 2864)

The House bill contained a provision (sec. 2861) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with improvements, consisting of approximately 92 acres at Wright Patterson Air Force Base, Ohio, to Greene County, Ohio. The property is to be used for recreational purposes. The cost of any surveys necessary for the conveyance would be borne by the County.

The Senate amendment contained no similar provision.

The Senate recedes.

Modification of land conveyance, Ellsworth Air Force Base, South Dakota (sec. 2865)

The Senate amendment contained a provision (sec. 2861) that would amend section 2863 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85) to modify the recipient of the property from the Greater Box Elder Economic Development Corporation to the West River Foundation for Economic and Community Development, Sturgis, South Dakota.

The House bill contained no similar provision.

The House recedes.

Land conveyance, Mukilteo Tank Farm, Everett, Washington (sec. 2866)

The Senate amendment contained a provision (sec. 2863) that would authorize the Secretary of the Air Force to convey, without consideration, a parcel of real property with improvements consisting of approximately 22 acres, known as the Mukilteo Tank Farm, to the Port of Everett, Washington. The parcel is to be used for the development and operation of a port facility. The provision would authorize the Secretary to convey personal property, excess to the needs of the Air Force, in the event the Secretary of Transportation determines it is appropriate for the development or operation of the tank farm as a port facility. The provision would also authorize the Secretary to provide an interim lease to the Port for the facility until transferred by deed.

The House bill contained no similar provision.

The House recedes.

Part IV—Other Conveyances

Land conveyance, Army and Air Force Exchange Service property, Farmers Branch, Texas (sec. 2871)

The House bill contained a provision (sec. 2871) that would authorize the Secretary of Defense to permit the Army and Air Force Exchange Service to sell a parcel of real property with improvements in Farmers Branch, Texas, for an amount equal to the fair market value of the parcel. The provision would also require the payment by the purchaser to be handled in the manner provided by section 485 of title 40, United States Code. The cost of any surveys necessary for the sale would be borne by the purchaser.

The Senate amendment contained a similar provision (sec. 2871).

The Senate recedes with a technical amendment.

Land conveyance, former National Ground Intelligence Center, Charlottesville, Virginia (sec. 2872)

The Senate amendment contained a provision (sec. 2881) that would authorize the Administrator of the General Services to convey, without consideration, a parcel of real property formerly occupied by the National Ground Intelligence Center, known as the Jefferson Street property, to the City of Charlottesville, Virginia. The conveyance would be for economic purposes. The provision would include a five-year reversionary clause and waive certain property management laws.

The House bill contained no similar provision.

The House recedes with an amendment that would specify the conditions that would apply to the reconveyance of the property by the City.

Subtitle E—Other Matters

Relation of easement authority to leased parkland, Marine Corps Base, Camp Pendleton, California (sec. 2881)

The House bill contained a provision (sec. 2881) that would amend section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261) to exempt certain lands located within Marine Corps Base, Camp Pendleton, California, and leased by the State of California for use as a restricted access highway from the requirements of section 303 of title 49 and section 138 of title 23, United States Code. This section would also require the Foothill/Eastern Transportation Agency to be responsible for the implementation of any mitigation measures required by the Secretary of Transportation.

The Senate amendment contained no similar provision.

The Senate recedes.

Extension of demonstration project for purchase of fire, security, police, public works, and utility services from local government agencies (sec. 2882)

The House bill contained a provision (sec. 2882) that would amend section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337), as amended, to extend the period under which a demonstration project is authorized for the purchase of fire, security, police, public works, and utility services from local government at specified locations in Monterey, California.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would extend the period under which the demonstration project is authorized for one year.

The conferees note the multiple extensions of this authority. However, the conferees are aware that both the Secretary of the Army and the Secretary of the Navy are in the process of implementing a pilot program. The conferees expect both services to demonstrate success prior to any further extension of these authorities.

Acceptance and use of gifts for construction of third building at United States Air Force Museum, Wright-Patterson Air Force Base, Ohio (sec. 2883)

The Senate amendment contained a provision (sec. 2892) that would authorize the Secretary of the Air Force to accept funds provided by the Air Forces Museum Foundation to support the construction of a third building for the United States Air Force Museum at Wright-Patterson Air Force Base, Ohio. The provision would direct that any funds not needed to meet current requirements would be invested in public debt securities as determined by the Comptroller of the Air Force Material Command. The proceeds of investments would be used for construction. Upon completion of the project the escrow would be closed and any funds remaining in the account could be used by the Secretary of the Air Force as he or she considers appropriate.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Development of Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia (sec. 2884)

The Senate amendment contained a provision (sec. 2893) that would authorize the Secretary of the Navy to enter into a joint venture with the Marine Corps Heritage Foundation for the design and construction of the Marine Corps Heritage Center. The provision would also authorize the Secretary to accept, without compensation, a parcel of real property, known as Locust Shade Park, from the County of Prince William, Virginia. The provision would also exempt the County from the requirement to provide replacement property, as required under section 6 of the Land and Water Conservation Fund Act of 1965. Upon completion of construction and the satisfaction of any financial obligations incurred by the Marine Corps Heritage Foundation, the Center would become the property of the Department of the Navy. The provision would further authorize the Secretary to lease the Center to the Heritage Foundation for revenue generating purposes. As compensation, the Foundation would pay the Secretary an amount equal to the cost of operating the facility.

The House bill contained no similar provision.

The House recedes.

Activities relating to the greenbelt at Fallon Naval Air Station, Nevada (sec. 2885)

The Senate amendment contained a provision (sec. 2894) that would require the Secretary of the Navy, in consultation with the Secretary of the Army acting through the Chief of Engineers, to carry out appropriate activities after examination of the potential environmental and flight safety ramifications of eliminating irrigation in the greenbelt at Fallon Naval Air Station, Nevada.

The House bill contained no similar provision.

The House recedes.

The conferees direct the Secretary of Navy to carry out all appropriate activities consistent with current legal requirements.

Establishment of World War II Memorial on Guam (sec. 2886)

The House bill contained a provision (sec. 2883) that would authorize the Secretary of Defense, in consultation with the American Battle Monuments Commission, to establish a suitable memorial on federal property near the Fena Caves in Guam to honor those civilians killed during the occupation of Guam during World War II and to commemorate the liberation of Guam by the Armed Forces of the United States in 1944.

The Senate amendment contained no similar provision.

The Senate recedes.

The conferees expect the Secretary to establish a memorial that requires minimal maintenance.

Naming of Army Missile Testing Range at Kwajalein Atoll as the Ronald Reagan Ballistic Missile Defense Test Site at Kwajalein Atoll (sec. 2887)

The House bill contained a provision (sec. 2884) that would designate the missile testing range at Kwajalein Atoll as the Ronald Reagan Ballistic Defense Test Site at Kwajalein Atoll.

The Senate amendment contained an identical provision (sec. 2891).

The conference agreement includes this provision.

Designation of Building at Fort Belvoir, Virginia, in honor of Andrew T. McNamara (sec. 2888)

The House bill contained a provision (sec. 2885) that would designate a building at Fort Belvoir, Virginia, as the Andrew T. McNamara Building.

The Senate amendment contained no similar provision.

The Senate recedes.

Designation of Balboa Naval Hospital, San Diego, California, in honor of Bob Wilson, a former member of the House of Representatives (sec. 2889)

The House bill contained a provision (sec. 2886) that would redesignate the Balboa Naval Hospital, San Diego, California, as the Bob Wilson Naval Hospital.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress regarding importance of expansion of National Training Center, Fort Irwin, California (sec. 2890)

The House bill contained a provision (sec. 2887) that would express a sense of Congress that the prompt expansion of the National Training Center is vital to the national security interests of the United States.

The Senate amendment contained no similar provision.

The Senate recedes.

Sense of Congress regarding land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington (sec. 2891)

The Senate amendment contained a provision (sec. 2895) that would express a sense of Congress that the land transfers at Melrose Range, New Mexico, and Yakima Training Center, Washington, will support military training, safety, and land management concerns on the lands subject to transfer.

The House bill contained no similar provision.

The House recedes.

LEGISLATIVE PROVISIONS NOT ADOPTED

Applicability of competition policy to alternative authority for acquisition and improvement of military family housing

The Senate amendment contained a provision (sec. 2805) that would amend subchapter IV of chapter 169 of title 10, United States Code, to require that the secretary concerned use competitive procedures when exercising the alternative authorities for the acquisition and improvement of military housing. The secretary concerned could waive competitive procedures if he determines competition would be inconsistent with the public interest and notifies the Congress in writing of such determination not less than 30 days before entering the agreement.

The House bill contained no similar provision.

The Senate recedes.

The conferees note the innovative approaches undertaken by the service secretaries in execution of the alternative authorities for the acquisition and improvement of military housing. The conferees remain strongly supportive of these authorities and believe competition in the private marketplace has resulted in a number of successful procurements after an early period of difficulty in program implementation. While supportive of a variety of innovative options to construct and acquire military housing under these authorities, the conferees were concerned that a methodology considered by the Secretary of the Air Force in the determination of the awardee of the housing privatization project at Patrick Air Force Base, Florida, appeared to be noncompetitive and to delegate the selection process to the private sector. The conferees are aware that the Secretary has subsequently directed a change in the solicitation process. The conferees reiterate that the use of competitive procedures should apply when exercising the alternative authorities for the acquisition and improvement of military housing, regardless of the process that may be used.

Land conveyance, Colonel Harold E. Steele Army Reserve Center and Maintenance Shop, Pittsburgh, Pennsylvania

The Senate amendment contained a provision (sec. 2833) that would authorize the Secretary of the Army to convey, at fair market value, a parcel of real property, with improvements, located at 6482 Aurelia Street in Pittsburgh, Pennsylvania, and containing the Colonel Harold E. Steele Army Reserve Center and Maintenance Shop to the Ellis School, Pittsburgh, Pennsylvania. The cost of any survey necessary for the conveyance would be borne by the Ellis School.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Secretary of the Army and the Ellis School are in the process of negotiating a land exchange under the authority provided by section 18233 of title 10, United States Code. The conferees urge the Secretary to complete the exchange as soon as practical and on an equitable basis.

Land conveyance, Lieutenant General Malcolm Hay Army Reserve Center, Pittsburgh, Pennsylvania

The Senate amendment contained a provision (sec. 2832) that would authorize the Secretary of the Army to convey, at fair market value, a parcel of real property, with improvements, located at 950 Saw Mill Run Boulevard in Pittsburgh, Pennsylvania, and containing the Lieutenant General Malcolm Hay Army Reserve Center to the City of Pittsburgh, Pennsylvania. The cost of any surveys necessary for the conveyance would be borne by the City.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Secretary of the Army and the City of Pittsburgh are in the process of negotiating a land exchange under the authority provided by section 18233 of title 10, United States Code. The conferees urge the Secretary to complete the exchange as soon as practical and on an equitable basis.

Lease of property, Marine Corps Air Station, Miramar, California

The House bill contained a provision (sec. 2854) that would authorize the Secretary of the Navy to lease, without consideration, a parcel of real property with improvements, consisting of approximately 44 acres and known as the Hickman Field, to the City of San Diego, California, for a period not to exceed five years. The lease would be subject to the condition that the City maintain the property at no cost to the United States, make the property available to the existing tenant at no cost, and use the property solely for recreational purposes. The cost of any survey necessary for the lease would be borne by the City.

The Senate amendment contained no similar provision.

The House recedes.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Overview

Title XXXI authorizes appropriations for the atomic energy defense activities of the Department of Energy for fiscal year 2001, including: the purchase, construction, and acquisition of plant and capital equipment; research and development; nuclear weapons; naval nuclear propulsion; environmental restoration and waste management; operating expenses; and other expenses necessary to carry out the purposes of the Department of Energy Organization Act (Public Law 95–91). The title would authorize appropriations in six categories: national nuclear security administration; defense environmental restoration and waste management; defense environmental management privatization; other defense activities; and defense nuclear waste disposal.

The budget request included for the atomic energy defense activities totaled $13.2 billion, an 8.3 percent increase over the adjusted fiscal year 2000 level. Of the total amount requested: $4.6 billion would be for weapons activities; $1.6 billion would be for other nuclear security activities; $4.6 billion would be for defense environmental restoration and waste management activities; $1.1 billion would be for defense facility closure projects; $540.1 million would be for defense environmental management privatization; $555.1 million would be for other defense activities; $112.0 million would be for defense nuclear waste disposal; $17.0 million would be for a Department of Energy Employees Compensation Initiative; and $140.0 million would be for the formerly utilized sites remedial action program.

The conferees agree to authorize $13.1 billion for atomic energy defense activities, a decrease of $118.7 million to the budget request. The conferees agree to authorize $6.4 billion for the national nuclear security administration (NNSA), an increase of $244.7 million of the amount authorized for the NNSA: $4.8 billion would be for weapons activities, an increase of $246.3 million; $877.5 million would be for defense nuclear nonproliferation, a decrease of $28.6 million; and

$694.6 million would be for naval reactors, an increase of $17.0 million. The conferees agree to authorize $6.0 billion for defense environmental restoration and waste management activities, an increase of $1.4 billion. Of the amount authorized for environmental management activities: $1.1 billion would be for closure projects, the amount of the request; $941.7 million would be for site and project completion, a decrease of $29.2 million; $3.4 billion would be for post fiscal year 2006 completion, an increase of $324.0 million; $246.5 million would be for technology development, an increase of $50.0 million; and $355.0 million would be for program direction, a decrease of $4.9 million. The conferees agree to authorize $91.0 million for defense environmental management privatization projects, a decrease of $450.0 million. The conferees agree to authorize $523.8 million for other defense activities, a decrease of $31.3 million. Of the amount authorized for other defense activities: $38.1 million would be for the Office of Intelligence, the amount of the request; $45.2 million would be for the Office of Counterintelligence, the amount of the budget request; $284.1 million would be for the Office of Security and Emergency Operations, a decrease of $56.3 million; $14.9 million would be for independent oversight and performance assurance, the amount of the request; $134.1 million would be for environment, safety and health-defense, an increase of $25.0 million; $24.5 million would be for the Office of Worker and Community Transition, the amount of the budget request; and $3.0 million would be for the Office of Hearings and Appeals, the amount of the budget request. The conferees agree to authorize $112.0 million for defense nuclear waste disposal, the amount of the budget request. The conferees agree to authorize no funding for the formerly utilized sites remedial action program, a decrease of $140.0 million, and agree to authorize no funding for the Department of Energy Employees Compensation Initiative, a decrease of $17.0 million.

The following table summarizes the budget request and the conferees recommendations:

Summary of
National Defense Authorization for FY 2001

(In Thousands of $'s)

	Authorization Request	House Authorized	Senate Authorized	Change	Conference Agreement
TITLE XXXI-XXXII					
ATOMIC ENERGY DEFENSE ACTIVITIES (053)					
National Nuclear Security Administration					
Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289
Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Naval Reactors	0	677,600	0	694,600	694,600
Office of the Administrator	0	0	0	10,000	10,000
Defense Environmental Restoration and Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692
Defense Facilities Closure Projects	1,082,297	1,082,297	0	(1,082,297)	0
Defense Environmental Management Privatization	515,000	259,000	365,000	(515,000)	0
Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822
Defense Nuclear Waste Disposal	112,000	112,000	112,000	0	112,000
Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0
Interim Storage Activities	0	0	0	0	0
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500
Total Atomic Energy Defense Activities (053)	13,169,081	12,888,381	12,857,981	(118,711)	13,050,370

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
National Nuclear Security Administration					
Weapons Activities					
Stewardship Operations & Maintenance					
Directed stockpile work					
Stockpile Research and Development	243,300	243,300	249,300	6,000	249,300
Stockpile Maintenance	257,994	266,994	257,994	9,000	266,994
Stockpile Evaluation	151,710	162,710	151,710	11,000	162,710
Dismatlement/Disposal	29,260	29,260	29,260	0	29,260
Production Support	149,939	149,939	149,939	0	149,939
Field Engineering, Training, and Manuals	4,400	4,400	4,400	0	4,400
Total, Directed stockpile work	836,603	856,603	842,603	26,000	862,603
Campaigns					
Primary Certification	41,400	41,400	41,400	0	41,400
Dynamic Materials Properties	64,408	64,408	64,408	0	64,408
Advanced Radiography (O&M)	43,000	43,000	43,000	0	43,000
97-D-102 Dual-axis radiographic hydrotest facility, LANL, Los Alamos, NM	35,232	35,232	35,232	0	35,232
Total Advanced Radiography	78,232	78,232	78,232	0	78,232
Secondary Certification and Nuclear Systems Margins	52,964	52,964	52,964	0	52,964
Intertial Confinement Fusion (ICF) Ignition and High Yield (O&M)	120,800	275,500	95,800	114,700	235,500
96-D-111 National ignition facility (NIF), LLNL, Livermore, CA	74,100	169,100	214,100	135,000	209,100
Total, Intertial Confinement Fusion (ICF) Ignition and High Yield	194,900	444,600	309,900	249,700	444,600
Certification in Hostile Environments	15,400	15,400	15,400	0	15,400
Defense Computing and Modeling (O&M)	249,100	706,175	686,175	457,075	706,175

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	2,300	2,300	2,300	0	2,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	5,000	5,000	5,000	0	5,000
00-D-105, Strategic computing complex, LANL, Los Alamos, NM	56,000	56,000	56,000	0	56,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	6,700	6,700	6,700	0	6,700
Total, Defense Computing and Modeling	319,100	776,175	756,175	457,075	776,175
Weapons System Engineering Cerification	16,300	16,300	16,300	0	16,300
Enhanced Surety	40,600	40,600	40,600	0	40,600
Enhanced Surveillance	89,651	89,651	89,651	0	89,651
Advanced Design and Production Technologies	75,735	81,735	75,735	3,000	78,735
Pit Manufacturing Readiness	108,038	123,038	118,038	15,000	123,038
Secondary Readiness	15,000	15,000	15,000	0	15,000
Materials Readiness	40,511	40,511	40,511	0	40,511
Tritium Readiness (O&M)	77,000	102,000	77,000	0	77,000
98-D-125 Tritium extraction fac, Savannah River plant, Aiken, SC	75,000	75,000	75,000	0	75,000
98-D-126 Accelerator production of tritium (APT), various locations	0	0	34,000	25,000	25,000
Total, Tritium Readiness	152,000	177,000	186,000	25,000	177,000
Total, Campaigns	1,304,239	2,057,014	1,900,314	749,775	2,054,014
Readiness in technical base and facilities					
Program readiness	75,800	75,800	75,800	0	75,800
Special Projects	48,297	31,297	48,297	0	48,297
Materials Recycle and Recovery	22,018	22,018	22,018	0	22,018
Containers	7,876	7,876	7,876	0	7,876

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Storage	9,075	9,075	9,075	0	9,075
Advanced Simulation and Computing	477,075	0	0	(477,075)	0
Operations of Facilities	1,313,432	1,220,732	1,344,732	(47,411)	1,266,021
Construction:					
01-D-103 Preliminary Project Design and Engineering, various locations	14,500	14,500	14,500	0	14,500
01-D-124 HEU materials storage facility, Y-12 plant, Oak Ridge, TN	17,800	17,800	17,800	0	17,800
01-D-126 Weapons Evaluation Test Laboratory, Pantex Plant, Amarillo, TX	3,000	3,000	3,000	0	3,000
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	5,000	5,000	5,000	0	5,000
99-D-104 Protection of real property (Phase II), LLNL, Livermore, CA	2,800	2,800	2,800	0	2,800
99-D-106 Model validation & system certification test center, SNL Albuquerque, NM	5,200	5,200	5,200	0	5,200
99-D-108 Renovate existing roadways, Nevada Test Site, NV	2,000	2,000	2,000	0	2,000
99-D-125 Replace boilers & controls, Kansas City plant, Kansas City, MO	13,000	13,000	13,000	0	13,000
99-D-127 Stockpile mgmt restructuring initiative, Kansas City plant, Kansas City, MO	23,765	23,765	23,765	0	23,765
99-D-128 Stockpile management restructuring initiative, Pantex plant, Amarillo, TX	4,998	4,998	4,998	0	4,998
99-D-132 Stockpile management restructuring initiative, nuclear materials safeguards & security upgrades project, LANL, Los Alamos, NM	18,043	18,043	18,043	0	18,043
98-D-123 Stockpile management restructuring initiative, Tritium facility modernization and consolidation, Savannah River plant, Aiken, SC	30,767	30,767	30,767	0	30,767
97-D-123 Structural upgrades, Kansas City plant, Kansas City, MO	2,918	2,918	2,918	0	2,918
95-D-102 Chemistry and metallurgy research (CMR) building upgrades project, LANL, Los Alamos, NM	13,337	13,337	13,337	0	13,337

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
88-D-123 Security enhancements, Pantex plant, Amarillo, TX	2,713	2,713	2,713	0	2,713
Total, Construction	159,841	159,841	159,841	0	159,841
Total, Readiness in technical base and facilities	2,113,414	1,526,639	1,667,639	(524,486)	1,588,928
Total, Stewardship	4,254,256	4,440,256	4,410,556	251,289	4,505,545
Secure transportation asset					
Operation and maintenance	79,357	79,357	79,357	0	79,357
Program direction	36,316	36,316	36,316	0	36,316
Total, Secure transportation asset	115,673	115,673	115,673	0	115,673
Program direction	224,071	216,871	221,571	(5,000)	219,071
Subtotal, Weapons activities	4,594,000	4,772,800	4,747,800	246,289	4,840,289
Use of prior year balances	0	0	0	0	0
General Reduction	0	(95,000)	0	0	0
Less proposed supplemental	0	0	0	0	0
Total, Weapons Activities	4,594,000	4,677,800	4,747,800	246,289	4,840,289
Other Nuclear Security Activities					
Defense nuclear nonproliferation					
Nonproliferation and verification R&D					
Operation and maintenance	225,990	225,990	255,990	20,000	245,990
Construction:					
00-D-192 Nonproliferation and international security center (NISC), LANL, Los Alamos, NM	7,000	7,000	7,000	0	7,000
Total, Nonproliferation and verification R&D	232,990	232,990	262,990	20,000	252,990
Arms control					
Arms control operations	272,870	272,870	285,370	12,500	285,370

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Long-term nonproliferation program for Russia	100,000	100,000	0	(100,000)	0
HEU transparency implementation	15,190	15,190	15,190	0	15,190
International nuclear safety	20,000	20,000	20,000	0	20,000
Total, Arms control	408,060	408,060	320,560	(87,500)	320,560
Program direction	41,550	0	0	(41,550)	0
Total, Arms Control and verification R&D	682,600	641,050	583,550	(109,050)	573,550
Fissile materials disposition					
Operation and maintenance	175,517	175,517	175,517	0	175,517
Construction					
00-D-142, Immobilization & associated processing facility, title I & II SRS, Aiken, SC	3,000	3,000	3,000	0	3,000
99-D-141 Pit disassembly and conversion facility, title I & II design, Aiken, SC	20,000	20,000	20,000	0	20,000
99-D-143 Mixed oxide fuel fabrication facility, title I & II design, Aiken, SC	15,000	23,000	26,000	11,000	26,000
01-D-407 Highly Enriched Uranium (HEU) Blend-down, Savannah River, SC	0	0	0	27,932	27,932
Total, Construction	38,000	46,000	49,000	38,932	76,932
Program direction	9,918	0	0	(9,918)	0
Total, Fissile materials control and disposition	223,435	221,517	224,517	29,014	252,449
Program direction	0	51,468	51,468	51,468	51,468
Total, Defense Nuclear Nonproliferation	906,035	914,035	859,535	(28,568)	877,467
Naval reactors					
Naval reactors development					
Operation and maintenance	627,500	0	644,900	(627,500)	0

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
GPN-101 General plant projects, various locations	11,400	0	11,400	(11,400)	0
Construction:					
01-D-200 Major office replacement building Schenectady, NY	1,300	0	1,300	(1,300)	0
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	16,000	0	16,000	(16,000)	0
Total, Construction	17,300	0	17,300	(17,300)	0
Total, Naval reactors development	656,200	0	673,600	(656,200)	0
Program direction	21,400	0	21,400	(21,400)	0
Total, Naval reactors	677,600	0	695,000	(677,600)	0
Subtotal, Other nuclear security activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Total, Other Nuclear Security Activities	1,583,635	914,035	1,554,535	(706,168)	877,467
Naval reactors					
Naval reactors development					
Operation and maintenance		627,500	0	644,500	644,500
GPN-101 General plant projects, various locations		11,400	0	11,400	11,400
Construction:					
01-D-200 Major office replacement building Schenectady, NY		1,300	0	1,300	1,300
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID		16,000	0	16,000	16,000
Total, Construction		17,300	0	17,300	17,300
Total, Naval reactors development		656,200	0	673,200	673,200
Program direction		21,400		21,400	21,400
Total, Naval reactors		677,600	0	694,600	694,600

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Office of the Adminstrator	0	0	0	10,000	10,000
Total, National Nuclear Security Administration	6,177,635	6,269,435	6,302,335	244,721	6,422,356
Environmental and Other Defense Activities					
Defense Environmental Restoration & Waste Management					
Defense Facilities Closure Projects					
Site closure	0	0	1,082,297	1,082,297	1,082,297
Site/project completion					
Operation and maintenance	901,475	941,475	861,475	(1,300)	900,175
Construction:					
01-D-402 Intec cathodic protection system expansion, Idaho National Engineering Lab (INEEL) Idaho Falls, Idaho	500	500	500	0	500
01-D-407 Highly Enriched Uranium (HEU) Blend-down, Savannah River, SC	27,932	27,932	27,932	(27,932)	0
99-D-402 Tank farm support services, F&H area, Savannah River Site, Aiken, SC	7,714	7,714	7,714	0	7,714
99-D-404 Health physics instrumentation laboratory, INEEL, ID	4,300	4,300	4,300	0	4,300
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,690	1,690	1,690	0	1,690
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River Site, Aiken, SC	3,949	3,949	3,949	0	3,949
96-D-471 CFC HVAC/chiller retrofit, Savannah River Site, Aiken, SC	12,512	12,512	12,512	0	12,512

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
92-D-140 F&H canyon exhaust upgrades, Aiken, SC	8,879	8,879	8,879	0	8,879
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA	2,000	2,000	2,000	0	2,000
Total, Construction	69,476	69,476	69,476	(27,932)	41,544
Total, Site/project completion	970,951	1,010,951	930,951	(29,232)	941,719
Post 2006 completion					
Operation and maintenance	2,588,725	2,588,725	2,683,725	(317,619)	2,271,106
Uranium enrichment D&D fund contribution	420,000	420,000	395,000	0	420,000
Construction:					
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	1,300	1,300	1,300	(1,300)	0
99-D-403 Privatization phase I infrastructure support, Richland, WA	7,812	7,812	7,812	(7,812)	0
97-D-402 Tank farm restoration and safe operations, Richland, WA	46,023	46,023	46,023	(46,023)	0
94-D-407 Initial tank retrieval systems, Richland, WA	17,385	17,385	17,385	(17,385)	0
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	27,212	27,212	27,212	0	27,212
Total, Construction	99,732	99,732	99,732	(72,520)	27,212
Office of River Protection					
Operation and maintenance	0	0	0	309,619	309,619
Construction:					
01-D-416 Tank Waste Remediation System Privatization Phase I, Richland, WA	0	0	0	332,000	332,000

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	0	0	0	1,300	1,300
99-D-403 Privatization phase I infrastructure support, Richland, WA	0	0	0	7,812	7,812
97-D-402 Tank farm restoration and safe operations, Richland, WA	0	0	0	46,023	46,023
94-D-407 Initial tank retrieval systems, Richland, WA	0	0	0	17,385	17,385
Total, Construction	0	0	0	404,520	404,520
Total, Post 2006 completion	3,108,457	3,108,457	3,178,457	324,000	3,432,457
Science and technology	196,548	196,548	246,548	50,000	246,548
Program direction	359,888	359,888	354,888	(4,900)	354,988
Subtotal, Defense environmental restoration & waste management	4,635,844	4,675,844	5,793,141	1,422,165	6,058,009
Use of prior year balances	(34,317)	(34,317)	(166,317)	0	(34,317)
Pension refund	(50,000)	(50,000)	(50,000)	0	(50,000)
Total, Defense Environmental Restoration & Waste Management	4,551,527	4,591,527	5,576,824	1,422,165	5,973,692
Defense Facilities Closure Projects					
Site closure	1,082,297	1,082,297	0	(1,082,297)	0
Defense Environmental Management Privatization					
Privatization initiatives, various locations	540,092	284,092	390,092	(450,000)	90,092
Use of prior year balances	(25,092)	(25,092)	(25,092)	(65,000)	(90,092)
Total, Defense Environmental Management Privatization.	515,000	259,000	365,000	(515,000)	0
Other Defense Activities					

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Intelligence					
Operation and maintenance	36,059	36,059	36,059	0	36,059
Construction:					
01-D-800 Sensitive compartmented information fac, LLNL, Livermore, CA	2,000	2,000	2,000	0	2,000
Total, Intelligence	38,059	38,059	38,059	0	38,059
Counterintelligence	45,200	45,200	75,200	0	45,200
Advanced accelerator applications					
Security and emergency operations					
Nuclear safeguards and security	124,409	124,409	124,409	0	124,409
Security investigations	33,000	33,000	33,000	0	33,000
Emergency management	93,600	93,600	37,300	(56,300)	37,300
Program direction	89,367	89,367	86,867	0	89,367
Total, Security and emergency operations	340,376	340,376	281,576	(56,300)	284,076
Independent oversight and performance assurance					
Program direction	14,937	14,937	14,937	0	14,937
Total, Independent oversight and performance assurance	14,937	14,937	14,937	0	14,937
Environment, safety & health					
Environment, safety and health (defense)	86,446	88,446	76,446	0	86,446
Energy employees occupational illness compensation initiative				25,000	25,000
Program direction	22,604	22,604	22,604	0	22,604
Total, Environment, safety and health	109,050	111,050	99,050	25,000	134,050
Worker and community transition					
Worker and community transition	21,500	21,500	21,500	0	21,500

Title XXXI-XXXII
Atomic Energy Defense Activities
(Dollars in Thousands)

	FY 01 Request	House Authorized	Senate Authorized	Change	Conference Agreement
Program direction	3,000	3,000	3,000	0	3,000
Total, Worker and community transition	24,500	24,500	24,500	0	24,500
Office of hearings and appeals	3,000	3,000	3,000	0	3,000
Subtotal, Other defense activities	575,122	577,122	536,322	(31,300)	543,822
Adjustments:					
Use of prior year balances	0	0	(50,000)	0	0
Offset to user organizations	(20,000)	(20,000)	(20,000)	0	(20,000)
Total, Adjustments	(20,000)	(20,000)	(70,000)	0	(20,000)
Total, Other Defense Activities	555,122	557,122	466,322	(31,300)	523,822
Defense Nuclear Waste Disposal					
Defense nuclear waste disposal	112,000	112,000	112,000	0	112,000
Energy Employees Compensation Initiative					0
Energy employees beryllium compensation fund	12,800	0	12,800	(12,800)	0
Energy employees pilot project	2,000	0	2,000	(2,000)	0
Paducah employees exposure compensation fund	2,200	0	2,200	(2,200)	0
Total, Energy Employees Compensation Initiative	17,000	0	17,000	(17,000)	0
TOTAL, DEFENSE NUCLEAR ACTIVITIES	13,010,581	12,871,381	12,839,481	21,289	13,031,870
Formerly Utilized Site Remediation	140,000	0	0	(140,000)	0
Defense Nuclear Facilities Safety Board	18,500	17,000	18,500	0	18,500

ITEMS OF SPECIAL INTEREST

Report on authorities and limitations in general recurring provisions

The conferees direct the Secretary of Energy, in consultation with the Administrator for Nuclear Security and the Assistant Secretary for Environmental Management, to submit to the Committees on Armed Services of the Senate and House of Representatives, not later than January 15, 2001, a report on the effect, advantages, and disadvantages of the authorities granted and limitations imposed in sections 3121 through 3129 of this Act.

LEGISLATIVE PROVISIONS ADOPTED

Subtitle A—National Security Programs Authorizations

National Nuclear Security Administration (sec. 3101)

The budget request included $6.2 billion for activities of the Department of Energy (DOE) National Nuclear Security Administration (NNSA).

The House bill contained a provision (sec. 3101) that would authorize $6.3 billion for activities of the NNSA, an increase of $91.8 million.

The Senate amendment contained a similar provision (sec. 3101) that would authorize $6.3 billion for activities of the NNSA, an increase of $124.7 million.

The conferees agree to authorize $6.4 billion for activities of the NNSA, an increase of $244.7 million.

Weapons activities

The budget request included $4.6 billion for weapons activities, including: $836.6 million for directed stockpile work; $1.0 billion for campaigns; $2.0 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $414.2 million for construction; and $224.1 million for program direction.

The House bill would authorize $4.7 billion for weapons activities, an increase of $83.8 million. The amount authorized is for the following activities: $856.6 million for directed stockpile work; $2.1 billion for campaigns; $1.4 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $159.8 million for construction; and $216.9 million for program direction.

The Senate amendment would authorize $4.7 billion for weapons activities, an increase of $153.8 million. The amount authorized is for the following activities: $842.6 million for directed stockpile work; $1.5 billion for campaigns; $1.5 billion for readiness in technical base and facilities; $115.7 million for secure transportation asset; $588.2 million for construction; and $221.6 million for program direction.

The conferees agree to authorize $4.8 billion for weapons activities, an increase of $246.3 million. The amount authorized is for the following activities: $862.6 million for directed stockpile work, an increase of $26.0 million; $2.1 billion for campaigns, an increase of $749.8 million; $1.6 billion for readiness in technical base and facilities, a decrease of $524.5 million; $115.7 million for secure transportation asset, the amount of the budget request; and $219.1 million for program direction, a decrease of $5.0 million.

Directed stockpile work

In the directed stockpile work account, the conferees agree to authorize: an increase of $6.0 million for a cooperative research effort with the Department of Defense regarding defeating hard and deeply buried targets; an increase of $5.0 million for life extension and repairs for the B–61 warhead and other directed stockpile work at the Kansas City Plant; an increase of $4.0 million for life extension and repairs for the B–61 and W–76 warheads and other directed stockpile work at the Y–12 Plant; an increase of $5.0 million for radiographic inspection of nuclear weapons components and assemblies, vacuum chamber inspection activities, testing in the accelerated aging unit, and other stockpile evaluation activities at the Pantex plant; and an increase of $6.0 million for quality evaluation and certification activities and joint test assemblies at the Y–12 plant.

Campaigns

In the campaigns account, the conferees agree to authorize: an increase of $15.0 million for the pit manufacturing readiness campaign to begin conceptual design activities for a pit production facility adequate to meet future national security needs; an increase of $477.1 million for the defense computing and modeling campaign to reflect the consolidation of all defense computing and modeling activities into a single program line item; an increase of $144.7 million to reflect the consolidation of all inertial confinement fusion activities into a single program line item; an increase of $10.0 million for joint Department of Defense-NNSA high energy laser research; an increase of $135.0 million for the National Ignition Facility construction, which includes a transfer of $40.0 million from the inertial confinement fusion ignition and high yield campaign operations and maintenance account; an increase of $3.0 million to complete the American Textiles Partnership (AMTEX) project; an increase of $25.0 million for continued preliminary design and engineering development activities in the accelerator production of tritium project (98–D–126); a decrease of $20.0 million to the defense computing and modeling campaign to reflect delays in acquisition of the 100-trillion-operations-per-second computer platform and to slow the rate of growth in the Visual Interactive Environment Weapon Simulation (VIEWS) and university partnership programs; and the budget request of $32.1 million for the University of Rochester's Laboratory for Laser Energetics.

Readiness in technical base and facilities

In the readiness in technical base and facilities account, the conferees agree to authorize: an increase of $56.3 million to reflect the movement of the nuclear emergency search team and accident response group from the other defense activities emergency management account to the weapons activities account; an increase of $20.0 million for the Kansas City Plant to continue advanced manufacturing, modernization, infrastructure enhancement, and skills retention efforts; an increase of $13.0 million for the Pantex Plant for infrastructure improvements; an increase of $8.0 million for the Y–12 Plant for infrastructure improvements; a decrease of $144.7 million to reflect the transfer of inertial confinement fusion activities to the inertial confinement fusion ignition and high yield campaign account; and a decrease of $477.1 million to reflect the transfer of computing and modeling activities to the defense computing and modeling campaign account.

Of the funds available for directed stockpile work, the conferees agree to authorize $5.0 million for a cooperative program with the Defense Threat Reduction Agency to reestablish a vigorous nuclear weapon effects test capability. The program shall emphasize the need to invest in all elements of nuclear weapon effects technologies, including basic phenomenology, analysis and modeling, radiation effects simulation, and hardening technologies.

The conferees recommend that the fiscal year 2002 budget request include a separate program element for the operation of each NNSA facility, rather than one consolidated facility operations program element.

Construction

In the construction account, the conferees agree to authorize no funding. The conferees transferred all construction projects to the campaigns and readiness in technical base and facilities accounts. The conferees direct the Administrator to submit an NNSA budget request in fiscal year 2002 that reflects the alignment of construction projects with associated program elements.

Program direction

In the program direction account, the conferees agree to authorize a decrease of $5.0 million.

The conferees direct that the proposed decrease be achieved through the reorganization and realignment of headquarters and field office roles and responsibilities. The conferees believe that the performance of the Office of Defense Programs will be improved by eliminating duplicative efforts and by streamlining management control of DOE weapons activities.

The conferees continue to believe that the Office of Defense Programs is overstaffed. The conferees note that several independent assessments of the organizational structure of the Office of Defense Programs, dating back as far as calendar year 1997, have also concluded that the Office of Defense Programs would benefit from a realignment of headquarters and field organization personnel. The conferees expect the Department to utilize the authority to make the voluntary separation incentive payments authorized in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to fully implement the realignment recommendations described in the calendar year 1997 report by the Institute for Defense Analysis. The conferees encourage the Administrator to make effective use of this authority to establish up to 300 excepted service positions in the Administration provided in section 3241 of the National Defense Authorization Act for Fiscal Year 2000 (P.L. 106–65). The conferees believe that this authority will be a valuable tool to provide NNSA with personnel competent to manage technically complex projects.

Budget structure for Office of the Deputy Administrator for Defense Programs

The conferees commend the Office of Defense Programs for establishing a more detailed and transparent budget structure. The conferees continue to believe that this new budget structure will greatly enhance the effectiveness of these programs and instill a higher degree of budgetary discipline in the Office of Defense Programs. The conferees further believe that the new budget structure will also assist Congress in assessing the degree of integration among varied experiments, simulation, research, and weapons assessments activities carried out at DOE weapons laboratories and production plants. The conferees direct that future budget requests for weapons activities clearly identify the funding required for each campaign and each program under the directed stockpile work and the readiness in technical base and facilities accounts.

National Ignition Facility

The conferees remain disappointed at the management, schedule, and budget difficulties experienced by the NIF program, but are

convinced of the significance of the project in sustaining the U.S. nuclear stockpile. The conferees believe that recent improvements in program management justify the increase for NIF construction.

Nuclear Emergency Search Team

The conferees note that the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) requires that the Nuclear Emergency Search Team (NEST) remain a program function within the Office of Military Applications under the Office of Defense Programs. The conferees have transferred NEST funding from the Department of Energy Other Defense Activities account to the NNSA to reflect this requirement.

Accelerated Strategic Computing Initiative

The conferees note that the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) expressed concern about the rate of growth in the Advanced Strategic Computing Initiative (ASCI) and Strategic Computing accounts. The conferees believe that the rate of growth for the NNSA defense computing and modeling campaign remains very high and that such funding increases have not been adequately justified. The conferees encourage the Administrator for Nuclear Security to properly align resources for ASCI and other computing and modeling activities with other experimental tools required to sustain the U.S. nuclear stockpile.

Plutonium pit production

The conferees are aware that the November 8, 1999, report of the Panel to Assess the Reliability, Safety, and Security of the U.S. Nuclear Stockpile stated that its ''paramount concern'' with the DOE stockpile stewardship program ''. . . is the need to begin work now on an adequate plutonium pit production manufacturing capability.'' The conferees endorse this finding and direct the Secretary of Energy to begin conceptual design activities for a pit production facility with a capacity adequate to meet future national security needs immediately.

Accelerator Production of Tritium

The conferees are concerned about proposals to fund continued APT design activities in the Office of Nuclear Energy, Science and Technology. In order to maintain clear lines of authority, the conferees believe that programs with direct relevance to the core missions of NNSA should be managed and funded by NNSA.

Defense Nuclear Nonproliferation

The budget request included $906.0 million for defense nuclear nonproliferation and fissile materials disposition, including: $233.0 million for nonproliferation verification research and development; $408.1 million for arms control; $213.5 million for fissile materials disposition; and $51.5 million for program direction.

The House bill would authorize $914.0 million for defense nuclear nonproliferation, an increase of $8.0 million. The amount authorized is for the following activities: $233.0 million for nonproliferation verification research and development; $408.1 million for arms control; $221.5 million for fissile materials disposition; and $51.5 million for program direction.

The Senate amendment would authorize $859.5 million for defense nuclear nonproliferation, a decrease of $46.5 million. The amount authorized is for the following activities: $263.0 million for nonproliferation verification research and development; $320.6 million for arms control; $224.5 million for fissile materials disposition; and $51.5 million for program direction.

The conferees agree to authorize $877.5 million for defense nuclear nonproliferation, a decrease of $28.6 million. The amount authorized is for the following activities: $253.0 million for nonproliferation verification research and development, an increase of $20.0 million; $320.6 million for arms control, a decrease of $87.5 million; $252.4 million for fissile materials disposition, an increase of $29.0 million; and $51.5 million for program direction, the amount of the budget request.

The conferees note that the Department of Energy Defense Nuclear Nonproliferation Program was formerly known as the nonproliferation and national security account during fiscal year 2000. Because DOE did not request these funds under separate budget accounts, as required by section 3251 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), the conferees have renamed and consolidated these activities into a single account. The conferees further note that the request included separate program direction accounts for the Office of Nonproliferation and Office of Fissile Materials Disposition. The conferees established a single defense nuclear nonproliferation account.

Nonproliferation verification research and development

In the nonproliferation verification research and development account the conferees agree to authorize an increase of $20.0 million for detecting and deterring weapons of mass destruction proliferation, monitoring nuclear explosions, detecting and responding to chemical and biological weapons attacks, and conducting evaluations of the technical capabilities of other geographic areas that pose a threat to U.S. National Security because of the potential for development and delivery of weapons of mass destruction.

Arms control

In the arms control account the conferees agree to authorize an increase of $12.5 million for the Nuclear Cities Initiative. The conferees would authorize no funding for the long-term nonproliferation program for Russia.

Fissile materials control and disposition

In the fissile materials control and disposition account, the conferees agree to authorize an increase of $11.0 million to accelerate design activities for the mixed oxide fuel fabrication facility.

Naval Reactors

The budget request included $677.6 million for naval reactors.

The House bill would authorize $677.6 million for naval reactors, the amount of the request.

The Senate amendment would authorize $695.0 million for naval reactors, an increase of $17.4 million.

The conferees agree to authorize $694.6 million for naval reactors, an increase of $17.0 million for expedited decommissioning and decontamination activities at surplus facilities.

Office of the Administrator

The conferees agree to authorize $10.0 million for the Office of the Administrator, an increase of $10.0 million. The conferees note that the budget request did not include funding for the Office of the Administrator. The conferees direct that future budget requests include a separate budget line for the administrative activities of the Office of the Administrator.

Safeguards and security activities

The conferees note that DOE has proposed a budget amendment that would consolidate all safeguards and security funds into a single program to be managed by the Office of Security and Emergency Operations. The conferees do not support this proposal. The conferees direct that all funds authorized for safeguards and security activities pursuant to this section be managed exclusively by NNSA employees or NNSA contractor employees. Consistent with the National Nuclear Security Administration Act (Title 32 of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2402) the Administrator for Nuclear Security is not authorized to transfer or delegate responsibility for any safeguards and security activities of the NNSA to any employee or office outside the NNSA.

Defense environmental restoration and waste management (sec. 3102)

The budget request included $4.6 billion for environmental management activities of the Department of Energy (DOE).

The House bill contained a provision (sec. 3102) that would authorize $4.6 billion for environmental management activities, an increase of $40.0 million. The amount authorized would be for the following activities: $1.0 billion for site and project completion, an increase of $40.0 million; $3.1 billion for post 2006 completion, the amount of the budget request; $196.5 million for science and technology development, the amount of the budget request; and $359.9 million for program direction, the amount of the budget request.

The Senate amendment contained a similar provision (sec. 3102) that would authorize $5.6 billion for environmental management activities, including closure activities, a decrease of $56.9 million. The amount authorized would be for the following activities: $1.1 billion for closure projects, the amount of the budget request; $930.9 million for site and project completion, a decrease of $40.0 million; $3.2 billion for post 2006 completion, an increase of $70.0 million; $246.5 million for technology development, an increase of $50.0 million; and $354.9 million for program direction, a decrease of $5.0 million. The Senate provision would also authorize a decrease of $132.0 million to account for available uncosted, unobligated prior year funds and funds to be deobligated from completed, prior year construction projects.

The conferees agree to authorize $6.0 billion for environmental management activities, an increase of $1.4 billion. The amount authorized is for the following activities: $1.1 billion for closure projects, the amount of the budget request; $941.7 million for site and project completion, a decrease of $29.2 million; $3.4 billion for post 2006 completion, an increase of $324.0 million; $246.5 million for technology development, an increase of $50.0 million; and $355.0 million for program direction, a decrease of $4.9 million.

Post 2006 completion

For post 2006 completion activities, the conferees agree to authorize: an increase of $332.0 million to establish a new construction line item for the Tank Waste Remediation System Project; an increase of $10.0 million for the Columbia River Corridor Initiative at the Hanford Site to continue reactor decontamination and decommissioning activities; and a decrease of $18.0 million to reflect the movement of the Environmental Systems Research and Analysis Program into the Science and Technology Development Account. The conferees recommend full funding for the F-canyon and H-canyon materials processing facilities.

The conferees agreed to establish a separate sub-account within the post 2006 completion account for the activities of Office of

River Protection. The conferees have consolidated all post 2006 completion construction projects that support operation of the Hanford site tank farm into this sub-account, including a new construction line item for the Tank Waste Remediation System Project.

Site and project completion

For site and project completion activities, the conferees agree to authorize: an increase of $11.0 million to accelerate compliance with 94–1 requirements at the Savannah River Site, including pre-operational activities to support planned stabilization campaigns, acceleration of the Americium/Curium stabilization project, and continued operation of the HB-Line Phase I to process plutonium residues; a decrease of $27.9 million to reflect the transfer of the highly enriched (HEU) uranium blend-down project (01–D–407) to the National Nuclear Security Administration Office of Fissile Materials Disposition; a decrease of $10.0 million in operation and maintenance funds to reflect transfer of the HEU blend-down project; and a decrease of $2.3 million to reflect the movement of the Environmental Systems Research and Analysis Program into the Science and Technology Development account.

Science and technology development

For science and technology development activities, the conferees agree to authorize: an increase of $50.0 million for applied research and development activities. The amount authorized reflects the consolidation of the Environmental Systems Research and Analysis Program into the Science and Technology Development Account.

The conferees note that the cleanup and waste management efforts of the Department will continue well into the 21st Century with costs anticipated to exceed $150.0 billion and much of the cleanup work scheduled to continue beyond fiscal year 2030. DOE must make meaningful investments in innovative science and technology in order to reduce costs, reduce safety and health risks, and develop solutions to problems for which there are currently no available or effective technologies.

Columbia River Corridor Initiative

The conferees support the Columbia River Corridor Initiative to accelerate cleanup along the Hanford Reach of the Columbia River. The National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) directed the Assistant Secretary of Energy for Environmental Management to establish a schedule by which the 100 square miles of the Hanford site that adjoin the Columbia River could be cleaned up on an accelerated schedule and proposed for removal from the National Priorities List. The conferees note that this schedule has not been submitted to Congress. The conferees expect that this report will be provided not later than November 1, 2000.

Report on pilot program to use prior year unobligated balances to accelerate cleanup of the Rocky Flats Environmental Technology Site

The conferees encourage the Secretary of Energy to use the authority provided by section 3176 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to accelerate closure of the Rocky Flats Environmental Technology Site.

Safeguards and Security Activities

The conferees direct that all funds authorized for safeguards and security activities pursuant to this section be managed exclusively by Office of Environmental Management (EM) employees or EM contractor employees, and that such activities not be transferred or delegated to any office outside EM.

Other defense activities (sec. 3103)

The budget request included $555.1 million for other defense activities.

The House bill contained a provision (sec. 3103) that would authorize $557.1 million for other defense activities, an increase of $2.0 million.

The Senate amendment contained a similar provision (sec. 3103) that would authorize $466.3 million for other defense activities, a decrease of $88.8 million.

The conferees agree to authorize $523.8 million for other defense activities, a decrease of $31.3 million. The amount authorized would be for the following activities: $38.1 million for the Office of Intelligence, the amount of the budget request; $45.2 million for the Office of Counterintelligence, the amount of the budget request; $284.1 million for the Office of Security and Emergency Operations, a decrease of $56.3 million; $14.9 million for independent oversight and performance assurance, the amount of the budget request; $134.1 million for environment, safety and health-defense, an increase of $25.0 million; $24.5 million for the Office of Worker and Community Transition, the amount of the budget request; and $3.0 million for the Office of Hearings and Appeals, the amount of the budget request.

Office of Security and Emergency Operations

The conferees agree to authorize a decrease of $56.3 million to the Office of Security and Emergency Operations emergency management program to reflect movement of the nuclear emergency search team to the weapons activities account authorized in section 3101(a)(1) of this Act.

Environment, safety and health-defense

The conferees agree to authorize an increase of $25.0 million for environment, safety and health-defense to carry out the administrative activities associated with the establishment of an occupational illness compensation program for Department of Energy (DOE) and DOE contractor employees at the Department's defense nuclear facilities.

The conferees note that DOE requested authorization to begin making compensation payments in fiscal year 2001 with Atomic Energy Defense funding. The conferees further note that the Secretary of Energy has not submitted a comprehensive legislative proposal to Congress to establish such an employee compensation program. The conferees agree not to authorize any such payments from Atomic Energy Defense funding.

Office of worker and community transition

Of the funds available for worker and community transition activities, the conferees agree to authorize $5.0 million to support cleanup and infrastructure development at the Allied General Nuclear Site immediately adjacent to the DOE Savannah River Site.

The conferees endorse DOE's decision to remove the requirement that management and operating contracts at DOE sites include provisions for conducting economic development activities in the communities surrounding such sites. The conferees encourage DOE contractors to continue to be good corporate citizens by supporting community-based initiatives. The conferees believe, however, that economic development activities of DOE contractors should not be used as a measure of performance or as a selection criteria for the award of contracts.

Defense environmental management privatization (sec. 3104)

The budget request included $540.1 million for defense environmental management privatization projects and the use of $25.1 million from prior year, uncosted balances.

The House bill contained a provision (sec. 3105) that would authorize $284.1 million for defense environmental management privatization projects, a decrease of $256.0 million. Of the amount authorized: $194.0 million would be for the Tank Waste Remediation System Project, phase I (Richland); $65.0 million would be for the Advanced Mixed Waste Treatment project (Idaho); and $25.1 million would be for spent nuclear fuel dry storage (Idaho). The provision would authorize a decrease of $25.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The Senate amendment contained a similar provision (sec. 3104) that would authorize $390.1 million for defense environmental management privatization projects and would authorize a decrease of $150.0 million to the Tank Waste Remediation System (TWRS) Project. The provision would also authorize a decrease of $25.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The conferees agree to authorize $90.1 million for defense environmental management privatization projects, including $65.0 million for the Advanced Mixed Waste Treatment project (Idaho) and $25.1 million for spent nuclear fuel dry storage (Idaho). The conferees agree to authorize a decrease of $90.1 million to reflect the use of prior year, uncosted balances in the defense environmental management privatization account.

The conferees are deeply concerned with the status of the TWRS project. The conferees note that the cost estimate for the construction portion of this project increased from $3.2 billion to $6.4 billion, translating into a total estimated project cost increase from $6.9 billion to over $15.2 billion under the privatization approach. The conferees further understand that these cost estimates were based on a project design that is only 13 to 15 percent complete and, therefore, subject to additional change.

The conferees fully support the TWRS project and believe that the technological approach proposed is viable and realistic. The conferees also believe it is vitally important that this project proceed to full scale construction provided the Secretary of Energy has established a high degree of confidence in the overall project cost and other facility requirements. As a result, the conferees have moved the TWRS project to the post 2006 completion account and recommend no privatization funds for the project.

In order to make the funds for termination liability available for other purposes, the conferees have included a separate provision in this Act that would prohibit the use of appropriated funds to establish a reserve for contract termination costs for the TWRS project.

Defense nuclear waste disposal (sec. 3105)

The budget request included $112.0 million for the Department of Energy (DOE) fiscal year 2001 defense contribution to the Defense Nuclear Waste Fund.

The House bill contained a provision (sec. 3106) that would authorize $112.0 million for the DOE fiscal year 2001 defense contribution to the Defense Nuclear Waste Fund.

The Senate amendment contained an identical provision (sec. 3106).

The conference agreement includes this provision.

Subtitle B—Recurring General Provisions

Reprogramming (sec. 3121)

The House bill contained a provision (sec. 3121) that would prohibit the reprogramming of funds in excess of 110 percent of the amount authorized for the program, or in excess of $1.0 million above the amount authorized for the program, until the Secretary of Energy submits a report to the congressional defense committees and a period of 45 days has elapsed after the date on which the report is received.

The Senate bill contained a similar provision (sec. 3121) that would prohibit the reprogramming of funds in excess of 110 percent of the amount authorized for the program, or in excess of $1.0 million above the amount authorized for the program, until the Secretary of Energy submits a report to the congressional defense committees and a period of 30 days has elapsed after the date on which the report is received.

The House recedes.

Limits on general plant projects (sec. 3122)

The House bill contained a provision (sec. 3122) that would authorize the Secretary of Energy to carry out any construction project authorized under general plant projects if the total estimated cost does not exceed $5.0 million. The provision would require the Secretary to submit a report to the congressional defense committees detailing the reasons for the cost variation if the cost of the project is revised to exceed $5.0 million.

The Senate amendment contained an identical provision (sec. 3122).

The conference agreement includes this provision.

Limits on construction projects (sec. 3123)

The House bill contained a provision (sec. 3123) that would permit any construction project to be initiated and continued only if the estimated cost for the project does not exceed 125 percent of the higher of the amount authorized for the project or the most recent total estimated cost presented to the Congress as justification for such project. The provision would prohibit the Secretary of Energy from exceeding such limits until 30 legislative days after the Secretary submits to the congressional defense committees a detailed report setting forth the reasons for the increase. This provision would also specify that the 125 percent limitation would not apply to projects estimated to cost under $5.0 million.

The Senate amendment contained an identical provision (sec. 3123).

The conference agreement includes this provision.

Fund transfer authority (sec. 3124)

The House bill contained a provision (sec. 3124) that would permit funds authorized by this Act to be transferred to other agencies of the government for performance of work for which the funds were authorized and appropriated. The provision would permit the merger of such transferred funds with the authorized funds of the agency to which they are transferred. The provision would also limit, to not more than five percent of the account, the amount of funds authorized by this Act that may be transferred between authorization accounts within the Department of Energy.

The Senate amendment contained an identical provision (sec. 3124).

The conference agreement includes this provision.

Authority for conceptual and construction design (sec. 3125)

The House bill contained a provision (sec. 3125) that would limit the authority of the Secretary of Energy to request construction funding until the Secretary has completed a conceptual design. This limitation would apply to construction projects with a total estimated cost greater than $5.0 million. If the estimated cost to prepare the construction design exceeds $600,000, the provision would require the Secretary to obtain a specific authorization to obligate such funds. If the estimated cost to prepare the conceptual design exceeds $3.0 million, the provision would require the Secretary to request funds for the conceptual design before requesting funds for construction. The provision would also provide an exception to these requirements in the case of an emergency.

The Senate amendment contained an identical provision (sec. 3125).

The conference agreement includes this provision.

Authority for emergency planning, design, and construction activities (sec. 3126)

The House bill contained a provision (sec. 3126) that would permit the Secretary of Energy to perform planning and design with any funds available to the Department of Energy pursuant to this title, including those funds authorized for advance planning and construction design, whenever the Secretary determines that the design must proceed expeditiously to protect the public health and safety, to meet the needs of national defense, or to protect property.

The Senate amendment contained an identical provision (sec. 3126).

The conference agreement includes this provision.

Funds available for all national security programs of the Department of Energy (sec. 3127)

The Senate amendment contained a provision (sec. 3127) that would authorize amounts for management and support activities and for general plant projects to be made available for use in connection with all national security programs of the Department of Energy.

The House bill contained no similar provision.

The House recedes.

Availability of funds (sec. 3128)

The House bill contained a provision (sec. 3127) that would authorize funds for operation and maintenance or for plant projects and capital equipment within the Department of Energy (DOE) national security programs until the later of the following dates: October 1, 2003; or the date of enactment of the Act that would authorize funds for such activities in fiscal year 2004. The provision would also authorize funds for program direction within DOE national security programs until the later of the following dates: October 1, 2001; or the date of enactment of the Act that would authorize funds for program direction in fiscal year 2002.

The Senate amendment contained a similar provision (sec. 3128) that would authorize funds for DOE national security programs to remain available until expended, except for program direction funds which would remain available until the end of fiscal year 2003.

The House recedes with an amendment that would authorize funds for program direction until the end of fiscal year 2002.

The conferees note that section 3152 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–301) required that the National Nuclear Security Administration submit a budget request that would include funding authorization for a limited number of years. Additional funding limitations for future budget requests are addressed elsewhere in this conference agreement.

Transfers of defense environmental management funds (sec. 3129)

The House bill contained a provision (sec. 3128) that would provide the manager of each field office of the Department of Energy with limited authority to transfer up to $5.0 million in fiscal year 2001 defense environmental management funds from one program or project under the jurisdiction of the office to another such program or project, including site project and completion and post fiscal year 2006 completion funds, once in a fiscal year.

The Senate bill contained a similar provision (sec. 3129).

The Senate recedes.

Subtitle C—Program Authorizations, Restrictions, and Limitations

Funding for termination costs of River Protection Project, Richland, Washington (sec. 3131)

The House bill contained a provision (sec. 3131) that would prohibit the Secretary of Energy from using appropriated funds to establish a reserve for the payment of termination costs of contracts relating to the tank waste remediation system at Richland, Washington, and would identify alternatives to pay for these costs should the need arise.

The Senate bill contained no similar provision.

The Senate recedes with a technical amendment.

Enhanced cooperation between National Nuclear Security Administration and Ballistic Missile Defense Organization (sec. 3132)

The House bill contained a provision (sec. 3132) that would establish the basis for expanded cooperation between the Ballistic Missile Defense Organization and the National Nuclear Security Administration.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Reprogramming of funds available for infrastructure upgrades or maintenance in certain accounts of the National Nuclear Security Administration (sec. 3133)

The House bill contained a provision (sec. 3134) that would prohibit the use of funds authorized to be appropriated for the National Nuclear Security Administration for infrastructure upgrades or maintenance in the readiness of the technical base and facilities or construction accounts to be used for any other purpose.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

Adjustment of composite theoretical performance levels for post-shipment verification reports on advanced supercomputers sales to certain foreign nations (sec. 3134)

The House bill contained a provision (sec. 3136) that would conform the reporting levels to those established under section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) as they apply to the Department of Energy report on sales by participants in the Accelerated Strategic Computing Initiative.

The Senate amendment contained an identical provision.

The conference agreement includes this provision.

Modification of counterintelligence polygraph program (sec. 3135)

The Senate amendment contained a provision (sec. 3154) that would amend section 3154 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) by authorizing the Secretary of Energy to waive the requirement that certain Department of Energy (DOE) employees and DOE contractor employees successfully pass a counterintelligence polygraph exam before such employees can be granted access to high-risk programs. The provision would allow the Secretary to waive this requirement for any individual for a period not to exceed 120 days, if the Secretary determines that: (1) such a waiver is in the national security interests of the United States; (2) the covered employee has been granted a security clearance; and (3) the covered employee signs a written acknowledgment that the employment is conditioned upon successfully passing a counterintelligence polygraph exam within 120 days of the date of signing such an acknowledgment. The provision would also allow the Secretary to waive this requirement for any individual who the Secretary determines: (1) has completed successfully a full-scope counterintelligence polygraph exam while employed with another federal agency; or (2) should not be examined because of treatment for a medical or psychological condition.

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Secretary to waive polygraph requirements on a one-time basis for any individual employee and would prohibit the Secretary from using the need to maintain the scientific viability of a DOE laboratory as a criteria for approving any such waivers. The amendment would further require that employees holding a sensitive compartmented information clearance be subject to these requirements.

Employee incentives for employees at closure project facilities (sec. 3136)

The House bill contained a provision (sec. 3137) that would provide incentives for retention and separation of federal employees at closure facilities of the Department of Energy (DOE) established pursuant to section 3143 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–106). Such incentives would include the accumulation of annual leave up to 720 hours, lump sum retention allowances of up to 30 percent of an employee's salary, freeze the cost of and continue health benefits for employees who are either voluntarily or involuntarily separated, and provide authority for voluntary reductions in force. The authority would terminate at a DOE site when closure is completed.

The Senate amendment contained a similar provision (sec. 3155) that would provide similar incentives, including lump sum retention allowances of up to 40 percent of an employee's salary, authority to pay voluntary separation incentive payments (also referred to as buyouts), and authority to make temporary assignments of certain DOE employees to private sector organizations, on a non-reimbursable basis. The authority would terminate on September 23, 2001.

The House recedes with an amendment that would provide the following incentives: (1) the accumulation of annual leave up to 720 hours; (2) lump sum retention allowances of up to 30 percent of an employee's salary; (3) freeze the cost of and continue health benefits for employees who are either voluntarily or involuntarily separated; and (4) provide authority for voluntary reductions in force. The authority would terminate on March 31, 2007.

Continuation of processing, treatment, and disposition of legacy nuclear materials (sec. 3137)

The Senate amendment contained a provision (sec. 3151) that would require the Secretary of Energy to maintain a high state of readiness at the F-canyon and H-canyon facilities at the Savannah River site. The provision would further prohibit the use of funds to begin decommissioning activities at the F-canyon facility, including studies and planning, until the Defense Nuclear Facilities Safety Board and the Secretary of Energy submit a report certifying that all materials currently present in the facility are safely stabilized and the requirements for the facility to meet future fissile materials disposition needs can be fully met utilizing the H-canyon facility. The provision would require the Secretary to submit to the Committees on Armed Services of the Senate and the House of Representatives a plan describing how all long-term chemical separations activities would be transferred from the F-canyon facility to the H-canyon facility beginning in fiscal year 2002. The report would be submitted not later than February 15, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary to identify those fissile materials disposition needs that will require an alternative capability, including a description of the alternative capability and a justification of why any such requirements cannot be carried out at the H-canyon facility.

Limitation on use of certain funds pending certifications of compliance with Formerly Utilized Sites Remedial Action Program funding prohibition (sec. 3138)

The Senate amendment contained a provision (sec. 3152) that would prohibit the use of any funds authorized or otherwise made available to the Department of Energy by this or any other Act for travel by the Secretary of Energy or any employees of the Office of Secretary of Energy after March 1, 2001, unless or until the Secretary certifies to the congressional defense committees that no Atomic Energy Defense funds will be obligated or expended for treatment, storage, or disposal activities at sites designated as Formerly Utilized Site Remedial Action Program (FUSRAP) sites.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the use of travel funds by the Secretary of Energy, any employee of the Office of the Secretary, or the Chief of Engineers of the Army Corps of Engineers after November 1, 2001, unless or until the Secretary and Chief each certifies to the congressional defense committees that no Atomic Energy Defense funds will be obligated or expended for treatment, storage, or disposal activities at FUSRAP sites.

The conferees note that the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) prohibits any Atomic Energy Defense funds authorized or otherwise made available to the Department of Energy for any fiscal year after fiscal year 1999 from being obligated or expended to conduct treatment, storage, or disposal activities at sites designated as FUSRAP sites. The conferees continue to support the cleanup of FUSRAP sites in an expeditious, cost-effective manner. The conferees, however, do not support the use of scarce Atomic Energy Defense funds for this purpose.

Conceptual design for Subsurface Geosciences Laboratory at Idaho National Engineering and Environmental Laboratory, Idaho Falls, Idaho (sec. 3139)

The Senate amendment contained a provision (sec. 3156) that would authorize the Secretary of Energy to obligate up to $400,000 to carry out conceptual design activities for a new Subsurface Geoscience Facility Laboratory at the Idaho National Engineering and Environmental Laboratory (INEEL), Idaho Falls, Idaho. The provision would prohibit obligation of the funds until 60 days after the Secretary submits a report to the congressional defense committees identifying: (1) the need to conduct mesoscale experiments to meet long-term Department of Energy (DOE) cleanup requirements; (2) the possibility of utilizing existing structures to house such a new facility; (3) the estimated construction costs of the facility; (4) the estimated annual operating costs of the facility; (5) how the facility would utilize the capabilities of other DOE and non-DOE sites; and (6) an analysis of costs, savings, and benefits that are unique to INEEL.

The House bill contained no similar provision.

The House recedes with a technical amendment.

Report on National Ignition Facility, Lawrence Livermore National Laboratory, Livermore, California (sec. 3140)

The Senate amendment contained a provision (sec. 3158) that would require the Secretary of Energy to submit to the Committees on Armed Services of the Senate and House of Representatives a report setting forth a revised cost and schedule baseline for completion of the National Ignition Facility (NIF) in Livermore, California. The provision would prohibit the obligation of more than 50 percent of the funds available for NIF until the report is submitted. The provision would further require that the Comptroller General report not later than March 31, 2001, to the Committees on Armed Services of the Senate and House of Representatives on: (1) the relationship of NIF to other elements of the Department of Energy nuclear weapons program; (2) the potential impacts if completion of the NIF were to be delayed; (3) a detailed description and analysis of the funds spent on NIF to date; and (4) an assessment of whether Lawrence Livermore National Laboratory has established a revised baseline for NIF that has achievable goals and milestones.

The House bill contained no similar provision.

The House recedes with a clarifying amendment.

River Protection Project, Richland, Washington (sec. 3141)

The House bill contained a provision (sec. 3135) that would rename the tank waste remediation project at the Department of Energy's (DOE) Hanford Site as the River Protection Project.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Assistant Secretary of Energy for Environmental Management to delegate, in writing, responsibility for management of the Office of River Protection (ORP) to the manager of that office. The delegation would include authority for contracting, financial management, safety, and general program management that are

equivalent to those vested in other operations office managers. The ORP manager would, to the maximum extent possible, be required to coordinate all ORP activities with the manager of the DOE Richland Operations Office.

The conferees note that section 3139 of the National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) made the manager of the Office of River Protection responsible for managing all aspects of this critical cleanup program. The conferees expect the Assistant Secretary to comply with the requirement for a written delegation of authority as expeditiously as possible. The conferees further expect that the Assistant Secretary will be provided with sufficient personnel and other resources to manage the tank waste program in an efficient and streamlined manner.

Report on tank waste remediation system, Hanford Reservation, Richland, Washington (sec. 3142)

The Senate amendment contained a provision (sec. 3157) that would authorize an increase of $150.0 million to carry out an accelerated cleanup and waste management program at the Hanford Site in Richland, Washington. The provision would also require the Secretary of Energy to submit a report to Congress not later than December 15, 2000, on the Tank Waste Remediation System (TWRS) project, including: (1) a proposed plan for processing and stabilizing all nuclear wastes located in the Hanford Tank Farm; (2) a proposed schedule for carrying out the plan; (3) the total estimated cost of carrying out the plan; and (4) a description of any alternative options to the proposed plan and description of the costs and benefits of each such option.

The House bill contained no similar provision.

The House recedes with an amendment that would require the report to include the following additional items: (1) a description of the volumes and characteristics of those wastes or materials that are not intended to be treated during Phase 1(B) of the project and (2) a plan for developing, demonstrating, and implementing advanced vitrification system technologies that might be required to safely treat and stabilize any out of specification wastes or materials, such as polychlorinated biphenyls, that cannot be treated and stabilized with the technologies proposed to be utilized during Phase 1(B) of the project.

Subtitle D—Matters Relating to Management of National Nuclear Security Administration

Term of office of person first appointed as Under Secretary for Nuclear Security of the Department of Energy (sec. 3151)

The Senate amendment contained a provision (sec. 3131) that would establish a fixed term of office for the first individual appointed as the Under Secretary for Nuclear Security at the Department of Energy. The individual would be subject to removal by the President only for inefficiency, neglect of duty, or malfeasance in office.

The House bill contained no similar provision.

The House recedes.

Membership of Under Secretary for Nuclear Security on the Joint Nuclear Weapons Council (sec. 3152)

The Senate amendment contained a provision (sec. 3132) that would designate the Under Secretary for Nuclear Security of the Department of Energy (DOE) to serve as the DOE representative on the Joint Nuclear Weapons Council.

The House bill contained no similar provision.

The House recedes.

Organization plan for field offices of the National Nuclear Security Administration (sec. 3153)

The Senate amendment contained a provision (sec. 3135) that would require the Under Secretary for Nuclear Security of the Department of Energy to develop an appropriate staffing and organization plan to carry out the activities of the National Nuclear Security Administration (NNSA). The plan would identify: (1) the roles and responsibilities to be assigned to each NNSA field organizational unit and the NNSA headquarters organization; (2) any modifications, downsizing, eliminations, or consolidations of NNSA headquarters and field organization units; (3) any modifications to headquarters and field office staffing levels that the Under Secretary determines are necessary to implement the plan; and (4) a schedule by which the plan could be implemented. The plan would be submitted to the congressional defense committees not later than March 1, 2001.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Under Secretary to submit the plan not later than May 1, 2001.

Required contents of future-years nuclear security program (sec. 3154)

The House bill contained a provision (sec. 3133) that would make certain findings that the budget submission for fiscal year 2001 to Congress does not comply with requirements imposed by sections 3251 and 3253 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65); would establish requirements for the content of the future years nuclear security program to be submitted annually by the Administrator of the National Nuclear Security Administration (NNSA) pursuant to section 3253; and would prohibit the obligation of more than 50 percent of funds authorized for appropriation for program direction within NNSA until 30 days after the Administrator provides Congress with the required future years nuclear security program.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would remove the restriction on use of program direction funds.

Future-years nuclear security program for fiscal year 2001 (sec. 3155)

The Senate amendment contained a provision (sec. 3136) that would require the Under Secretary for Nuclear Security to submit a future-years nuclear security program plan that would contain the estimated expenditures necessary to support the programs, projects, and activities of the National Nuclear Security Administration (NNSA). The report would be submitted to Congress not later than November 1, 2000.

The House contained no similar provision.

The House recedes with a clarifying amendment.

The conferees note that the Secretary of Energy was required by section 3135 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) and section 3253 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to provide a five-year budget plan, and that the Secretary failed to comply with such requirements. The conferees further note that the Secretary of Defense provides such future year budget data to Congress concurrent with the submission of the budget request. The conferees believe that such a plan will provide an important planning tool for the Secretary, the Administrator, and the Congress, and would serve as a baseline upon which the congressional defense committees can better evaluate succeeding budget submissions.

The conferees are aware that DOE submitted a future years nuclear security program plan to the Office of Management and Budget as part of its fiscal year 2001 budget request. The conferees believe that this plan will meet the requirements of this provision.

Engineering and manufacturing research, development, and demonstration by plant managers of certain nuclear weapons production plants (sec. 3156)

The Senate amendment contained a provision (sec. 3175) that would authorize the Secretary of Energy to establish a Plant Manager Research, Development, and Demonstration (PMRDD) program to support innovative engineering and systems activities at the nuclear weapons production plants. The program would be limited to the Y–12 plant in Oak Ridge, Tennessee, the Kansas City plant in Kansas City, Missouri, and the Pantex plant in Amarillo, Texas. The program would be authorized at a level not to exceed two percent of the funds available for weapons activities at such plants.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator of the National Nuclear Security Administration to authorize the head of each nuclear weapons production plant to establish a PMRDD program and would allow the Administrator to authorize the head of each production plant to obligate up to $3.0 million per year from those funds available in the Advanced Design and Production Technologies Campaign in fiscal year 2001 to carry out the program.

The conferees anticipate that this program would be used to explore viable tools and techniques for understanding and replacing sunset technologies and for developing more agile manufacturing techniques. The conferees believe the creation of this program will support recommendations for addressing workforce problems at the production plants identified by the Commission on Retaining Nuclear Weapons Expertise (also known as the Chiles Commission) by assisting with recruiting and retention of outstanding engineers and craftsmen.

Prohibition on individuals engaging in concurrent service or duties within National Nuclear Security Administration and outside that Administration but within Department of Energy (sec. 3157)

The Senate amendment contained a provision (sec. 3134) that would prohibit the use of any funds authorized to be appropriated or otherwise made available to the Department of Energy (DOE) after fiscal year 2000 to pay the basic pay of an officer or employee of DOE who: (1) serves concurrently in a position in the National Nuclear Security Administration (NNSA) and a position outside the NNSA; or (2) performs concurrently the duties of a position in the NNSA and the duties of a position outside the NNSA.

The House bill contained no similar provision.

The House recedes with an amendment that would prohibit the practice of dual office holding.

The conferees recognize that NNSA may benefit from the unique skills of personnel in other federal agencies, other DOE entities

not within NNSA, and private entities. The conferees believe that the assignment of detailees with such expertise to the NNSA on an occasional and temporary basis is acceptable, provided that the specific arrangements for detailee assignment to NNSA are consistent with the terms of this provision.

Annual plan for obligation of funds of the National Nuclear Security Administration (sec. 3158)

The conference agreement includes a provision that would require the Administrator of the National Nuclear Security Administration (NNSA) to submit a plan for obligation of amounts requested for each program element and construction line item expressed as percentage of the requested amounts in the annual budget and the two succeeding fiscal years; and an assessment as to whether the NNSA had met the goals of prior year obligation plans and any plan for corrective actions that might be needed. The amendment would also require an assessment by the Comptroller General concerning the adequacy of the NNSA planning, programming, and budgeting process.

The conferees are disappointed that the Department of Energy failed to comply with section 3152 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), which required the NNSA to forward a budget with funding available for a limited number of years.

Authority to reorganize National Nuclear Security Administration (sec. 3159)

The Senate amendment contained a provision (sec. 3133) that would limit the authority of the Secretary of Energy to reorganize, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration (NNSA).

The House bill contained no similar provision.

The House recedes with an amendment that would authorize the Administrator to reorganize, abolish, alter, consolidate, or discontinue any organizational unit or component of the NNSA.

Subtitle E—National Laboratories Partnership Improvement

Technology Infrastructure Pilot Program (sec. 3161)

The Senate amendment contained a provision (section 3163) that would authorize the Secretary of Energy to obligate up to $10.0 million per year for a three-year period to establish the Technology Infrastructure Pilot Program. The pilot program would promote establishment of technology partnership clusters in the vicinity of certain DOE laboratories and plants. The provision would authorize each such DOE site to expend available funds to carry out cooperative activities with local businesses, universities, research organizations, or state, local, and tribal governments.

The House had no similar provision.

The House recedes with an amendment that would authorize the Administrator of the National Nuclear Security Administration (NNSA) to obligate up to $5.0 million during fiscal years 2001 and 2002 to carry out the pilot program.

The conferees are concerned that technology partnerships within the Office of Defense Programs have not been well managed in the past nor have they resulted in significant return on investment. Nevertheless, the conferees recognize that public-private collaborations may, if properly focused and managed, result in the development of commercially viable technologies that support the core nuclear weapons and nuclear nonproliferation missions of the NNSA. The Technology Infrastructure Pilot Program will allow the NNSA laboratories and facilities to explore new ways to collaborate with private entities in research, training, and shared facilities to enhance these core NNSA missions. The conferees note that technology networks of this kind have proven successful in the private sector. The conferees further note that the provision would not preclude the possibility of subsequent authorizations in appropriate circumstances.

Report on small business participation in National Nuclear Security Administration activities (sec. 3162)

The Senate amendment contained a provision (sec. 3164) that would require each laboratory to establish a small business advocacy and assistance program to increase the participation of small businesses in all contracting aspects of the laboratory. The provision would also require each laboratory to establish a small business assistance program to help local small businesses obtain more subcontracts at the laboratory and improve the commercial value of their products and services.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator of the National Nuclear Security Administration (NNSA) to report to the congressional defense committees not later than February 15, 2001, regarding the effectiveness of NNSA small business programs, recommendations on how to improve them, and any legislative changes required to implement such improvements.

Study and report related to improving mission effectiveness, partnerships, and technology transfer at national security laboratories and nuclear weapons production facilities (sec. 3163)

The Senate amendment contained a provision (sec. 3166) that would require the Secretary to direct the Laboratory Operations Board to study and to report on the possible benefits of and need for policies and procedures to facilitate the transfer of scientific, technical, and professional personnel among national security laboratories and facilities. The Board would be required to report on the possible benefits of and need for changes in the following: (1) the indemnification requirements for patents or other intellectual property licensed from a laboratory or facility; (2) the royalty and fee schedules and types of compensation that may be used for patents or other intellectual property licensed to a small business concern from a National Laboratory or facility; (3) the licensing procedures and requirements for patents and other intellectual property, including preferences for small businesses started by former laboratory or facility employees who invented the patented technology or other intellectual property; (4) the infringement and protections available to small businesses that have received patents or other intellectual property from a laboratory or facility; (5) the advance funding requirements for a small business that funds a project at a laboratory or facility through a Funds-In-Agreement; (6) the intellectual property rights allocated to a business that funds a project at a laboratory or facility through a Funds-In-Agreement; and (7) the policies on royalty payments to inventors employed by a contractor-operated laboratory or facility, including those for inventions made under a Funds-In-Agreement.

The Board would be required to report to the Secretary not later than one year after the date of enactment of this Act. The Secretary would be required to transmit the report to Congress not later than one month after receiving the report of the board concurrent with the submission of the report of the Secretary shall provide recommendations regarding appropriate action and legislative proposals.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Energy Advisory Board to prepare and to submit the report related to the national security laboratories and facilities. The amendment would also require the report to include the advantages and disadvantages of providing the Administrator of the National Nuclear Security Administration with special contracting authority, such as ''other transactions'' authority.

Report on effectiveness of National Nuclear Security Administration technology development partnerships with non-Federal entities (sec. 3164)

The Senate amendment contained a provision (sec. 3137) that would establish funding goals for cooperative research and development agreements (CRADAs) of the National Nuclear Security Administration (NNSA) and require that such CRADAs be consistent with and support the missions of the National Nuclear Security Administration. The provision would establish a goal of obligating 0.5 percent of NNSA funds available during fiscal years 2001 and 2002 for CRADAs, or similar cooperative, cost-shared research partnerships with non-federal organizations. The provision would further require the Administrator of the NNSA to submit a report to the congressional defense committees setting forth a recommendation as to the appropriate future percentage goals. The provision would require that the Administrator report to Congress annually on whether the goals of this provision have been met in the successive fiscal year. The provision would require the Administrator to describe the actions necessary to achieve such goals and provide any legislative changes recommended to achieve them, if the goals have not been met.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator to submit to Congress a report on the efficiency and effectiveness with which the NNSA and its laboratories and facilities carry out cooperative technology development activities with non-federal entities, including appropriate funding levels for such cooperative activities.

Definitions (sec. 3165)

The Senate amendment contained a provision (sec. 3162) that would define the terms referenced in subtitle E of this Act.

The House bill contained no similar provision.

The House recedes with an amendment that would define the terms ''national security laboratory'' and ''nuclear weapons production facility'' as they are defined in section 3281 of the National Nuclear Security Administration Act (Public Law 106–65).

Subtitle F—Matters Relating to Defense Nuclear Nonproliferation

Matters Relating to Defense Nuclear Nonproliferation (secs. 3171–3175)

The Senate amendment contained a provision (sec. 3153) that would: (1) require an annual report and limit funding for the program until an access policy is established

and implemented by the Secretary for the Nuclear Materials Protection, Control, and Accounting Program; (2) establish programmatic management criteria and conditions on funds for the Nuclear Cities Initiative (NCI); and (3) require that funds for the International Nuclear Safety Program be used only for reactor safety upgrades and training for reactor operators participating in the program. The Senate amendment also contained provisions (sec. 3191–3195) that would expand the NCI by authorizing $30.0 million for fiscal year 2001, require an agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years in exchange for participating in the NCI, establish additional programmatic criteria, authorize the Secretary of Energy to encourage careers in nonproliferation, and express the sense of Congress on the need for establishing a national coordinator for nonproliferation.

The House bill contained no similar provision.

The House recedes with a technical amendment regarding the International Nuclear Safety Program. The amendment would also: (1) Authorize $30.0 million for fiscal year 2001 for the NCI; (2) prohibit the obligation or expenditure of funds for more than three nuclear cities in Russia and two serial production facilities until 30 days after the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a copy of a written agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work; and (3) limit not more than $8.7 million from being expended or obligated until the Secretary establishes and implements project review procedures for projects under the NCI and submits to the Armed Services Committees of the Senate and the House of Representatives a report on the project review procedures established and implemented. The amendment would also prohibit amounts in excess of $17.5 million from being obligated or expended until 30 days after the Secretary submits a report to the Armed Services Committees of the Senate and the House of Representatives that includes: (1) a copy of a written agreement that provides that Russia will close some of its facilities engaged in nuclear weapons assembly and disassembly work within five years in exchange for participation in the NCI; (2) a certification by the Secretary that project review procedures have been established and are being implemented and that any scientific, technical, or commercial projects carried out under the NCI will meet specific nonproliferation objectives and be commercially viable in three years; (3) a description of the project review procedures process; (4) a list of the projects that have undergone review; and (5) detailed descriptions for each NCI project regarding project management costs, budgets, commercial viability, income generation, and the number of Russian jobs created. The amendment would also urge the President to discuss with the Russian Federation the development of a plan for restructuring the Russian nuclear weapons complex, and would authorize $2.0 million for the Secretary to encourage Russian and U.S. students to pursue nonproliferation careers. The funds for nonproliferation careers may only be obligated and expended after conditions are met for fiscal year 2001 funds in excess of $17.5 million, and after the Administrator for Nuclear Security provides prior notification to Congress that these funds will be expended. Finally, the House amendment expresses the sense of Congress on the need for effective and clear coordination of U.S.-Russian nonproliferation programs.

The conferees believe that the Department should support projects that have the greatest potential for commercialization in the near term through the rapid creation of Russian jobs in the closed cities.

In addition, the conferees agree to include a provision that would direct the Secretary to submit to the Armed Services Committees of the Senate and the House of Representatives not later than March 1, 2001, a report on the Department's recent and planned efforts to ensure adequate oversight and accountability of its nonproliferation programs in Russia, and the potential costs and impacts of on-the-ground monitoring. The conferees further direct the Comptroller General to conduct a review of the information contained in the Secretary's report to assess the information and provide the Congress with a report of the Comptroller General's assessment not later than April 15, 2001. The conferees are interested in ensuring that the Department of Energy has adequate assurance that federal funds expended in Russia for nonproliferation programs are being expended for the purposes for which they are intended, as exemplified in the legislative provision on access for the Materials Protection, Control, and Accounting program.

Subtitle G—Other Matters

Extension of authority for appointment of certain scientific, engineering, and technical personnel (sec. 3191)

The Senate amendment contained a provision (sec. 3171) that would extend the authority of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) related to excepted service hiring for up to 200 positions.

The House bill contained no similar provision.

The House recedes.

Biennial report containing update on nuclear test readiness postures (sec. 3192)

The Senate amendment contained a provision (sec. 3172) that would require the Secretary of Energy to update the nuclear test readiness report required by section 3152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106) on a biennial basis. The Secretary would be required to submit the first updated report to the congressional defense committees not later than February 15, 2001. The reports would include a listing and description of those workforce skills and capabilities that are essential to carry out the missions of the site, a listing and description of the required infrastructure and physical plant that are essential to carry out the missions of the site, and an assessment of the readiness status of the workforce and infrastructure. The report would be submitted in unclassified form, but could include a classified annex.

The House bill contained no similar provision.

The House recedes.

Frequency of reports on inadvertent releases of restricted data and formerly restricted data (sec. 3193)

The Senate amendment contained a provision (sec. 3173) that would amend section 3161 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to require the Secretary of Energy to report inadvertent releases of restricted data and formerly restricted data on a quarterly basis rather than 30 days after any such release.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would make the quarterly report mandatory, regardless of whether there is a reportable incident during the period by the report.

Form of certifications regarding the safety or reliability of the nuclear weapons stockpile (sec. 3194)

The Senate amendment contained a provision (sec. 3174) that would require the annual certification to the President regarding the safety and reliability of the U.S. nuclear stockpile be submitted in classified form.

The House bill contained no similar provision.

The House recedes.

Authority to provide certificate of commendation to Department of Energy and contractor employees for exemplary service in stockpile stewardship and security (sec. 3195)

The Senate amendment contained a provision (sec. 3177) that would authorize the Secretary of Energy to award a certificate of commendation for meritorious service to current and former employees of the Department of Energy (DOE), and current and former contractor employees who worked in programs related to stewardship of the Nation's nuclear weapons stockpile.

The House bill contained no similar provision.

The House recedes.

The conferees note that the dedication, intellect, and hard work of the scientists and craftsmen employed at DOE laboratories and manufacturing plants are essential to maintaining a credible U.S. nuclear deterrent. The conferees further note that former scientists and craftsmen at DOE laboratories, plants, and materials production sites were instrumental in ensuring the security of the United States during the Cold War. The conferees included this provision to recognize the contributions of former employees at these facilities and to highlight the Nation's continued reliance on the capabilities of the skilled workers at DOE weapons laboratories and manufacturing plants. The conferees commend these individuals for their continued service to the Nation and for the peace that they have helped to preserve.

Cooperative research and development agreements for government-owned, contractor-operated laboratories (sec. 3196)

The Senate amendment contained a provision (sec. 3176) that would amend the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710) to streamline the approval process for cooperative research and development agreements (CRADA) at government-owned, contractor-operated (GOCO) facilities by authorizing federal agencies to substitute an annual strategic plan for individual joint work statements. The provision would, for a period of five years after the date of enactment of this Act, authorize the waiver of any license retained by the government if the retention of that license would inhibit commercialization of an invention that would otherwise serve an important federal mission. The provision would further streamline the CRADA process for GOCO facilities by authorizing federal agencies to permit routine CRADAs to be negotiated and signed by GOCO employees.

The House bill contained no similar provision.

The House recedes with an amendment that would limit the applicability of the license waiver provision to the activities of

the National Nuclear Security Administration laboratories, and would require a report on all license waivers.

Office of Arctic Energy (sec. 3197)

The Senate amendment contained a provision (sec. 3169) that would establish the Office of Arctic Energy Research.

The House bill contained no similar provision.

The House recedes with an amendment that would provide the Secretary of Energy with discretionary authority to establish the Office of Arctic Energy Research.

LEGISLATIVE PROVISIONS NOT ADOPTED

Conformance with National Nuclear Security Administration organizational structure

The Senate amendment contained a provision (sec. 3168) that would require the Secretary of Energy to carry out the requirements of Subtitle E of this Act, consistent with title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

The House bill contained no similar provision.

The Senate recedes.

Construction of National Nuclear Security Administration Operations Office Complex

The Senate amendment contained a provision (sec. 3138) that would authorize the Administrator of the National Nuclear Security Administration (NNSA) to begin design and construction of a new operations office complex at the Department of Energy Albuquerque Operations Office located at Kirtland Air Force Base, New Mexico. The authority would have to be carried out in accordance with a Department of Energy feasibility study that would examine the design and construction of the office complex using one or more energy savings performance contracts, consistent with Title VIII of the National Energy Policy Conservation Act (42 U.S.C. 8287 et seq.). Construction costs would be derived from energy savings and ancillary operation and maintenance savings that result from replacing the current office complex with the proposed complex.

The Administrator could not begin conceptual design and construction until the later of: (1) 30 days after the date on which the Administrator submits to Congress the NNSA field organization plan required by a provision included elsewhere in this conference agreement; or (2) the date on which the Administrator certifies to Congress that the design and construction of the complex is consistent with the NNSA field organization plan and the feasibility study.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that the Administrator may seek future congressional authorization for design and construction of a new office complex at the Albuquerque Operations Office.

Energy employees compensation initiative

The budget request included $17.0 million for establishment of an energy employees compensation fund.

The Senate amendment contained a provision (sec. 3105) that would authorize $17.0 million for the establishment of an energy employees compensation fund to compensate Department of Energy (DOE) contractor employees that have proven health or other medical problems that are directly related to their employment at a DOE nuclear facility.

The House bill contained no similar provision.

The Senate recedes.

Environmental management closure projects

The House bill contained a provision (sec. 3104) that would authorize $1.0 billion for environmental management closure projects, the amount of the request.

The Senate amendment contained no similar provision.

The House recedes.

Other transactions

The Senate amendment contained a provision (sec. 3167) that would authorize the Secretary of Energy to permit the award contracts on a non-competitive basis, commonly known as ''other transactions'' authority.

The House bill contained no similar provision.

The Senate recedes.

The conferees note that a report on ''other transactions'' authority is required elsewhere in this conference agreement.

Sense of the Congress regarding compensation and health care for personnel of the Department of Energy and its contractors and vendors who have sustained beryllium, silica, and radiation-related injury

The House bill contained a provision (sec. 3138) that would express the sense of the Congress that there is sufficient information available to Congress to warrant enactment of legislation regrading personnel of the Department of Energy and its contractors and vendors who have sustained beryllium, silica, and radiation-related injury.

The Senate amendment contained no similar provision.

The House recedes.

Short title

The Senate amendment contained a provision (sec. 3161) that would cite the subtitle E of the National Defense Authorization Act for Fiscal Year 2001 as the National Laboratories Partnership Improvement Act of 1999.

The House bill contained no similar provision.

The Senate recedes.

Technology partnerships ombudsman

The Senate amendment contained a provision (sec. 3165) that would require each laboratory to establish a technology partnership ombudsman to resolve complaints from outside organizations regarding patents, technology licenses, and other issues.

The House bill contained no similar provision.

The Senate recedes.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS ADOPTED

Defense Nuclear Facilities Safety Board (sec. 3201)

The budget request included $18.5 million for the Defense Nuclear Facilities Safety Board (DNFSB).

The House bill contained a provision (sec. 3201) that would authorize $17.0 million for the DNFSB, a decrease of $1.5 million.

The Senate amendment contained a similar provision (sec. 3201) that would authorize for the DNFSB the budget request.

The House recedes.

The conferees note that the National Nuclear Security Administration Act (Public Law 106–65), which established the National Nuclear Security Administration (NNSA) within the Department of Energy (DOE), did not repeal or amend the requirements of the Atomic Energy Act of 1954 (42 U.S.C. 2011). The conferees further note that the independent oversight authority of the DNFSB related to health and safety matters at DOE and NNSA defense nuclear facilities was not changed by the National Nuclear Security Administration Act.

The conferees note that the DNFSB is an independent technical body that continually assesses safety issues at DOE facilities and submits formal safety findings and recommendations to the Secretary of Energy, the Assistant Secretary of Energy for Environment, Safety and Health, and Congress. As such, the conferees believe that the DNFSB is a cost-effective means of ensuring continuous improvement of the safety culture at DOE nuclear facilities.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

LEGISLATIVE PROVISIONS ADOPTED

Authorized uses of stockpile funds (sec. 3301)

The Senate amendment contained a provision (sec. 3401) that would authorize the stockpile manager to obligate $75.0 million from the National Defense Stockpile Transfer Fund during fiscal year 2001 for the authorized uses of funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h).

The House amendment contained a similar provision (sec. 3301).

The Senate recedes with an amendment that would authorize $71.0 million.

Increased receipts under prior disposal authority (sec. 3302)

The Senate amendment contained a provision (sec. 3402) that would increase, by $30.0 million, the amount of revenues that could be achieved through the sale of unneeded materials from the national defense stockpile.

The House bill contained no similar provision.

The House recedes with an amendment that would increase, by $130.0 million, the amount of revenues that could be achieved through the sale of unneeded materials from the national defense stockpile.

Disposal of titanium (sec. 3303)

The House bill contained a provision (sec. 3302) that would authorize the Secretary of Defense to make available to the military services the titanium sponge in the National Defense Stockpile for use as government furnished material in the production of military equipment.

The Senate amendment contained a provision (sec. 3403) that would require the sale of all remaining titanium in the National Defense Stockpile within ten years. The initial $6.0 million worth of revenues generated from the sale would be used for the construction, dedication, and related activities of the World War II Memorial, and the remainder used to defray the costs of health care benefit improvements for retired military personnel.

The House recedes with an amendment that would require the sale of $48.0 million of titanium in the National Defense Stockpile within ten years. The initial $6.0 million worth of revenues generated from the sale would be used for the construction, dedication, and related activities of the World War II Memorial, and the remainder to be deposited in the General Fund of the Treasury.

The conferees believe that with over 1,000 World War II veterans dying each year, it is important to finish construction and dedication of the World War II Memorial as soon as possible in order to recognize the men and women who served during that war. The conferees further believe that, although nothing could compensate for the sacrifices that were made by these veterans, this memorial will demonstrate the appreciation of a grateful nation to those who fought to preserve liberty and freedom for all U.S. citizens and millions of others throughout the world.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS ADOPTED

Minimum price of petroleum sold from certain naval petroleum reserves (sec. 3401)

The Senate amendment contained a provision (sec. 3301) that would repeal the authority for the Secretary of Energy to sell oil from the naval petroleum reserves for less than full market value.

The House bill contained no similar provision.

The House recedes.

Repeal of authority to contract for cooperative or unit plans affecting Naval Petroleum Reserve Numbered 1 (sec. 3402)

The Senate amendment contained a provision (sec. 3302) that would amend section 7426 of title 10, United States Code, to repeal the requirement for the United States to contract for cooperative or unit plans in the administration of the Naval Petroleum Reserve Numbered 1 at Elk Hills.

The House amendment contained no similar provision.

The House recedes with a technical amendment.

Disposal of Oil Shale Reserve Numbered 2 (sec. 3403)

The Senate amendment contained a provision (sec. 3303) that would authorize the conveyance of the Naval Oil Shale Reserve-Numbered 2 (NOSR–2), to the Ute Indian Tribe of the Uintah and Ouray Indian Reservation in Utah with the exception of a small parcel to be transferred to the Department of the Interior. The provision would also require the United States to retain a nine percent share of the revenues from the development of any minerals on the land after it is transferred. The provision would further require the environmental remediation and restoration of the uranium mill tailings site in Moab, Utah. The nine percent share of the revenues generated from the mineral development at the NOSR–2 would be available for the cleanup of the tailings site together with any funds specifically appropriated for this purpose.

The House bill contained no similar provision.

The House recedes with an amendment that would retain nine percent of the revenues from the mineral development of NOSR–2 until such time as the cleanup costs of the government for the tailings site have been recovered. The amendment would further require the Secretary of Energy to enter into an arrangement with the National Academy of Sciences to assist the Secretary of Energy in the preparation of a remediation plan that objectively evaluates the costs, benefits, and risks associated with various remediation alternatives for the cleanup of the tailings site.

The conferees understand that the remedial plan proposed by the Secretary of Energy will be prepared in accordance with title I of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C., 7901). The conferees expect that as part of the remediation plan, the Secretary of Energy will develop a strategy for transferring the legal responsibilities and title to the Moab site, from the present Moab site Trustee to the Department of Energy, and that the Secretary of Energy will consult with the Trustee and with the beneficiaries of the trust, the Nuclear Regulatory Commission and the State of Utah, in developing the plan for the transition of responsibilities.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

Authorization of appropriations for fiscal year 2001 (sec. 3501)

The budget request included $86.4 million for the Maritime Administration.

The House bill contained a provision (sec. 3401) that would authorize an increase of $61.9 million for the Maritime Administration. Of the funds authorized, $94.2 million would be for operations and training programs, $50.0 million would be for the cost as defined in section 502 of the Federal Credit Reform Act of 1990, of loan guarantees authorized by title XI of the Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1271 et seq.), and $4.2 million would be for administrative expenses related to providing those loan guarantees.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would authorize $94.3 million for operations and training programs, $50.0 million for the cost as defined in section 502 of the Federal Credit Reform Act of 1990, of loan guarantees authorized by title XI of the Merchant Marine Act, 1936, as amended (46 App. U.S.C. 1271 et seq.), and $4.2 million for administrative expenses related to providing those loan guarantees.

Scrapping of National Defense Reserve Fleet vessels (sec. 3502)

The House bill contained a provision (sec. 3402) that would amend section 6(c)(1)(A) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)(A)) to authorize an extension of the period for disposal of obsolete vessels in the National Defense Reserve Fleet (NDRF). The provision would also direct that the obsolete vessels be scrapped outside the United States to the maximum extent possible.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would eliminate the requirement to maximize financial returns on the sale of its obsolete vessels, as mandated by section 6(c)(1) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(1)). Under this provision, the Secretary of Transportation would only proceed with the scrapping of the NDRF vessels listed in the provision, and no others, until the report on the scrapping program has been transmitted to the appropriate congressional committees.

The provision would also direct the Secretary of Transportation, in consultation with the Secretary of the Navy and the Administrator of the Environmental Protection Agency, to develop a program within six months of the enactment of this Act to scrap obsolete NDRF vessels. The Secretary of Transportation would then have to submit a report to the Congress that describes the program. The conferees direct the Secretary of Transportation, based on concurrence of the Secretary of the Navy, to include in that report a description of how the Maritime Administration proposes to fund the disposal of obsolete NDRF vessels in the future years. An additional report on the progress of scrapping obsolete NDRF vessels would be required one year after the date of the enactment of this Act, and every six months thereafter.

In the selection of qualified foreign or domestic scrapping facilities, the provision would require a best value determination, consistent with the Federal Acquisition Regulations (FAR), including the provisions relevant to past performance, and taking into consideration the ability of facilities to scrap vessels: (1) at least cost to the Federal Government; (2) in a timely manner; (3) giving consideration to worker safety and the environment; and (4) in a manner that minimizes the geographic distance that a vessel must be towed when towing a vessel poses a serious threat to the environment. The provision would also require the President to make a recommendation to the Congress regarding whether it is necessary to amend the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other environmental statute or regulatory requirement relevant to the disposal of vessels described in section 6(c)(2) of the National Maritime Heritage Act of 1994 (16 U.S.C. 5405(c)(2)) and to recommend any proposed statutory or regulatory changes.

The conferees direct the administration, in the course of preparing the President's recommendation to Congress, to address directly the issues that impede the disposal of aging, obsolete NDRF vessels. The conferees believe that the public interest is not well served by continued inaction in this matter. Close cooperation by the Secretary of Transportation, the Secretary of the Navy, and the Administrator of the Environmental Protection Agency will be critical in developing a successful ship disposal program that prevents these vessels from becoming a serious threat to the environment.

Authority to convey National Defense Reserve Fleet vessel, Glacier (sec. 3503)

The House bill contained a provision (sec. 3403) that would authorize the Secretary of Transportation to convey, at no cost to the government, a surplus National Defense Reserve Fleet vessel, to the Glacier Society for use as a museum.

The Senate amendment contained no similar provision.

The Senate recedes.

Maritime intermodal research (sec. 3504)

The conferees agree to include a provision that would authorize the Secretary of Transportation to make grants to National Maritime Enhancement Institutes, as if they were University Transportation Centers, for maritime and maritime intermodal research.

Maritime research and technology development (sec. 3505)

The conferees agree to include a provision that would authorize $100,000 for the Secretary of Transportation to provide a report on the status of maritime research and development and to include in the report information on prior year funding for research and development on various modes of transportation.

Reporting of administered and oversight funds (sec. 3506)

The conferees agree to include a provision that would require the Maritime Administration to report to Congress the amount, source, and intended use of funds (other than funds appropriated for the Maritime Administration or the Secretary of Transportation for use by the Maritime Administration) administered by the Maritime Administration.

The conferees note that it is not the practice of the defense authorization conference to adopt provisions relating to the Maritime Administration that have not passed either the House of Representatives or the Senate. The conferees understand that provisions relating to the authorization of the Maritime Administration and national security aspects of the Merchant Marine, including financial assistance for the construction and operation of vessels, maintenance of the U.S.

shipbuilding and ship repair industrial base, cabotage, and cargo preference, will normally be considered by committees of conference for inclusion in future conference reports if these provisions have first been passed in either the House of Representatives or the Senate.

LEGISLATIVE PROVISIONS NOT ADOPTED

Authority to convey offshore drill rig Ocean Star

The House bill contained a provision (sec. 3404) that would authorize the Secretary of Transportation to convey the offshore drill, Ocean Star, to the Offshore Rig Museum, Inc., a non-profit corporation.

The Senate amendment contained no similar provision.

The House recedes.

TITLE XXXVI—ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

The Senate amendment contained provisions (secs. 3501–3544) that would enact the Energy Employees Occupational Illness Compensation Act of 2000. The provision would establish a compensation program for Department of Energy (DOE) employees and DOE contractor employees who were injured due to exposure to radiation, beryllium, or silica while working at a DOE defense nuclear facility or nuclear weapons testing site.

The House bill contained no similar title.

The House recedes with an amendment that would establish the Energy Employees Occupational Illness Compensation Program.

LEGISLATIVE PROVISIONS ADOPTED

Short title (sec. 3601)

The conferees agree to include a provision that would designate the short title of the title as the Energy Employees Occupational Illness Compensation Act of 2000.

Findings; sense of Congress (sec. 3602)

The conferees agree to include a provision that would establish several findings and express the sense of Congress regarding personnel of the Department of Energy and its contractors and vendors who have sustained illnesses due to exposure to radiation, beryllium, and silica as a result of their employment with DOE.

Subtitle A—Establishment of Compensation Program and Compensation Fund

Establishment of Energy Employees Occupational Illness Compensation Program (sec. 3611)

The conferees agree to include a provision that would establish the Energy Employees Occupational Illness Compensation Program. The program would provide timely, uniform, and adequate compensation to certain DOE, DOE contractor, and DOE vendor employees who were injured from exposure to radiation, beryllium, or silica while working in DOE nuclear weapons-related programs and, where applicable, their survivors.

Establishment of Energy Employees Occupational Illness Compensation Fund (sec. 3612)

The conferees agree to include a provision that would establish the Energy Employees Occupational Illness Compensation Fund. The provision would also require the Secretary of the Treasury to transfer to the Fund from the general fund of the Treasury the amounts necessary to pay compensation under this title once amounts appropriated for the Fund have been exhausted. Such payments would be considered as mandatory funding without requiring any additional authorization or appropriation. The provision would further require that no administrative costs for carrying out the program be paid out of the Fund.

Legislative proposal (sec. 3613)

The conferees agree to include a provision that would require the President to submit, not later than March 15, 2001, a legislative proposal to implement the compensation program under this title. The proposal would include, at a minimum, the following elements: (1) the types of compensation to be provided to covered employees; (2) any adjustments or modifications necessary to administer the program; (3) whether to expand the program to include other illnesses associated with exposure to toxic substances; and (4) whether to expand the special exposure cohort to include new classes of employees.

Authorization of appropriations (sec. 3614)

The conferees agree to include a provision that would authorize $25.0 million for the purposes of carrying out the administrative requirements of this title and $250.0 million for the Energy Employees Occupational Illness Compensation Fund.

Subtitle B—Program Administration

Definitions for program administration (sec. 3621)

The conferees agree to include a provision that would define the terms and criteria used in this title.

Expansion of list of beryllium vendors (sec. 3622)

The conferees agree to include a provision that would authorize the President, in consultation with the Secretary of Energy, to designate additional beryllium vendors. Such designations would be required to be made not later than December 31, 2002.

Exposure in the performance of duty (sec. 3623)

The conferees agree to include a provision that would specify the criteria for determining whether a covered beryllium employee or a covered employee with cancer was exposed in the performance of duty.

The conferees prohibit the designation of the Department of Energy as the lead agency for establishing regulations for dose reconstruction under this provision. The conferees expect the Secretary to provide information in the possession of DOE and its contractors related to radiation exposures, but direct the President to select another agency to establish regulations required by this provision.

Advisory Board on Radiation and Worker Health (sec. 3624)

The conferees agree to include a provision that would establish the Advisory Board on Radiation and Worker Health. The President would appoint members of the Board in consultation with organizations with expertise on worker health issues. The Board would advise the President on matters relating to this title, including dose reconstruction and eligibility guidelines for radiation compensation.

Responsibilities of Secretary of Health and Human Services (sec. 3625)

The conferees agree to include a provision that would require the Secretary of Health and Human Services to carry out the Secretary's responsibilities under this title with the assistance of the National Institute of Occupational Safety and Health.

Designation of additional members of Special Exposure Cohort (sec. 3626)

The conferees agree to include a provision that would establish a process by which the President, upon recommendation of the Advisory Board on Radiation and Worker Health, could designate additional classes of employees at DOE facilities as members of the special exposure cohort 180 days after the President submits a report to Congress that would identify the class and criteria that have been used to justify their inclusion in the cohort. A class of employees would be permitted to be added if the President determines that: (1) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and (2) there is a reasonable likelihood that the radiation dose may have endangered the health of members of the class.

Separate treatment of chronic silicosis (sec. 3627)

The conferees agree to include a provision that would express the sense of Congress that further determination by the President is appropriate before employees who were exposed to silica are included in a comprehensive compensation program. The provision would include DOE employees who are diagnosed with silicosis in the program unless the President submits a certification to Congress within 180 days after the enactment of this Act that there is an insufficient basis to include such employees in the program. An employee would be included in the program only if the employee worked at a covered DOE facility for an aggregate of 250 work days.

Compensation and benefits to be provided (sec. 3628)

The conferees agree to include a provision that would establish an entitlement for compensation for covered employees, or the survivor of a covered employee if the employee is deceased, consisting of a $150,000 lump sum payment. In addition, the provision would establish, for a covered employee, an entitlement for reimbursement of prospective medical expenses related to a covered illness. Employees with beryllium sensitivity would receive medical monitoring only. All such compensation would be paid from the Energy Employees Occupational Illness Compensation Fund. The effective date of this provision would be July 31, 2001, unless the Congress provides otherwise in an Act enacted before that date.

Medical benefits (sec. 3629)

The conferees agree to include a provision that would define those medical services, appliances, supplies, and other related benefits to be provided.

Separate treatment of certain uranium employees (sec. 3630)

The conferees agree to include a provision that would establish an additional entitlement for certain uranium miners, millers, and transporters, or the survivor of any such employee if the employee is deceased, who receives, or has received, payment of a claim under the Radiation Exposure Compensation Act (42 U.S.C. 2210 note). The additional payment would consist of: (1) a $50,000 lump sum payment; and (2) reimbursement of prospective medical expenses related to the covered illness. All such compensation would be paid from the Energy Employees Occupational Illness Compensation Fund. The effective date of this provision would be July 31, 2001, unless the Congress provides otherwise in an Act enacted before that date. The provision would further require the President to establish procedures to identify and notify each eligible individual under this section.

Assistance for claimants and potential claimants (sec. 3631)

The conferees agree to include a provision that would require the President to provide to all claimants under this title the following: (1) assistance in securing medical testing and diagnostic services for covered illnesses; and (2) assistance in preparing claims. The President would also be required

to take appropriate action to inform potential claimants of the availability of compensation under this title.

Subtitle C—Treatment, Coordination, and Forfeiture of Compensation and Benefits

Offset for certain payments (sec. 3641)

The conferees agree to include a provision that would require any payment of compensation under this title to be offset by the amount of any other award or settlement of a claim, other than workers' compensation, that is based on the same injury.

Subrogation of the United States (sec. 3642)

The conferees agree to include a provision that would subrogate any payment of compensation under this title to a right or claim of the covered employee against any other party for the same injury.

Payment in full settlement of claims (sec. 3643)

The conferees agree to include a provision that would specify that acceptance of payment under this title would be in full settlement of all claims against the United States, a DOE contractor or subcontractor, beryllium vendor, or atomic weapons employer for the covered illness.

Exclusivity of remedy against the United States and against contractors and subcontractors (sec. 3644)

The conferees agree to include a provision that would specify the liabilities of the United States for future claims related to covered illnesses.

Election of remedy for beryllium employees and atomic weapons employees (sec. 3645)

The conferees agree to include a provision that would allow covered beryllium and atomic weapons employees to elect a remedy for a covered illness. A covered employee could elect to file suit or to file a claim under this provision, if the election is made not later than the later of: (1) the date that is 30 months after the date of enactment of this Act; or (2) 30 months after the date the employee first becomes aware of an illness that may have been sustained in the performance of duty. The provision would provide that any currently filed tort case must be dismissed by December 31, 2003, in order for an individual to be eligible for compensation under this title.

Certification of treatment of payments under other laws (sec. 3646)

The conferees agree to include a provision that would specify that compensation or benefits provided to an individual under the compensation program would be tax exempt and would not affect the eligibility of that individual for federal assistance programs.

Claims not assignable or transferrable; choice of remedies (sec. 3647)

The conferees agree to include a provision that would specify that claims under the compensation program are not assignable or transferable. The provision would also specify that no individual may receive more than one payment of compensation under the program. This would not preclude payment of both lump sum and medical benefits to a covered individual.

Attorney fees (sec. 3648)

The conferees agree to include a provision that would limit the payment of fees to an attorney of a claimant to two percent for filing of an initial claim.

Certain claims not affected by awards of damages (sec. 3649)

The conferees agree to include a provision that would ensure that a payment under the compensation program shall not be considered as any form of compensation or reimbursement for a loss for purposes of imposing liability on any individual receiving such payment, on the basis of such receipt, to repay any insurance carrier for insurance payments, or to repay any person on account of workers' compensation payments. A payment under the compensation program shall not affect any claim against an insurance carrier with respect to insurance or against any person with respect to worker's compensation.

Forfeiture of benefits by convicted felons (sec. 3650)

The conferees agree to include a provision that would require forfeiture of entitlement to any compensation or benefit under the compensation program by any individual convicted of a violation of section 1920 of title 18, United States Code, or any other federal or state criminal statute relating to fraud in the application for or receipt of any benefit under this program or any federal or state workers' compensation law.

Coordination with other Federal radiation compensation laws (sec. 3651)

The conferees agree to include a provision that would prevent an individual from receiving compensation or benefits under the compensation program for cancer and also receive compensation under the Radiation Exposure Compensation Act (section 2210 of title 42, United States Code) or section 1112(c) of title 38, United States Code, except as provided in this title.

Subtitle D—Assistance in State Workers' Compensation Proceedings

Agreements with States (sec. 3661)

The conferees agree to include a provision that would authorize the Secretary of Energy to enter into agreements with states to assist DOE contractor employees in filing a claim under the appropriate state workers' compensation system for illnesses related to exposure to other toxic chemicals. The provision would also establish procedures for such DOE assistance.

The Secretary of Energy would review and submit applications to an independent physician panel appointed by the Secretary of Health and Human Services. The panel would determine whether the illness or death that is the subject of the application arose as a result of exposure to a toxic substance at a DOE facility. The Secretary would be required to accept the panel's determination in the absence of significant evidence to the contrary. If the Secretary makes a positive determination, the Secretary would be required to assist the applicant in filing a claim under the appropriate state workers' compensation system. The Secretary would not contest the claim and would direct any relevant contractor not to contest the claim. The contractor's cost of fighting the claim would not be an allowable cost under a DOE contract.

Not later than February 1, 2002, the Comptroller General would be required to submit a report to Congress that would evaluate the Department's implementation of this provision and effectiveness in achieving compensation for employees with occupational illnesses.

JOEL HEFLEY,
JIM SAXTON,
STEVE BUYER,
TILLIE K. FOWLER,
JOHN M. MCHUGH,
JAMES M. TALENT,
TERRY EVERETT,
ROSCOE G. BARTLETT,

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

FLOYD SPENCE,
BOB STUMP,
DUNCAN HUNTER,
JOHN R. KASICH,
JAMES V. HANSEN,
CURT WELDON,
HOWARD ''BUCK'' MCKEON,
J.C. WATTS, Jr.,
MAC THORNBERRY,
JOHN N. HOSTETTLER,
SAXBY CHAMBLISS,
IKE SKELTON,
NORMAN SISISKY,
JOHN SPRATT,
SOLOMON P. ORTIZ,
OWEN B. PICKETT,
LANE EVANS,
GENE TAYLOR,
NEIL ABERCROMBIE,
MARTIN T. MEEHAN,
ROBERT A. UNDERWOOD,
THOMAS ALLEN,
VIC SNYDER,
JAMES H. MALONEY,
MIKE MCINTYRE,
ELLEN O. TAUSCHER,
MIKE THOMPSON,

Provided that Mr. Kuykendall is appointed in lieu of Mr. Kasich for consideration of section 2863 of the House bill, and section 2862 of the Senate amendment, and modifications committed to conference:

STEVEN T. KUYKENDALL,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,
JERRY LEWIS,
JULIAN C. DIXON,

From the Committee on Commerce, for consideration of sections 601, 725, and 1501 of the House bill, and sections 342, 601, 618, 701, 1073, 1402, 2812, 3131, 3133, 3134, 3138, 3152, 3154, 3155, 3167–3169, 3171, 3201, and 3301–3303 of the Senate amendment, and modifications committed to conference:

TOM BLILEY,
JOE BARTON,
JOHN D. DINGELL,

Provided that Mr. Bilirakis is appointed in lieu of Mr. Barton of Texas for consideration of sections 601 and 725 of the House bill, and sections 601, 618, 701, and 1073 of the Senate amendment, and modifications committed to conference:

MIKE BILIRAKIS,

Provided that Mr. Oxley is appointed in lieu of Mr. Barton of Texas for consideration of section 1501 of the House bill, and sections 342 and 2812 of the Senate amendment, and modifications committed to conference:

MICHAEL G. OXLEY,

From the Committee on Education and the Workforce, for consideration of sections 341, 342, 504, and 1106 of the House bill, and sections 311, 379, 553, 669, 1053, and title XXXV of the Senate amendment, and modifications committed to conference:

BILL GOODLING,
VAN HILLEARY,
PATSY T. MINK,

From the Committee on Government Reform, for consideration of sections 518, 651, 801, 906, 1101–1104, 1106, 1107, and 3137 of the House bill, and sections 643, 651, 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, 1069, 1073, 1101, 1102, 1104, and 1106–1118, title XIV, and sections 2871, 2881, 3155, and 3171 of the Senate amendment, and modifications committed to conference:

DAN BURTON,

JOE SCARBOROUGH,
HENRY A. WAXMAN,

Provided that Mr. Horn is appointed in lieu of Mr. Scarborough for consideration of section 801 of the House bill, and sections 801, 806, 810, 814–816, 1010A, 1044, 1045, 1057, 1063, and 1101, title XIV, and sections 2871 and 2881 of the Senate amendment, and modifications committed to conference:

STEPHEN HORN,

Provided that Mr. McHugh is appointed in lieu of Mr. Scarborough for consideration of section 1073 of the Senate amendment, and modifications committed to conference:

JOHN M. MCHUGH,

From the Committee on House Administration, for consideration of sections 561–563 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
JOHN BOEHNER,
STENY H. HOYER,

From the Committee on International Relations, for consideration of sections 1201, 1205, 1209, and 1210, title XIII, and section 3136 of the House bill, and sections, 1011, 1201–1203, 1206, 1208, 1209, 1212, 1214, 3178, and 3198 of the Senate amendment, and modifications committed to conference:

BILL GOODLING,

From the Committee on the Judiciary, for consideration of sections 543 and 906 of the House bill, and sections 506, 645, 663, 668, 909, 1068, and 1106, title XV, and title XXXV of the Senate amendment, and modifications committed to conference:

HENRY HYDE,
CHARLES T. CANADY,

From the Committee on Resources, for consideration of sections 312, 601, 1501, 2853, 2883, and 3402 of the House bill, and sections 601 and 1059, title XIII, and sections 2871, 2893, and 3303 of the Senate amendment, and modifications committed to conference:

DAN YOUNG,
BILLY TAUZIN,

From the Committee on Transportation and Infrastructure, for consideration of sections 601, 2839, and 2881 of the House bill, and sections 502, 601, and 1072 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
WAYNE T. GILCHREST,
BRIAN BAIRD,

Provided that Mr. Pascrell is appointed in lieu of Mr. Baird for consideration of section 1072 of the Senate amendment, and modifications committed to conference:

BILL PASCRELL, Jr.,

From the Committee on Veterans' Affairs, for consideration of sections 535, 738, and 2831 of the House bill, and sections 561–563, 648, 664–666, 671, 672, 682–684, 721, 722, and 1067 of the Senate amendment, and modifications committed to conference:

MICHAEL BILIRAKIS,
JACK QUINN,
CORRINE BROWN,

From the Committee on Ways and Means, for consideration of section 725 of the House bill, and section 701 of the Senate amendment, and modifications committed to conference:

WILLIAM M. THOMAS,
Managers on the Part of the House.

JOHN W. WARNER,
STROM THURMOND,
JOHN MCCAIN,
BOB SMITH,
JAMES INHOFE,
RICK SANTORUM,
OLYMPIA J. SNOWE,
PAT ROBERTS,
WAYNE ALLARD,
TIM HUTCHINSON,
JEFF SESSIONS,
CARL LEVIN,
EDWARD KENNEDY,
JEFF BINGAMAN,
ROBERT C. BYRD,
CHUCK ROBB,
JOE LIEBERMAN,
MAX CLELAND,
MARY L. LANDRIEU,
JACK REED,
Managers on the Part of the Senate.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOBSON). The Chair will entertain one-minute requests.

PAYING DOWN THE DEBT IS THE RIGHT AND RESPONSIBLE THING TO DO

(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, we have an historic opportunity to do what is right for America. We have an opportunity to make a real commitment to paying down our $5.6 trillion public debt by committing 90 percent of our budget surplus to debt reduction.

Republicans are committed to paying down the national debt, to protecting the economy, and the economic prosperity of future generations of Americans.

The Clinton-Gore administration, on the other hand, have other priorities. They want to spend the surplus on more big government programs. Mr. Speaker, I learned in Economics 101 that this is irresponsible to spend money when we are in debt, especially when we have a $5.6 trillion debt.

So I rise today to urge the administration to put their partisan and irresponsible agenda aside and join with this Republican Congress in committing 90 percent of the surplus to paying down our national debt.

Join with us to do the right thing for all Americans today and for generations to come.

AMERICA SHOULD SUPPORT THE FREE ELECTIONS IN SERBIA

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, the people of Serbia have spoken. I hope as the hours proceed, and maybe as we have been on the floor, I have not heard the latest update, that democracy will take hold and they will be free.

I met Mr. Milosevic, and actually went and sat in his office and asked him to promote peace. It was 1995, and he said to me, ''I will do so.'' Some few short years later, I find myself in refugee camps in Albania looking at the threatened, intimidated, and frightened refugees that Mr. Milosevic had sent fleeing out of Serbia.

It is time now for him to lay down his leadership of despotism, and he should at least recognize that the people have spoken. It is time now for his nation to be free, to become part of the world community.

I would ask that they will be able to proceed as free citizens under the duly-elected new president. Mr. Milosevic has served his time, and unfortunately, it has not been a leadership of sharing.

I would hope that we would stand up and support the new and free elections of the people of Serbia, and include in that support the request that Mr. Milosevic, who hopefully will be found and, as well, be able to address the grievances against him, now knows that he no longer serves as president of that Nation.

THE WORK OF THE SUBCOMMITTEE ON BASIC RESEARCH OF THE COMMITTEE ON SCIENCE

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

Mr. SMITH of Michigan. Mr. Speaker, I would like to take this opportunity to talk a little bit about the work of the Subcommittee on Basic Research, a subcommittee I am honored to chair.

This subcommittee has had a busy and productive 2 years. In the 106th Congress, we have held a total of 25 oversight hearings, field briefings, markups, on a range of important and timely issues.

In addition, we have passed through the House two bills authorizing fire and earthquake programs under this subcommittee's jurisdiction, and oversight for the National Science Foundation, NSF, whose funding we authorize.

I believe the work we do in the subcommittee is truly unique. In our hearings on information technology, than on technology, education research, plant genomics, and biotechnology, for example, we have been able to glimpse the future, and through our oversight and authorization bills I hope we are able to shape that future, as well.

I am proud of our record and the colleguiality and bipartisanship on the subcommittee. I look forward to continuing that effort in the next session.

I would like to take this opportunity to thank the staff of the subcommittee who work behind the scenes to get things done. Stephen Eule, Peter Harsha, Mark Harrington, Sharon Hayes, and Steve Howell have made my job easier. I thank them for their good ideas and hard work.

I also compliment and congratulate our subcommittee ranking member,

the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and her chief of staff, Jim Wilson.

THE IMPORTANCE OF RESEARCH IN SCIENCE AND TECHOLOGY

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

Mr. EHLERS. Mr. Speaker, I just wanted to follow up on the comments made by the gentleman from Michigan, Mr. SMITH, and also related to comments I made a few moments ago about the importance of improving math and science education in this country.

As I mentioned in my previous comments, we are enjoying an immense economic boom at this time, much of which is due to the results of science and technology. In particular, it is due to the research which has been done over the past 50 years.

That is why the work of the gentleman from Michigan (Mr. SMITH) is so important, because if we wish to maintain a good economy, if we wish to have our children have a good economy, we must make the same investment in scientific research today that our parents and grandparents made 20, 30, 40, 50 years ago, and which we are enjoying the fruits of today.

It is extremely important that we continue that research effort to improve the health, the lives, and the freedoms not only in our Nation, but of peoples throughout the entire planet.

I commend the gentleman from Michigan for his work. I hope this Congress will continue to show a willingness to fund scientific research and maintain our leadership among the nations of this planet.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

WHAT IS BEHIND OPPOSITION TO THE DEMOCRATS' MEDICARE PRESCRIPTION DRUG PLAN

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, earlier this year a confidential document prepared for House Republicans somehow found its way into the public realm.

It was not big news at the time, just some talking points prepared by Republican polling firms on the Democrats' Medicare prescription drug plan.

According to their analysis, one way to create opposition to the Democratic plan is to call it a one-size-fits-all plan or a big government plan.

□ 1445

One cannot blame the public for bristling at those phrases. I do not know anyone who likes big government for big government's sake. However, one can blame politicians for exploiting those terms instead of confronting the fundamental differences between the Democratic and Republican prescription drug plans. One can blame the drug companies and the chamber of commerce for spending $40 million already and promises of another $40 million on phony groups on television such as Citizens for Better Medicare.

The Democrats plan would add an optional drug benefit to Medicare. The Republican plan, the drug company plan, would bypass Medicare and subsidize private, stand-alone insurance plans.

So is the Democrats' Medicare prescription drug coverage a one-size-fits-all program as the Republicans and the prescription drug companies tell us? I do not think so.

It is difficult to conceive of a program offering more choice than Medicare. The Medicare program covers medically necessary care and services. Beneficiaries can see the health care professional and go to the facility of their choice.

Similarly, under the proposed drug benefit, enrollees can go to the pharmacy of their choice. FDA-approved medications prescribed by a physician would be covered under the Democrats' Medicare prescription drug plan.

Given this level of flexibility, how would a legion of new private health plans enhance the beneficiary's choice in any way that matters? It is more likely that the Republican plan, the prescription drug company plan, like any other managed care product, would restrict choice and add to the insurance and drug company's bottom lines.

Medicare is a single plan that treats all beneficiaries equally, provides maximum choice and maximum access for patients and doctors.

The Democrats' prescription drug coverage proposal embraces the same principle. Is that a one-size-fits-all program?

Under the Republican prescription drug proposal, under the drug companies' plan, Medicare beneficiaries would have to choose among private stand-alone insurance company prescription drug plans. They say that enables seniors to tailor their prescription drug coverage to their particular needs.

None of these private plans, however, will provide more choice to the Democrats' plan than the Medicare plan in terms of which medications are covered since the Democrats' plan covers all Medicare doctor-prescribed medications. None of these private plans could provide a broader choice of pharmacy since the Democrats' plan does not restrict access to pharmacies.

Under the Republican plan, under the prescription drug company plan, it appears that choice is actually code for ''wealth.'' Higher-income seniors could, in fact, afford a decent prescription drug plan, one with the same level of coverage as would be available to all beneficiaries under the Democrats' Medicare plan. Lower-income enrollees, however, would be relegated to restrictive alternatives. Some choice.

Is the Democrats' prescription drug coverage plan a big government program as the Republicans and the prescription drug companies' executives tell us? Hardly.

Medicare is a Federal Government program with the beneficiary population of 39 million. It is definitely big. But Medicare is also one of the most enduring popular public programs in the Nation's history. Medicare far outranks both employer-sponsored and individually purchased private insurance as a trusted source of health care coverage.

So when opponents of the Democrats' prescription coverage plan berate it for being one size fits all or big government, they, in fact, are berating Medicare itself.

In fact, the Republican prescription drug proposal, the plan from the big drug companies, which ignore Medicare to establish new private insurance policies, is an insult to the Medicare program. Their plan pays homage to those Members of Congress who favor privatizing Medicare. Parenthetically, I have to say I have not yet met anyone outside of Washington who wants to privatize Medicare.

It is no coincidence that the only way a Medicare beneficiary could avoid carrying multiple health insurance policies under the Republican plan, under the prescription drug company plan, is to join a private-managed Medicare-managed care plan.

As Congress and the presidential candidates debate the merits of competing prescription drug coverage proposals, watch for allegations to be thrown around like one size fits all and big government program. Because when applied to insurance coverage offering maximum choice in matters that matter, choice of provider access to medically-necessary care, which is what Medicare is all about, those, those threats, those accusations of one size fits all and big government program, those terms simply fall flat.

Bear in mind that more than the structure of prescription drug benefit is at stake. The future of Medicare hangs in the balance.

VICE PRESIDENT GORE'S SOCIAL SECURITY PROPOSAL WILL INCREASE FUTURE PAYROLL TAXES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I am very concerned about what it looks like might happen to the FICA taxes, the payroll taxes, if we move ahead with Vice-President GORE's proposal for Social Security.

This first chart reflects what the FICA taxes are now, 15.3 percent of what a worker makes. Then what is going to happen in terms of when we start running out of money? There is not enough money in the Medicare surplus as early as 2006. Then if we continue with the same program without doing anything else, without getting a better return on some of this money that is coming into the system in Social Security Trust Fund and the Medicare Trust Fund, then to keep the same benefits that we have promised continuing we are going to, the taxes would have to go up. Either taxes would have to go up or benefits drastically reduced. We are not going to reduce those benefits.

But, also, let us make some changes now so that we do not have to let the taxes go up, as we see on this chart, to 22.41 percent versus 27.96 percent.

If Vice President GORE's Medicare prescription drug program goes into effect, then those taxes will have to go up to 47 percent of what one makes. Look, it is some time ahead, so one can say somebody else could worry about it. But these are our kids; these are our grandkids that are going to have to pay that kind of tax. Let us make these kinds of changes now.

Let me just reemphasize how serious this tax is today on the payroll deduction tax. Seventy-eight percent, 78 percent of American workers now pay more in the FICA tax for Social Security and Medicare than they do their income tax. We cannot allow these taxes to go up. We cannot simply say, look, we have got to put Social Security first or Medicare first and say, look, we are going to add these benefits. That is what the Vice President does.

Somehow the American people have got to look seriously at the consequences of simply the attractiveness of saying we are going to increase benefits without making some changes in the program to get a better return on the money.

The better return, as suggested by Governor Bush, is to start investing some of that money. Right now, the average return for one's Social Security money that is paid in in taxes is a real return of 2 percent. That is 7 percent less than the average return on equities. Let us balance it. Let us not do all equities. It is going to be limited stock investments. There is going to be safe investments that a person can invest. But it is going to be in their name, their account. If they die, instead of losing everything, their heirs get it.

Let me show my colleagues this third chart. It simply says, no new taxes. Let us not force ourselves into a situation where the payroll deduction has to go up and we have to increase taxes. We have got to have a strong resolution that we are simply not going to cavalierly do what is politically attractive today to get votes today and leave the problem and an increased obligation of higher taxes to our kids and our grandkids.

Again, if we do nothing, if we go with a Gore plan, the 15.3 percent that we are paying in payroll deductions go up to the high of 27.96 percent. If we go with their prescription drug program that says, look, here is prescription drugs that taxpayers are somehow, some way, some time are going to have to pay for, then we end up with a payroll tax that goes as high as 47 percent.

Let us look at a program where one gets better investment from some of that money going in, where government cannot mess around with those benefits by letting at least part of that payroll tax equivalent go into personal investments. Let us not mess around with the trust fund. Let us keep the trust fund growing.

But let us take some of this surplus on-budget money and use it to make this kind of transition that is going to keep probably America's most successful, maybe America's most important, program continuing and keep it solvent.

WE NEED ''POWER'' TO CONTROL UNSCRUPULOUS ENERGY PRODUCERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, as our colleagues are going off to their home districts for the weekend, I want to remind them all of the crisis that is going on in my district in San Diego, California. They are the first city in California and, perhaps, the first in the Nation that has experienced full deregulation of its electricity prices. The cost of electricity to the average consumer, small business person, big business person has doubled, tripled in 3 or 4 months alone.

I want to remind my colleagues about what is going on in San Diego because San Diego is the harbinger of things to come for the rest of California and possibly the Nation. We are the poster children for what happens when deregulation of a basic commodity like electricity takes place in a monopoly situation.

Those who control the commodity can charge whatever price they can get. In fact, deregulation and the restructuring of the electricity industry is so flawed in California that electricity producers are allowed to charge wholesale prices four to five times higher than they were just a year ago. This is criminal, Mr. Speaker, and I use the word advisably.

Energy producers are making obscene profits on the back of our senior citizens, our schools, our hospitals, our libraries, our businesses. Our whole economy in California is threatened.

The electricity generators and marketeers have just in the last 4 months alone sucked almost $5 billion, that is billion with a ''B,'' from our State economy, more than $450 million from San Diego alone.

Now these generators claim that the high rates are simply the result of supply and demand forces in a marketplace. That is nonsense, Mr. Speaker. The facts are that Southern California has been using less energy than last year, but wholesale prices have gone up from highs of $50 per megawatt in 1999 to $300 and $500 and even higher at the sharpest spikes in the year 2000.

The energy producers have figured out how to manipulate the market and set artificially high wholesale prices. They withhold power until the last minute. They launder power throughout out-of-state companies, they overload transmission lines, all to cause prices to rise to unprecedented levels and to raise their obscene profits. They already have killed off many small businesses in San Diego, caused unbearable suffering among those on fixed income, and robbed our whole community possibly of our future.

I have introduced a bill, H.R. 5131, the HELP San Diego Act, which means Halt Electrical Price gouging in San Diego, with bipartisan support of the gentlemen from California (Mr. HUNTER and Mr. BILBRAY), my San Diego colleagues. Because although the State legislature has removed the gun from our head in capping retail prices, those prices are merely deferred for the next couple of years. Those bills will become due, and those debts will have to be paid. 5131 says that the wholesale generators and marketeers of electricity should pay that bill. They should refund the overcharges that they have made over the last 4 or 5 months.

Now, as I said, this bill has bipartisan support. Yet the Republican leadership of this House will not schedule on the agenda a bill that is necessary to save the economy of San Diego.

I call on the Republican leadership of this House to help San Diego, to put that bill on the agenda with bipartisan support, so we can, in fact, make sure that the future of San Diego's economy is secure.

I have also introduced a bill today that we call the POWER Act. Quite

simply, the POWER Act protects our communities by imposing 100 percent excise tax on windfall profits that are the rule of market manipulation and price fixing.

If we cannot pass H.R. 5131, which directs the Federal Energy Regulatory Commission to roll back the wholesale price and refund the overcharge to consumers, the POWER Act says that 100 percent tax on windfall profits shall be assessed.

This does not affect legitimate profits. It does not jeopardize any electrical producer. But it protects our senior citizens, our children, our small businesses, and our economy from the predatory actions of some unscrupulous companies that are taking advantage of their monopoly on the production of this vital and indispensable resource.

I ask my colleagues, as they return to their districts, to keep a close eye on San Diego.

□ 1500

We need your help in this last week of Congress. We need to pass H.R. 5131, a bipartisan bill to roll back wholesale prices in the western electric market, and to refund the consumers the obscene overcharging and profiteering they have been subject to.

I hope this Congress can act and act quickly. We must help San Diego.

THE FOUR CORNERSTONES OF MY SEASON IN THE CONGRESS

The SPEAKER pro tempore (Mr. SMITH of Michigan). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 60 minutes as the designee of the majority leader.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I rise on this occasion to give a very special sort of address. I am not here today to talk about a specific piece of legislation or to discuss any one thing in particular that the administration is doing or failing to do, but my message here today is both personal in nature and something that I hope that my colleagues and future Members of this great body will find useful in times to come.

Mr. Speaker, I am here to talk about the experience that one very average American citizen has had over the course of the past 6 years in being a part of what has been termed the greatest deliberative body on earth: The United States Congress. And although people call me Congressman, or sometimes Congresswoman, I am very much simply an average American citizen, an American citizen who took leave from her ordinary, average American life to serve for a time as an advocate for over half a million people in a State 2,000 miles away. And that can only happen in America.

Now, after serving here for 3 terms, I am fulfilling a pledge that I made in 1994, and I am leaving this body of my own will, returning to a life of an average American citizen to live under the laws that I hope that we have made a little bit better here.

I want to share with my colleagues and for the record some of my observations about this great government of ours, the daunting responsibilities we hold here, and my hope for the future. So I want to talk about several things.

I want to discuss the purpose of this mighty Congress and what its proper role is in the lives of ordinary Americans. I want to discuss how certain matters become very real and very practical matters in our everyday life, matters that may have at one time been theory but have become reality. And I want to raise some real questions and concerns about the future.

First, however, I would like to say a few words about some of the people who have worked for me and assisted me over the years. I feel that I have an extraordinary staff. I have been blessed, not through my own skill but I think it was just a blessing, that I was able to pull together a staff that I think are unusually brilliant and unusually fine Americans and who, within themselves individually, the flame for liberty and freedom beat within their hearts and, therefore, we were able to accomplish much together, this Chenoweth team.

My staff consisted of: Lois Anderson, Judy Boyle, Chris Caron, Doug Crandall, Georgia Golling, Ann Heissenbuttel, Chad Hyslop, Dave Kroeger, Dean Lester, Lisa Lovell, Matt Miller, Linda Mullin, Nathan Olsen, Karen Roetter, Keith Rupp, Valerie Schatz, Elizabeth Schwarzer, Tereasa Sinigiani, and Rhonda Tilden. And to all of them I just want to say thanks so much for the wonderful job.

There is a great deal of personal affection and admiration that I hold for my office staff, and there is among all of us the thing that has always bound us together and given purpose to our days here on Capitol Hill, which has been our shared commitment to a vision, a vision of our Nation and our government here in America. Let me tell my colleagues a little bit about that vision.

My vision as a Congressman for the first district of Idaho has been that America would continue to be a land where people live in peace with one another; that they respect each other's individual rights and property; and that people are free to advance as far as their individual talents and commitments to work hard will take them.

I believe that the rights of the people are not derived from government but, rather, the inalienable rights of the people to life, liberty, property and the pursuit of happiness are God-given rights that existed prior to the formation of any government. It is because these rights exist that governments are created by the people to help protect these rights that are God given. My vision is for a government that is keenly aware of this relationship between the governed and the governors, and which views its primary role as a protector of people's rights as opposed to a protector of people's persons or what they may think, and which views itself as the servant of the people and never the people's master.

I envisioned a congressional office staff which recognized the primacy of the citizens over the government, and I insisted that my staff recognize that they work for the constituents in Idaho's first district and across America, not the government; and that advancing the vision of freedom and individual liberty and providing service to constituents is the first priority in our office.

Most people who serve in this institution, I daresay, have a vision for the country and for their constituents. Those visions must be larger than our own personal ambitions and they must spring from a sense of purpose not necessarily for ourselves at all but for our fellow Americans and future generations. But what is the source of that purpose? To ponder that question is to ponder the purpose of government itself.

Since the beginning of time, man has wondered how to live together in harmony. Volumes have been written about it. It certainly has never been easy to figure out. There has always been a tendency for people to equate might with right. The philosopher Thomas Hobbes famously argued that man tends to be self-serving and to have a natural tendency to strive against and to plunder his fellow man. This is the basis of why we have government. People exist, people are born with certain natural rights. They have a right to continue to exist, and no one has a right to harm or kill another.

Mr. SMITH of Michigan. Mr. Speaker, if the gentlewoman would yield for just a moment, I just wanted to say, on behalf of many of us in the United States House of Representatives, I would like to thank the gentlewoman for her very diligent and hard work not only in representing the gentlewoman's district but in helping the United States of America. It is not easy. The gentlewoman has sacrificed, like many of us, a great deal.

So I thank the gentlewoman very, very much for her tremendous contribution that she has made in the last 6 years.

Mrs. CHENOWETH-HAGE. Mr. Speaker, I thank the gentleman from Michigan, and I will always have very fond memories of landing in the gentleman's office and asking him to help me go over an appropriations bill and help

untangle the mystery of the appropriating process here. The gentleman has been a great teacher.

I want to remind my colleagues, Mr. Speaker, that liberty is something that people have a right to their own freedom and they may not be held in bondage to one another. That is what liberty means. It is so important that we remember people's property rights. People simply do have a right to own things, and we have a responsibility to make sure that we respect the ownership rights of others.

The philosopher John Locke expounded on this notion when he said labor, in and of itself, is the origin and justification of property, according to Locke. And whatever a man ''mixes his labor with'' is his to use. It is his property. So in the state of nature, men have a right to protect their natural rights and to punish transgressors. So civil society arises when men agree to delegate this job of protecting their rights to an unbiased entity: A government. So because men establish this entity, government, they have the right to set limits on its authority, to modify it, or even to dismantle it should the need arise.

Now, a century later, this served as the rational foundation for our own Declaration of Independence. It is that very doctrine that gave us Americans the very moral authority to rebel against the tyranny of the British Crown. Why, my colleagues might ask, am I going over all this ancient history? Well, it is very simple, Mr. Speaker. It is because people forget. People forget across this Nation, but people forget in this body as well.

Mr. Speaker, if during one of my colleagues' town hall meetings that we all hold in our respective districts, they were to ask their constituents why we have a government, people would be likely to stare at them like a tree full of owls and they would probably experience an uncomfortable silence. Then, suddenly, some wiseacre might pipe up and say that he has been trying to figure that out all of his life. But then, usually, someone will say, well, we have government because we need to provide for the national defense. Well, they are on the right track, but that is not all there is to it.

Seldom will we hear one of our constituents recite those vitally important words of Thomas Jefferson, those words that he wrote in the Declaration of Independence, which states: ''We hold these truths to be self-evident: That all men are created equal, and that they are endowed by their creator with certain inalienable rights, rights that among us are life, liberty and the pursuit of happiness. And that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.''

Oh, I hope that that will become emblazoned indelibly on our souls and our spirits and our minds; that government receives its just power from those who are governed. But to secure the rights of government, governments are instituted among men, and the reason our government exists is to secure the inalienable rights of the American people. No more, no less.

That has been my message over the past 6 years. It is very simple, it is very old, but it works for freedom and liberty. And while I am certain that a poll of our colleagues would find universal agreement and sentiment for that very sentiment that I just expressed, we have differing opinions on how we turn those eloquent words into action. It has been my experience that turning those values into real action seems to be one of the hardest things for some people to really, truly understand.

Sometimes my colleagues seem to think that little things are unimportant. But, Mr. Speaker, the little things are so vitally important. I think every schoolchild has heard the poem about the importance of little things by George Herbert when he wrote that: ''For the want of a nail, the shoe was lost; For the want of a shoe, the horse was lost; For the want of a horse, the rider was lost; For the want of a rider, the battle was lost; For the want of a battle, the kingdom was lost!''

Yes, Mr. Speaker, little things matter. Little nails in horses hooves matter. They matter to all of us. And these little things are very important in the fight and the maintenance of our freedoms.

Some of my colleagues have certainly scratched their heads in wonder over some of the positions that I have taken over these years, and they wonder why I make such a big deal about language affecting private property rights or over some language that some might consider obscure issues, like the primacy of State water rights. My insistence that these rights be protected has certainly inconvenienced some Members of this House and served to annoy some Members and their staffs. And though it is sometimes an inconvenience, I hope that all who love freedom can understand how much more inconvenient it would be if we carelessly neglected the little nails and just began to give away our freedoms and liberty.

□ 1515

If the first job of government is to protect the rights of the freedoms of its citizens, then that is the standard by which we must first measure every single act we undertake.

I would like to discuss how I have attempted to apply these ideals to certain legislation in the hope that it might help some understand the importance of these issues, and perhaps some of my colleagues might take up this banner and continue to carry it forward as I leave this fine institution.

There are four areas in which I have seen the struggle most closely and I felt it most deeply. These have been the four cornerstones of my work here in Congress; and that is protecting the Constitution and protecting the rights of citizens, protecting our property and the wealth of our people, and protecting our national sovereignty.

Mr. Speaker, each of us swears an oath to uphold the Constitution of the United States of America and to protect it. But, Mr. Speaker, there are so many Americans, and I daresay a few of our colleagues here in this House, who seem to think that this is a matter of evolving and galloping interpretation.

But I remember when I first came to Congress in 1995, during those heady days of the Contract with America, one of the first matters that was considered in the Contract with America was granting the President line item veto authority. The power, in effect, would grant to the President the power to rewrite our legislation by eliminating certain specific provisions in the bills that we sent to him and then immediately signing that legislation into law.

I felt that that was unconstitutional. But this was an issue that had been championed by the people, especially Republicans, and it was a proposal favored by my favorite President, Ronald Reagan.

But I broke ranks with the leadership of my own party to oppose the line item veto. I did oppose it. I did vote against it because I believed that it constituted an unconstitutional shift away from legislative power to the administration.

So, Mr. Speaker, I can remember that it was difficult to go home after that vote, and I can remember a lot of my fellow Republicans criticizing me for that position. Who was I but a freshman Member, just an ordinary woman from Idaho, from a small western State, to oppose this kind of gigantic reform.

But I must confess that it gave me some small degree of satisfaction when the United States Supreme Court ruled that it was, indeed, unconstitutional for the President to have the power to rewrite legislation by vetoing part of it and struck down the line item veto.

Likewise, I have always thought that one aspect of the Endangered Species Act was especially silly, and I have fought against the ramifications of the Endangered Species Act since I first came to Congress.

But it was a legal tradition that held under the Endangered Species Act in and of itself that people did not have legal standing under the Endangered Species Act.

In fact, the Ninth Circuit Court of Appeals ruled that humans are not within the realm of jurisdiction under the Endangered Species Act. So if your

private property was taken under the Endangered Species Act, you had absolutely no recourse for the damages. The only way a person could be an advocate in court under the Endangered Species Act, according to the Ninth Circuit Court of Appeals, was if they went in there and sued on behalf of an endangered species. They had to represent the species, not the human.

So, Mr. Speaker, I offered legislation to correct this obvious flaw in the law. And my colleagues should have heard some of the hoots offered up when I did that. Some people assumed that I was being facetious when I argued that people should have at least the same legal rights as the bugs and the snails and the animals and the plants.

But while my bill was working its way through the system, the United States Supreme Court beat me to the punch and ruled that, yes indeed, people do have legal standing under the Endangered Species Act. So, once again, I felt vindicated by the United States Supreme Court.

Mr. Speaker, I want to remind my colleagues that the genesis of the Constitution has been proven by the test of time as well as the genius of that great document. It has succeeded when others have failed. The United States is now the longest running democracy in the history of the world, but it will only continue to be so if we jealously guard and protect the Constitution and if we do not give in to the political expediency of the day and begin to weaken it.

I think about the political correctness that is now beginning to drive public policy in this Nation, and I have to remember what Charlton Heston just recently said, and this was that ''political correctness is simply tyranny with manners. Oh that we would have the courage to do that which is unpopular but that which we feel is right and constitutional.''

Heston went on to say that ''political correctness is today's pocket change, but that courage is the currency of history.''

So if we give in to political expediency, we will be crying out in this Nation for the want of another nail, the little things that can bring down a nation. Which brings me to the second issue, protecting the rights of our citizens.

The Constitution is the document free men wrote with the central purpose in mind of protecting God-given rights. And let us never weaken in that defense. Because the most important of these rights to be protected by government is the right to life.

And this is why have I been such a staunch defender of the rights of the unborn children. That child, that weakest citizen among us, is the most important and most needy when it comes to having a fair and impartial government to protect his or her life.

Simply put, that is why I speak out in defense of the unborn. And if you believe that life begins before birth, then government has a responsibility to protect that life. It is the first rule of law.

Mr. Speaker, I am also a very outspoken defender of the second amendment. I am a defender of all of the Bill of Rights, but it seems to me that the second amendment is the one that is actually under political attack most often. It is under political attack through political correctness, through massive marches, and just through the shear emotionalism that is reigning today.

No American takes lightly the threat of violence, and no American can ignore the issue of crime and personal safety. No American can dismiss the violence that has erupted in our schools. But to say the problem with crime and violence is the availability of guns is to cop out with an easy answer.

The problem is not the inanimate or the things or the guns or the knives or whatever else, it is a person who will casually use these objects to plunder or hurt or kill other persons.

To diminish our right to keep and bear arms by entangling us in more gun control is to want to loose yet another nail that may ultimately destroy our Nation.

It was precisely that danger that George Mason in 1788 wrote about and addressed this Nation when he addressed the Congress then and he said, ''When the resolution of enslaving America was formed in Great Britain, the British parliament was advised by an artful man, who was governor of Pennsylvania, to disarm the people, that it was the best and most effectual way to enslave them, but that they should not do it openly but just weaken them and let them sink gradually.''

Well, is that not the picture of gun control? But addressing the human factor is much more difficult than taking things away.

I find it amazing, for instance, that some of these same people who make the most noise about limiting their fellow American's second amendment rights are those same entertainment industry leaders who produce music, movies, and video games that glorify violence and debase our values. They, in essence, pit one basic right, one freedom of expression against another.

I find it amazing, Mr. Speaker, and I find it amazingly cynical. And yet where is the outrage over this? Rather than simply control themselves, the Hollywood moguls and the product they produce, they want to take the constitutionally guaranteed rights away from all their fellow men. It is cynical. It is selfish. It is short sighted, Mr. Speaker.

Let us seek solutions to our problems, but let us do it in a way that respects the rights of all of our citizens. Those rights are so essential.

Another early debate in which I became involved is centered around the efforts to reform the writ of habeas corpus and the rights under habeas corpus, that great writ.

It pained me, Mr. Speaker, to take a position in opposition of some of those great committee chairmen, some of my colleagues for whom I have enormous respect. But I fought against a proposal that sought to punish terrorists but which would cause ordinary citizens to lose their constitutionally guaranteed rights against search and seizure.

So the rights to speak and assemble freely, to be ensured of due process of law, and to be protected against false imprisonment belong to all Americans. We cannot allow ourselves to be frightened by one issue into giving up all of these freedoms or taking them away from our citizens.

So what Thomas Paine said in 1795 is as true today as it ever was before. Thomas Paine said, ''He that would make his own liberty secure must guard even his enemy from oppression.''

I remembered that expression by Thomas Paine when I joined my colleagues on the other side of the aisle to protect this profoundly important right of Americans.

To protect our rights, we give the government very powerful law enforcement powers. These powers are what enables society to move away from the concept of making might right.

A fair and responsible authority is supposed to act to protect our rights and to punish transgressors. But what happens when these law enforcement agencies themselves abuse the law or act in ways that cause distrust in the minds the very people they are supposed to be serving and protecting?

And this is what happened in a remote part of my district shortly before I was elected. It happened in a place called Ruby Ridge. Men who were supposed to protect people's rights and their lives instead perverted their mission into a bizarre siege of a man and his family.

Admittedly, the man held some unpopular opinions. But in a land where a person's right to his own opinion constitutes the first amendment, that is no justification for the killings of Randy Weaver's young son and the killing of his wife, Vicky, who held nothing more threatening in her arms than her infant 10-month-old daughter.

Mr. Speaker, this was a sad day in America; and this is an outrageous abuse of law enforcement power. And it did much more damage to us than the personal tragedies of the killings in this incident. It began to kill the trust and the respect that many Americans had for their government, and we reaped the whirlwind in the years that followed.

I think of Waco and I think of the seizure of Elian Gonzales, and it all

amounts to the fact that we are beginning to numb America's senses to the outrage against the intrusion of Federal law enforcement in our homes and the security of our properties.

In the years ahead, Mr. Speaker, it is one of my most fervent hopes that my colleagues will continue to be ever vigilant against the possibility of anything like that ever happening again.

□ 1530

Mr. Speaker, as important as it is to protect the rights of our people, it is also important to protect their property. The right to own property, to keep that for which you labor, is perhaps the essence of a really truly free society. And it is one of the most essential roles of government, to protect private property. In fact, John Adams said that property is as sovereign as the laws of God, and that there must be a force of law and justice to protect property. Without property, Adams said, liberty cannot exist. And now with this Nation owning or controlling in the 40 percentile of this entire land base, we have to ask in this generation what has happened to our property rights? To own our property has been something that has allowed America to grow, to become a Nation that has been able to produce for its people the greatest standard of living in the history of civilization.

Over the centuries, many students of human nature have commented on the tendency of man to ignore other people's property rights if it suits his own individual interests. One of the philosophers whom I most admire was a Frenchman named Frederick Bastiat. If one of the signs of genius is to be able to distill complex ideas into a short, easily understandable form, then Bastiat was, by definition, a genius because in 1850 he published a little book, it is only 75 pages long, called ''The Law.'' It is such an influential and important work that I actually require anyone who wants to work in my congressional office to read this book and to write an essay or a book report on their reactions to it so I can read their essay before I interview them. Bastiat was able to distill what the relationship between the governed and the governors really should be.

With regards to property, Bastiat wrote this:

''Man can live and satisfy his wants only by ceaseless labor; by the ceaseless application of his faculties to natural resources. This process is the origin of property.

''But it is also true that a man may live and satisfy his wants by seizing and consuming the products of the labor of others. This process is the origin of plunder.

''Now, since man is naturally inclined to avoid pain —and since labor in and of itself is pain—it follows that men will resort to plunder whenever plunder is easier than work. History shows this quite clearly. Under these conditions, neither religion or morality can stop it.''

Bastiat continues:

''When, then, does plunder stop? It stops when it becomes more painful and more dangerous than labor.

''It is evident, then, that the proper purpose of law is to use the power of its collective force to stop this fatal tendency to plunder instead of work. All the measures of the law should protect property and punish plunder.

''But, generally, the law is made by one man or one class of men. And since law cannot operate without the sanction and support of a dominating force, this force must be entrusted to those who make the laws.

''This fact, combined with the fatal tendency that exists in the heart of man to satisfy his wants with the least possible effort, explains the almost universal perversion of the law. Thus it is easy to understand how law, instead of checking injustice, becomes the invincible weapon of injustice. It is easy to understand why the law is used by the legislator to destroy, in varying degrees among the rest of the people, to destroy their personal independence by slavery, to destroy their liberty by oppression, and to destroy their property by plunder.

''This is done by the person who makes the law, and in proportion to the power that he holds.''

Well, those were very interesting words by Bastiat, words that really go deep in my soul. And so you see in a representative democracy such as ours, we are more insulated from the whims of a single person or a single class of people than were the citizens of France in the mid-19th century. Yet I think it is foolish if we ignore human nature, and I think it is even more foolish if we ignore the nature of government to by nature grow more powerful and bigger and more oppressive. There are certain classes of citizens who, still today, seek to gain political power in order to take advantage of the labor of others, and they use the power of big government to do just exactly that.

Bastiat goes on to argue that men naturally rebel against the injustice of which they are victims. ''Thus,'' he says, ''when plunder is organized by law for the profit of those who make the law, all the plundered classes try somehow to enter, by peaceful or revolutionary means, into the making of laws. According to their degree of enlightenment, these plundered classes may propose one of two entirely different purposes when they attempt to obtain political power: One, either they must wish to stop lawful plunder; or, two, they may wish to share in it.

''Woe to the Nation when this latter purpose prevails.''

Mr. Speaker, we see today American citizens being plundered by other American citizens for a wide variety of purposes. We see Americans paying higher cumulative taxes than ever before to sustain programs that channel wealth from one class to another, or from one person to another. We see some of the leaders of this Nation proclaiming that some Americans are just too wealthy and that they do not deserve to be treated fairly and equitably under the law. We see class warfare motivated by personal envy. We see some citizens who live in populous parts of the country decide they want to take land from some people in the less populous western States and they argue that they want this land not for personal wealth but for aesthetic purposes or aboriginal purposes. But the end result is still the same: They are actually taking something from someone else and they are locking other Americans out of their beloved land.

We see a concerted, shortsighted effort on the part of some to seemingly attack the sources of original wealth in this Nation. And we know that it is a combination of land, labor and capital, only land, labor and capital, that creates original wealth. Yet that is being exploded apart with the seizure of our land.

In a time in which the new economy provides fabulous wealth overnight based on the trading of information, we are forgetting that all original wealth originates in the land. Wealth is created by the proper combination of land, property, and labor and capital, no more, no less. Wealth comes first from the things that we mine or mill or harvest, and without those things there can be no stock markets and no information superhighways and no bridges to the future.

But, Mr. Speaker, we are today turning our backs on this original wealth. To hear the way some would talk, you would think that mining minerals from the Earth or harvesting crops, including timber and raising livestock, are somehow morally reprehensible and wrong. Instead, our natural resources are the sources of our economic strength which built this country, which in turn became magnified and powerful through the strength of our economy.

President Theodore Roosevelt, commonly referred to as the father of today's environmental movement, said in a speech to the American Society of Foresters way back in 1903:

''First and foremost,'' Roosevelt said, ''you can never afford to forget for one moment what is the object of our forest policy. That object is not to preserve the forests because they are beautiful, though that is good in and of itself, nor because they are refuges for the wild creatures of the wilderness, though that, too, is good in itself; but the primary object of our forest policy, as of the land policy of the United States of America, is the making of

prosperous homes. It is part of the traditional policy of home-making of our country. Every other consideration comes as secondary. The whole effort of the government in dealing with the forests must be directed to this end, keeping in view the fact that it is not only necessary to start the homes as prosperous but to keep them so.''

He went on to say, ''Your attention must be directed to the preservation of the forests not, as an end in and of itself, but as a means of preserving and increasing the prosperity of this Nation. Forestry is the preservation of forests by wise use of the forests.''

But those who call themselves environmentalists today would have turned their backs on Roosevelt's vision. What has happened when we impose an extreme and narrow political policy on our natural resources? We have this year experienced catastrophic wildfires, burning more board feet this year of timber than we have ever logged off our national forests. That is sheer waste. That is sheer destruction.

We must not cut off our noses to spite our face, Mr. Speaker. We must responsibly use and promote these industries. We must be wise stewards of our Earth and our resources. But those resources are there for us to use.

Just as there are some citizens who would plunder other citizens, there are other nations in this world who would seek unfair advantages from us, this great Nation. We must protect our Nation's interests and our national sovereignty. Sovereignty forms the fourth cornerstone of the policies that I have advocated. Just as with any community, there is a global community, and we should and do try to be a good and responsible neighbor in that community. Yet there are those who would argue that we are such a part of this global community that we can lose our identity and that people in other nations should have a voice in such matters as our own land policies or consumer protection laws or our judicial systems. That goes beyond being a good neighbor into becoming the neighborhood's doormat. Let America never become the global doormat.

That is why I and some of my colleagues put up such a fight over such seemingly small issues as World Heritage Site designations and the Man in the Biosphere programs of the United Nations. These are the neighborhood's busybodies, offering their opinions on the state of our yards and gardens. Everyone welcomes praise, but when the praise starts to turn into a sanctioning of what we may and may not do, a bright line has been crossed, a bright line has been crossed and an invasion into our sovereignty.

In the recent film about the American Revolution entitled ''The Patriot,'' I saw that and I think everyone, Mr. Speaker, in this body should view the movie ''The Patriot.'' It would remind everyone here in this body why we are here. The main character in that film rose and asked a body of his compatriots, ''Would you be ruled by one tyrant 3,000 miles away or by 3,000 tyrants one mile away?''

Mr. Speaker, we now seem to face the prospect of thousands of would-be tyrants trying to rule us from all around the world. Nowhere is the fight to preserve our national sovereignty more important than in preserving our national security. I have often said that in my heart of hearts I really am a dove. But I want America to be the best armed dove on the planet. George Washington said it more eloquently when he said, ''To be prepared for war is one of the most effectual means of preserving the peace.'' And Ronald Reagan carried that out effectively.

□ 1545

Sadly, we have allowed the readiness of our military to deteriorate badly. Training missions are compromised by tight budgets, we have military families eligible for food stamps, and retention levels are becoming difficult to maintain. And we often fail to meet our duty to our past warriors, our veterans, those great Americans. We provide them with inadequate health services. We dishonor them with neglect. In my home State of Idaho, we have not even provided them with a specific field of honor in which to lie when they pass on to the next world.

I am very pleased to report, Mr. Speaker, that as one of my proudest accomplishments, it does look like we will have that field of honor for our brave military veterans soon under construction at a place in Idaho just outside of Boise.

But we must be very careful that we do not trade away our national sovereignty in some ill-considered effort to become popular with the rest of the world. Our military exists to protect American land and vital American interests. We cannot bully the rest of the world into behaving like we do. But I just cringe when I think of American soldiers serving under foreign command, and I think that should never, never happen.

And when it comes to protecting our sovereignty, we must not compromise our internal laws to suit foreign interests, nor must we allow our thirst for trade with other nations to allow us to ignore the aggressive and threatening natures of some of our other neighbors in this global community. And we certainly must not casually give away any more of our important strategic assets, whether they be the secrets to our most powerful weapons, or important avenues for commercial and military traffic, such as the Panama Canal, which is now being run by the Red Chinese in violation of the Panama Canal Treaty. The Red Chinese are now piloting our ships through the Panama Canal.

Mr. Speaker, it is my belief and has been my work for the past years and will continue after I leave Congress, to defend these four cornerstones of freedom. This is the most important job that we have as legislators, to preserve the lives, the liberty and the property of our fellow citizens, and to protect our national sovereignty.

There has, however, been an almost inexorable trend against those unalienable rights. There is no mistake in my mind that those rights have weakened as our Federal Government has grown bigger and stronger. The efforts that work against those rights often come clothed in garments of good intentions.

When we seek to remedy some problem through the expansion or consolidation of power into a smaller set of hands, remember the words of Lord Acton, that power corrupts, and absolute power corrupts absolutely.

That corruption will twist and bend the law away from what our Founding Fathers intended and into something future generations will regret and future generations would suffer under.

So, Mr. Speaker and my fellow Members of Congress, it has been a great privilege to serve in this body, this great body representing this great land, this powerful government of the people, by the people and for the people. I hope that you will remember my words, and I hope that you will remember the lofty, yet very simple reason that we are here. And years hence, when some colleague takes the floor of this magnificent Chamber and speaks out for the cause of freedom and liberty, I hope that you will take those words to heart.

RECESS

The SPEAKER pro tempore (Mr. HOBSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 49 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2159

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 9 O'clock and 59 minutes p.m.

CONFERENCE REPORT ON H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs

for the fiscal year ending September 30, 2001, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 106–948)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) ''making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, 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:

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

And the Senate agree to the same.

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
C.W. BILL YOUNG,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
TOM HARKIN (Except for Cuba and drug reimportation),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, 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 conference agreement would enact the provisions of H.R. 5426 as introduced on October 6, 2000. The text of that bill follows:

A BILL

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Programs for the fiscal year ending September 30, 2001, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Programs for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $2,914,000: Provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: Provided further, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $7,462,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $12,421,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $6,765,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $10,051,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, $40,000,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $5,171,000: Provided, That the Chief Financial Officer shall actively market cross-servicing activities of the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, $629,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, improvement, and repair of Agriculture buildings, $182,747,000, to remain available until expended: Provided, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq., and the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., $15,700,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $36,010,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,000,000, to remain available until expended.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,568,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,623,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $68,867,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed $50,000 for employment under 5 U.S.C. 3109; and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $31,080,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $556,000.

ECONOMIC RESEARCH SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $67,038,000: Provided, That $1,000,000 shall be transferred to and merged with the appropriation for ''Food and Nutrition Service, Food Program Administration'' for studies and evaluations: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627, Public Law 105–113, and other laws, $100,772,000, of which up to $15,000,000 shall be available until expended for the Census of Agriculture: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $898,812,000: Provided, That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2001, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $74,200,000, to remain available until expended (7 U.S.C. 2209b): Provided, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $506,193,000, as follows: to carry out the provisions of the Hatch Act (7 U.S.C. 361a–i), $180,545,000; for grants for cooperative forestry research (16 U.S.C. 582a–a7), $21,932,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), $32,676,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; for special grants for agricultural research (7 U.S.C. 450i(c)), $85,669,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $13,721,000; for competitive research grants (7 U.S.C. 450i(b)), $106,000,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,109,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $800,000; for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977 (7 U.S.C. 3318), $640,000, to remain available until expended; for the 1994 research program (7 U.S.C. 301 note), $1,000,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,000,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,350,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $1,000,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $3,500,000; for a program of noncompetitive grants, to be awarded on an equal basis, to Alaska Native-serving and Native Hawaiian-serving Institutions to carry out higher education programs (7 U.S.C. 3242), $3,000,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(h)), $800,000; for aquaculture grants (7 U.S.C. 3322), $4,000,000; for sustainable agriculture research and education (7 U.S.C. 5811), $9,250,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, $9,500,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $1,552,000; and for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109, $18,149,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products: Provided, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $7,100,000: Provided, That

hereafter, any distribution of the adjusted income from the Native American Institutions Endowment Fund is authorized to be used for facility renovation, repair, construction, and maintenance, in addition to other authorized purposes.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $433,429,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,280,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $4,000,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $12,200,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for youth-at-risk programs under section 3(d) of the Act, $8,500,000; for youth farm safety education and certification extension grants, to be awarded competitively under section 3(d) of the Act, $500,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $2,000,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,800,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $28,243,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $18,152,000: Provided, That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $41,941,000, as follows: payments for the water quality program, $13,000,000; payments for the food safety program, $15,000,000; payments for the national agriculture pesticide impact assessment program, $4,541,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, $4,900,000; payments for the crops affected by Food Quality Protection Act implementation, $1,500,000; payments for the methyl bromide transition program, $2,500,000; and payments for the organic transition program, $500,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $635,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Acts of March 2, 1931 (46 Stat. 1468) and December 22, 1987 (101 Stat. 1329–1331) (7 U.S.C. 426–426c); and to protect the environment, as authorized by law, $530,564,000, of which $4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $59,400,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That not to exceed $1,000,000 of the funds available under this heading for wildlife services methods development may be used by the Secretary of Agriculture to conduct pilot projects in up to four States representative of wildlife predation of livestock in connection with farming operations for direct assistance in the application of non-lethal predation control methods: Provided further, That the General Accounting Office shall report to the Committees on Appropriations by November 30, 2001, on the Department's compliance with this provision and on the effectiveness of the non-lethal measures.

In fiscal year 2001, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2001, $85,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $9,870,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $90,000 for employment under 5 U.S.C. 3109, $65,335,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That, only after promulgation of a final rule on a National Organic Standards Program, $639,000 of this amount shall be available for the Expenses and Refunds, Inspection and Grading of Farm Products fund account for the cost of the National Organic Standards Program and such funds shall remain available until expended.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: Provided, That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more

than $13,438,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,350,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $31,420,000: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: Provided, That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $460,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $696,704,000, of which no less than $591,258,000 shall be available for Federal food inspection; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: Provided, That not more than $2,500,000 of this appropriation may be used to implement section 752 of title VII of this Act: Provided further, That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: Provided further, That from amounts appropriated under this heading not needed for federal food inspection, up to $6,000,000 may be used to liquidate obligations incurred in previous years, to the extent approved by the Director of the Office of Management and Budget based on documentation provided by the Secretary of Agriculture.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $589,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $828,385,000: Provided, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: Provided further, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: Provided further, That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $3,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $450,000, to remain available until expended (7 U.S.C. 2209b): Provided, That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: Provided further, That this amount shall be transferred to the Commodity Credit Corporation: Provided further, That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $998,000,000, of which $870,000,000 shall be for guaranteed loans; operating loans, $1,972,741,000, of which $1,077,839,000 shall be for unsubsidized guaranteed loans and $369,902,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $2,006,000; for emergency insured loans, $25,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $18,223,000, of which $4,437,000 shall be for guaranteed loans; operating loans, $92,310,000, of which $14,770,000 shall be for unsubsidized guaranteed loans and $30,185,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $323,000; and for emergency insured loans, $6,133,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $269,454,000, of which $265,315,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs with the prior approval of the Committees on Appropriations of both Houses of Congress.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $65,597,000: Provided, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2001, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2001, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $711,000: Provided, That none of the funds appropriated or otherwise made available by this Act or any other Act shall be available to the Office of the Under Secretary for Natural Resources and Environment for the supervision, management or direction of the Forest Service or the Natural Resources Conservation Service until January 20, 2001: Provided further, That the Chiefs of the Forest Service and the Natural Resources Conservation Service shall report directly to the Secretary of Agriculture until January 20, 2001.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $714,116,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,990,000 is for snow survey and water forecasting and not less than $9,125,000 is for operation and establishment of the plant materials centers: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That not to exceed $2,000,000 of this amount shall be available for the Urban Resources Partnership program, of which $1,000,000 shall be available only after promulgation of a final rule on this program: Provided further, That not to exceed $204,000 of this amount shall be available for American Heritage Rivers: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $10,868,000: Provided, That not to exceed $136,000 shall be available for American Heritage Rivers: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed $44,423,000 of this appropriation shall be available for technical assistance: Provided further, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: Provided further, That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction: Provided further, That of the funds available for Emergency Watershed Protection activities, $8,000,000 shall be available for Ohio, New Mexico, Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act of 1954, Public Law 83–566 (16 U.S.C. 1001 et seq.); Section 13 of the Flood Control Act of 1944, Public Law 78–534 (33 U.S.C. 701 b–1); the pilot watershed program authorized under the heading ''FLOOD PREVENTION'' of the Department of Agriculture Appropriations Act, 1954, Public Law 83–156 (67 Stat. 214); and Subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451 et seq.): Provided further, That the amount of Federal funds that may be made available to an eligible local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation: Provided further, That consistent with existing statute, rehabilitation assistance provided may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource projects entered into between the Secretary and the eligible local organization responsible for the works of improvement.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $42,015,000, to remain available until expended (7 U.S.C. 2209b): Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized by the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $605,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H, 381N, and 381O of the Consolidated Farm and Rural Development Act, $762,542,000, to remain available until expended, of which $53,225,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $644,360,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $64,957,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided, That of the total amount appropriated in this account, $24,000,000 shall be for loans and grants to benefit Federally Recognized Native American Tribes, including grants for drinking and waste disposal systems pursuant to section 306C of such Act, of which $250,000 shall be available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: Provided further, That of the amount appropriated for rural community programs, $6,000,000 shall be available for a Rural Community Development Initiative: Provided further, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations serving low-income rural communities, including Federally Recognized Indian tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That such funds shall be made available to qualified private, nonprofit intermediary organizations (including tribal) proposing to carry out a program of financial and technical assistance to other public entities with a record of achievement in providing technical and financial assistance to housing and community development organizations in rural areas: Provided further, That such intermediary organizations shall provide matching funds from other sources, including federal funds for related activities, in an amount not less than funds provided: Provided further, That of the amount appropriated for rural community programs, not to exceed $5,000,000 shall be for hazardous weather early warning systems: Provided further, That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development;

$5,000,000 shall be for rural partnership technical assistance grants; and $2,000,000 shall be for grants to Mississippi Delta Region counties: Provided further, That of the amount appropriated for rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico borders, including grants pursuant to section 306C of such Act; not to exceed $20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act, with up to one percent available to administer the program and up to one percent available to improve interagency coordination; not to exceed $16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such Act; and not to exceed $9,500,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $42,574,650 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; of which $34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; and of which $8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of administering Rural Development programs as authorized by the Rural Electrification Act of 1936; the Consolidated Farm and Rural Development Act; title V of the Housing Act of 1949; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926 for activities related to marketing aspects of cooperatives, including economic research findings, authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $130,371,000: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 may be used for employment under 5 U.S.C. 3109: Provided further, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this account.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,800,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,700,000,000 shall be for unsubsidized guaranteed loans; $32,396,000 for section 504 housing repair loans; $100,000,000 for section 538 guaranteed multi-family housing loans; $114,321,000 for section 515 rental housing; $5,152,000 for section 524 site loans; $11,780,000 for credit sales of acquired property, of which up to $1,780,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans: Provided, That of the total amount made available for loans to section 502 borrowers, up to $5,400,000 shall be available until expended for use under a demonstration program to be carried out by the Secretary of Agriculture in North Carolina to determine the timeliness, quality, suitability, efficiency, and cost of utilizing modular housing to house low-income and very low-income elderly families who: (1) have lost their housing because of a major disaster (as so declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act); and (2)(A) do not have homeowner's insurance; or (B) can not repay a direct loan that is provided under section 502 of the Housing Act of 1949 with the maximum subsidy allowed for such loans: Provided further, That of the amounts made available for such demonstration program, $5,000,000 shall be for grants and $400,000 shall be for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of loans, for such families to acquire modular housing.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $184,160,000 of which $7,400,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $11,481,000; section 538 multi-family housing guaranteed loans, $1,520,000; section 515 rental housing, $56,326,000; multi-family credit sales of acquired property, $874,000; and section 523 self-help housing land development loans, $279,000: Provided, That of the total amount appropriated in this paragraph, $13,832,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $409,233,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $680,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 2001 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $34,000,000, to remain available until expended (7 U.S.C. 2209b): Provided, That of the total amount appropriated, $1,000,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $44,000,000, to remain available until expended: Provided, That of the total amount appropriated, $5,000,000 shall be for a housing demonstration program for agriculture, aquaculture, and seafood processor workers: Provided further, That of the total amount appropriated, $1,200,000 shall be available through June 30, 2001, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $30,000,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $19,476,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $2,036,000 shall be for Federally Recognized Native American Tribes and of which $4,072,000 shall be for Mississippi Delta Region counties (as defined by Public Law 100–460): 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: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans of $38,256,000: Provided further, That of the total amount appropriated, $3,216,000 shall be available through June 30, 2001, for the cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $3,640,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING RESCISSION OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,911,000, which shall be administered in accordance with the regulations utilized in fiscal year 2000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2001, as authorized by section 313 of the Rural Electrification Act of 1936, $3,911,000 shall not be obligated and $3,911,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $6,500,000, of which $2,000,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,500,000 of the total amount appropriated shall be made available to cooperatives or associations of cooperatives whose primary focus is to provide assistance to small, minority producers and whose

governing board and/or membership is comprised of at least 75 percent minority.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $121,500,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $295,000,000; and loans made pursuant to section 306 of that Act, rural electric, $1,700,000,000 and rural telecommunications, $120,000,000; and $500,000,000 for Treasury rate direct electric loans.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of direct loans, $19,871,000; and cost of municipal rate loans, $20,503,000: Provided, That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $34,716,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2001 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $2,590,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $27,000,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas, and of which $2,000,000 may be available for a pilot program to finance broadband transmission and local dial-up Internet service in areas that meet the definition of ''rural area'' used for the Distance Learning and Telemedicine Program authorized by 7 U.S.C. 950aaa: Provided, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $570,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $9,541,539,000, to remain available through September 30, 2002, of which $4,413,960,000 is hereby appropriated and $5,127,579,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That except as specifically provided under this heading, none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading, up to $6,000,000 shall be for school breakfast pilot projects, including the evaluation required under section 18(e) of the National School Lunch Act: Provided further, That of the funds made available under this heading, $500,000 shall be for a School Breakfast Program startup grant pilot program for the State of Wisconsin: Provided further, That school food authorities in Ohio participating in a domestic food assistance program administered by the Secretary and preparing meals for use by other schools and institutions also participating in a domestic food assistance program, shall, with regard to such meals, not be subject to additional requirements under section 301(c) of the Federal Meat Inspection Act or section 5(c) of the Poultry Products Inspection Act: Provided further, That up to $4,511,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,052,000,000, to remain available through September 30, 2002: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the total amount available, the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional $10,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: Provided further, That notwithstanding section 17(h)(10)(A) of such Act, up to $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B), no less than $6,000,000 of which shall be used for the development of electronic benefit transfer systems: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: Provided further, That funds made available under this heading shall be made available for sites participating in the special supplemental nutrition program for women, infants, and children to determine whether a child eligible to participate in the program has received a blood lead screening test, using a test that is appropriate for age and risk factors, upon the enrollment of the child in the program.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $20,114,293,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $3,000,000 shall be used to purchase bison for the FDPIR: Provided further, That the Secretary shall purchase such bison from Native American producers and cooperative organizations without competition: Provided further, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That not more than $194,000,000 may be reserved by the Secretary, notwithstanding section 16(h)(1)(A)(vi) of the Food Stamp Act of 1977 (7 U.S.C. 2025(h)(1)(A)(vi)), for allocation to State agencies under section 16(h)(1) of such Act to carry out Employment and Training programs: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, $140,300,000, to remain available through September 30, 2002: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: Provided further, That notwithstanding section 5(a)(2) of the Agriculture and Consumer Protection Act of 1973 (Public Law 93–86; 7 U.S.C. 612c note), $20,781,000 of this amount shall be available for administrative expenses of the commodity supplemental food program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973; special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965, $151,081,000, to remain available through September 30, 2002.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $116,807,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp benefit delivery, and assisting in the prevention, identification, and prosecution of fraud and other violations of law and of which not less than $4,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs: Provided, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $115,424,000: Provided, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of agreements under the Agricultural Trade Development and Assistance Act of 1954, and the Food for Progress Act of 1985, including the cost of modifying credit arrangements under said Acts, $114,186,000, to remain available until expended.

In addition, for administrative expenses to carry out the credit program of title I, Public Law 83–480, and the Food for Progress Act of 1985, to the extent funds appropriated for Public Law 83–480 are utilized, $1,850,000, of which $1,035,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $815,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $20,322,000, to remain available until expended, for ocean freight differential costs for the shipment of agricultural commodities under title I of said Act: Provided, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

PUBLIC LAW 480 TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, $837,000,000, to remain available until expended, for commodities supplied in connection with dispositions abroad under title II of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $3,820,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,231,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $589,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $1,217,797,000, of which not to exceed $149,273,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: Provided, That fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation: Provided further, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: Provided further, That of the total amount appropriated: (1) $285,269,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $317,547,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than $12,534,000 shall be available for grants and contracts awarded under section 5 of the Orphan Drug Act (21 U.S.C. 360ee); (3) $140,489,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $64,069,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $165,207,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $35,568,000 shall be for the National Center for Toxicological Research; (7) $25,855,000 shall be for Rent and Related activities, other than the amounts paid to the General Services Administration; (8) $104,954,000 shall be for payments to the General Services Administration for rent and related costs; and (9) $78,839,000 shall be for other activities, including the Office of the Commissioner; the Office of Management and Systems; the Office of the Senior Associate Commissioner; the Office of International and Constituent Relations; the Office of Policy, Legislation, and Planning; and central services for these offices: Provided further, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $31,350,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, $68,000,000, including not to exceed $1,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $36,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: Provided, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for fiscal year 2001 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 389 passenger motor vehicles, of which 385 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by sections 1 and 10 of the Act of June 29, 1935 (7 U.S.C. 427, 427i; commonly known as the Bankhead-Jones Act), subtitle A of title II and section 302 of the Act of August 14, 1946 (7 U.S.C. 1621 et seq.), and chapter 63 of title 31, United States Code, shall be available for contracting in accordance with such Acts and chapter.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of funds appropriated by this Act or other available unobligated balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 25 percent of the screwworm program, and up to $2,000,000 for costs associated with colocating regional offices; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service

Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b; commonly known as the Agricultural Act of 1954).

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: Provided, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under section 9 of the Small Business Act (15 U.S.C. 638).

SEC. 711. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 712. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2001 shall remain available until expended to cover obligations made in fiscal year 2001 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a state or cooperator to carry out agricultural marketing programs, to carry out programs to protect the nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the nation's food supply.

SEC. 714. Notwithstanding any other provision of law (including provisions of law requiring competition), the Secretary of Agriculture may hereafter enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a State, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives: Provided, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 715. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 716. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 717. None of the funds appropriated by this Act may be used to carry out section 410 of the Federal Meat Inspection Act (21 U.S.C. 679a) or section 30 of the Poultry Products Inspection Act (21 U.S.C. 471).

SEC. 718. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 719. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 720. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: Provided, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 721. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2001, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

SEC. 722. (a) Of the funds made available to the Secretary of Agriculture pursuant to section 793(b)(1) of Public Law 104–127 (7 U.S.C. 2204f) for the 2000 fiscal year—

(1) $30,000,000 shall be available to be obligated for any purpose authorized under section 793 of that Act during the 2001 fiscal year; and

(2) $30,000,000 shall be available to be obligated for any purpose authorized under section 793 of that Act during the 2002 fiscal year.

(b) None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under section 793 of Public Law 104–127 (7 U.S.C. 2204f).

SEC. 723. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $174,000,000.

SEC. 724. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the transfer or obligation of fiscal year 2001 funds under the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food

Systems (7 U.S.C. 7621): Provided, That notwithstanding section 401(d) of Public Law 105–185, any appropriation or funds available to the Secretary of Agriculture to make grants under section 401 of Public Law 105–185 shall be used only to make grants to Hispanic-serving institutions (as defined in 20 U.S.C. 1101a(5)); West Virginia State College in Institute; and the 1862 institutions, 1890 institutions, and 1994 institutions, as defined in section 2 of Public Law 105–185 (7 U.S.C. 7601), or research foundations maintained by such institutions.

SEC. 725. Hereafter, none of the funds made available to the Department of Agriculture shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb).

SEC. 727. None of the funds made available to the Food and Drug Administration by this Act shall be used to close or relocate, or to plan to close or relocate, the Food and Drug Administration Division of Drug Analysis (recently renamed the Division of Pharmaceutical Analysis) in St. Louis, Missouri, except that funds could be used to plan a possible relocation of this Division within the city limits of St. Louis, Missouri.

SEC. 728. None of the funds made available to the Food and Drug Administration by this Act shall be used to reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: Provided, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to locations in the general vicinity of Detroit, Michigan, pursuant to cooperative agreements between the Food and Drug Administration and other laboratory facilities associated with the State of Michigan.

SEC. 729. Hereafter, none of the funds appropriated by this Act or any other Act may be used to:

(1) carry out the proviso under 7 U.S.C. 1622(f); or

(2) carry out 7 U.S.C. 1622(h) unless the Secretary of Agriculture inspects and certifies agricultural processing equipment, and imposes a fee for the inspection and certification, in a manner that is similar to the inspection and certification of agricultural products under that section, as determined by the Secretary: Provided, That this provision shall not affect the authority of the Secretary to carry out the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.).

SEC. 730. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2002 appropriations Act.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 732. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out provision of section 612 of Public Law 105–185.

SEC. 733. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan.

SEC. 734. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the Federal Government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities prior to July 1, 2001, without the specific authorization of Congress.

SEC. 735. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used for the implementation of a Support Services Bureau or similar organization.

SEC. 736. Notwithstanding any other provision of law, for any fiscal year, in the case of a high cost, isolated rural area of the State of Alaska that is not connected to a road system—

(1) in the case of assistance provided by the Rural Housing Service for single family housing under title V of the Housing Act of 1949 (7 U.S.C. 1471 et seq.), the maximum income level for the assistance shall be 150 percent of the average income level in metropolitan areas of the State;

(2) in the case of community facility loans and grants provided under paragraphs (1) and (19), respectively, of section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)) and assistance provided under programs carried out by the Rural Utilities Service, the maximum income level for the loans, grants, and assistance shall be 150 percent of the average income level in nonmetropolitan areas of the State;

(3) in the case of a business and industry guaranteed loan made under section 310B(a)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(1)), to the extent permitted under that Act, the Secretary of Agriculture shall—

(A) guarantee the repayment of 90 percent of the principal and interest due on the loan; and

(B) charge a loan origination and servicing fee in an amount not to exceed 1 percent of the amount of the loan; and

(4) in the case of assistance provided under the Rural Community Development Initiative for fiscal year 2001 carried out under the rural community advancement program established under subtitle E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009 et seq.), the median household income level, and the not employed rate, with respect to applicants for assistance under the Initiative shall be scored on a community-by-community basis.

SEC. 737. Notwithstanding any other provision of law, the Town of Lloyd, New York, and the Town of Thompson, New York, shall be eligible for loans and grants provided through the Rural Community Advancement Program.

SEC. 738. Hereafter, notwithstanding any other provision of law, no housing or residence in a foreign country purchased by an agent or instrumentality of the United States, for the purpose of housing the agricultural attaché, shall be sold or disposed of without the approval of the Foreign Agricultural Service of the United States Department of Agriculture, including property purchased using foreign currencies generated under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and used or occupied by agricultural attachés of the Foreign Agricultural Service: Provided, That the Department of State/Office of Foreign Buildings may sell such properties with the concurrence of the Foreign Agricultural Service if the proceeds are used to acquire suitable properties of appropriate size for Foreign Agricultural Service agricultural attachés: Provided further, That the Foreign Agricultural Service shall have the right to occupy such residences in perpetuity with costs limited to appropriate maintenance expenses.

SEC. 739. Hereafter, notwithstanding section 502(h)(7) of the Housing Act of 1949 (42 U.S.C. 1472(h)(7)), the fee collected by the Secretary of Agriculture with respect to a guaranteed loan under such section 502(h) at the time of the issuance of such guarantee may be in an amount equal to not more than 2 percent of the principal obligation of the loan.

SEC. 740. Hereafter, funds appropriated to the Department of Agriculture may be used to employ individuals by contract for services outside the United States as determined by the agencies to be necessary or appropriate for carrying out programs and activities abroad; and such contracts are authorized to be negotiated, the terms of the contract to be prescribed, and the work to be performed, where necessary, without regard to such statutory provisions as relate to the negotiation, making and performance of contracts and performance of work in the United States. Individuals employed by contract to perform such services outside the United States shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. Such individuals may be considered employees within the meaning of the Federal Employee Compensation Act, 5 U.S.C. 8101 et seq. Further, that Government service credit shall be accrued for the time employed under a Personal Service Agreement (PSA) should the individual later be hired into a permanent United States Government position within FAS or another United States Government agency if the authorities of the hiring agency so permit.

SEC. 741. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or until cost effectiveness and enhancement of program delivery have been determined.

SEC. 742. (a) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(1) in subsection (b)(4), by striking ''and 2000''; and inserting ''through 2001''; and

(2) in subsection (h), by striking ''2000'' each place it appears and inserting ''2001''.

(b) CONFORMING AMENDMENT.—Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking ''2001'' and inserting ''2002''.

SEC. 743. Of any shipments of commodities made pursuant to section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

(A) individuals with Human Immunodeficiency Virus or Acquired Immune Deficiency Syndrome in the communities, and

(B) households in the communities, particularly individuals caring for orphaned children; and

(2) agricultural commodities monetized to provide other assistance (including assistance under microcredit and microenterprise programs) to create or restore sustainable livelihoods among individuals in the communities, particularly individuals caring for orphaned children.

SEC. 744. In addition to amounts otherwise appropriated or made available by this Act, $2,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center.

SEC. 745. (a) SHORT TITLE.—This section may be cited as the ''Medicine Equity and Drug Safety Act of 2000''.

(b) FINDINGS.—The Congress makes the following findings:

(1) The cost of prescription drugs for Americans continues to rise at an alarming rate.

(2) Millions of Americans, including medicare beneficiaries on fixed incomes, face a daily choice between purchasing life-sustaining prescription drugs, or paying for other necessities, such as food and housing.

(3) Many life-saving prescription drugs are available in countries other than the United States at substantially lower prices, even though such drugs were developed and are approved for use by patients in the United States.

(4) Many Americans travel to other countries to purchase prescription drugs because the medicines that they need are unaffordable in the United States.

(5) Americans should be able to purchase medicines at prices that are comparable to prices for such medicines in other countries, but efforts to enable such purchases should not endanger the gold standard for safety and effectiveness that has been established and maintained in the United States.

(c) AMENDMENT.—Chapter VIII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381 et seq.) is amended—

(1) in section 801(d)(1), by inserting ''and section 804'' after ''paragraph (2)''; and

(2) by adding at the end the following:

''IMPORTATION OF COVERED PRODUCTS

''SEC. 804. (a) REGULATIONS.—The Secretary, after consultation with the United States Trade Representative and the Commissioner of Customs, shall promulgate regulations permitting pharmacists and wholesalers to import into the United States covered products.

''(b) LIMITATION.—Regulations under subsection (a) shall—

''(1) require that safeguards be in place to ensure that each covered product imported pursuant to such subsection complies with section 505 (including with respect to being safe and effective for its intended use), with sections 501 and 502, and with other applicable requirements of this Act;

''(2) require that an importer of a covered product pursuant to subsection (a) comply with the applicable provisions of this section, including subsection (d); and

''(3) contain any additional provisions determined by the Secretary to be appropriate as a safeguard to protect the public health or as a means to facilitate the importation of such products.

''(c) RECORDS.—Regulations under subsection (a) shall require that records regarding the importation of covered products pursuant to such subsection be provided to and maintained by the Secretary for a period of time determined to be necessary by the Secretary.

''(d) IMPORTATION.—Regulations under subsection (a) shall require an importer of a covered product pursuant to such subsection to provide to the Secretary the following information and records:

''(1) The name and amount of the active ingredient of such product and description of the dosage form.

''(2) The date that the product is shipped and the quantity of the product that is shipped, points of origin and destination for the product, the price paid for the product by the importer, and (once the product is distributed) the price for which such product is sold by the importer.

''(3) Documentation from the foreign seller specifying the original source of the product and the amount of each lot of the product originally received.

''(4) The manufacturer's lot or control number of the product imported.

''(5) The name, address, and telephone number of the importer, including the professional license number of the importer, if any.

''(6) For a product that is coming directly from the first foreign recipient of the product from the manufacturer:

''(A) Documentation demonstrating that such product came from such recipient and was received by the recipient from such manufacturer.

''(B) Documentation of the amount of each lot of the product received by such recipient to demonstrate that the amount being imported into the United States is not more than the amount that was received by the recipient.

''(C) In the case of the initial imported shipment, documentation demonstrating that each batch of such shipment was statistically sampled and tested for authenticity and degradation.

''(D) In the case of all subsequent shipments from such recipient, documentation demonstrating that a statistically valid sample of such shipments was tested for authenticity and degradation.

''(E) Certification from the importer or manufacturer of such product that the product is approved for marketing in the United States and meets all labeling requirements under this Act.

''(7) For a product that is not coming directly from the first foreign recipient of the product from the manufacturer:

''(A) Documentation demonstrating that each batch in all shipments offered for importation into the United States was statistically sampled and tested for authenticity and degradation.

''(B) Certification from the importer or manufacturer of such product that the product is approved for marketing in the United States and meets all labeling requirements under this Act.

''(8) Laboratory records, including complete data derived from all tests necessary to assure that the product is in compliance with established specifications and standards.

''(9) Documentation demonstrating that the testing required by paragraphs (6) through (8) was performed at a qualifying laboratory (as defined in subsection (k)).

''(10) Any other information that the Secretary determines is necessary to ensure the protection of the public health.

''(e) TESTING.—Regulations under subsection (a)—

''(1) shall require that testing referred to in paragraphs (6) through (8) of subsection (d) be conducted by the importer of the covered product pursuant to subsection (a), or the manufacturer of the product;

''(2) shall require that if such tests are conducted by the importer, information needed to authenticate the product being tested, and to confirm that the labeling of such product complies with labeling requirements under this Act, be supplied by the manufacturer of such product to the pharmacist or wholesaler, and shall require that such information be kept in strict confidence and used only for purposes of testing under this Act; and

''(3) may include such additional provisions as the Secretary determines to be appropriate to provide for the protection of trade secrets and commercial or financial information that is privileged or confidential.

''(f) COUNTRY LIMITATION.—Regulations under subsection (a) shall provide that covered products may be imported pursuant to such subsection only from a country, union, or economic area that is listed in subparagraph (A) of section 802(b)(1) or designated by the Secretary, subject to such limitations as the Secretary determines to be appropriate to protect the public health.

''(g) SUSPENSION OF IMPORTATIONS.—The Secretary shall require that importations of specific covered products or importations by specific importers pursuant to subsection (a) be immediately suspended upon discovery of a pattern of importation of such products or by such importers that is counterfeit or in violation of any requirement pursuant to this section, until an investigation is completed and the Secretary determines that the public is adequately protected from counterfeit and violative covered products being imported pursuant to subsection (a).

''(h) PROHIBITED AGREEMENTS.—No manufacturer of a covered product may enter into a contract or agreement that includes a provision to prevent the sale or distribution of covered products imported pursuant to subsection (a).

''(i) STUDIES; REPORTS.—

''(1) STUDY BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall conduct, or contract with an entity to conduct, a study on the imports permitted pursuant to subsection (a), including consideration of the information received under subsection (d). In conducting such study, the Secretary or entity shall—

''(i) evaluate the compliance of importers with regulations under subsection (a), and the number of shipments pursuant to such subsection, if any, that have been determined to be counterfeit, misbranded, or adulterated, and determine how such compliance contrasts with the number of shipments of prescription drugs transported within the United States that have been determined to be counterfeit, misbranded, or adulterated; and

''(ii) consult with the United States Trade Representative and the Commissioner of Patents and Trademarks to evaluate the effect of importations pursuant to subsection (a) on trade and patent rights under Federal law.

''(B) REPORT.—Not later than two years after the effective date of final regulations under subsection (a), the Secretary shall prepare and submit to the Congress a report describing the findings of the study under subparagraph (A).

''(2) STUDY BY GENERAL ACCOUNTING OFFICE.—The Comptroller General of the United States shall conduct a study to determine the effect of this section on the price of covered products sold to consumers at retail. Not later than 18 months after the effective date of final regulations under subsection (a), the Comptroller General shall prepare and submit to the Congress a report describing the findings of such study.

''(j) CONSTRUCTION.—Nothing in this section shall be construed to limit the statutory, regulatory, or enforcement authority of the Secretary relating to the importation of covered products, other than with respect to section 801(d)(1) as provided in this section.

''(k) DEFINITIONS.—

''(1) COVERED PRODUCT.—

''(A) IN GENERAL.—For purposes of this section, the term 'covered product' means a prescription drug, except that such term does not include a controlled substance in schedule I, II,

or III under section 202(c) of the Controlled Substances Act or a biological product as defined in section 351 of the Public Health Service Act.

''(B) CHARITABLE CONTRIBUTIONS; PARENTERAL DRUGS.—Notwithstanding any other provision of this section, section 801(d)(1)—

''(i) continues to apply to a covered product donated or otherwise supplied for free by the manufacturer of the drug to a charitable or humanitarian organization, including the United Nations and affiliates, or to a government of a foreign country; and

''(ii) continues to apply to a covered product that is a parenteral drug the importation of which pursuant to subsection (a) is determined by the Secretary to pose a threat to the public health.

''(2) OTHER TERMS.—For purposes of this section:

''(A) The term 'importer' means a pharmacist or wholesaler.

''(B) The term 'pharmacist' means a person licensed by a State to practice pharmacy, including the dispensing and selling of prescription drugs.

''(C) The term 'prescription drug' means a drug subject to section 503(b).

''(D) The term 'qualifying laboratory' means a laboratory in the United States that has been approved by the Secretary for purposes of this section.

''(E) The term 'wholesaler' means a person licensed as a wholesaler or distributor of prescription drugs in the United States pursuant to section 503(e)(2)(A). Such term does not include a person authorized to import drugs under section 801(d)(1).

''(l) CONDITIONS.—This section shall become effective only if the Secretary demonstrates to the Congress that the implementation of this section will—

''(1) pose no additional risk to the public's health and safety; and

''(2) result in a significant reduction in the cost of covered products to the American consumer.

''(m) SUNSET.—Effective upon the expiration of the five-year period beginning on the effective date of final regulations under subsection (a), this section ceases to have any legal effect.''.

(d) PROHIBITED ACT.—

(1) IN GENERAL.—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

''(aa) The importation of a covered product in violation of section 804, the falsification of any record required to be maintained or provided to the Secretary under such section, or any other violation of regulations under such section.''.

(2) ENHANCED PENALTIES.—Section 303(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(b)) is amended by adding at the end the following:

''(6) Notwithstanding subsection (a), any person who is a manufacturer or importer of a covered product pursuant to section 804(a) and knowingly fails to comply with a requirement of section 804(e) that is applicable to such manufacturer or importer, respectively, shall be imprisoned for not more than 10 years or fined not more than $250,000, or both.''.

(e) For an additional amount for ''Salaries and expenses'', Food and Drug Administration, $23,000,000, solely to carry out the ''Medicine Equity and Drug Safety Act of 2000'', to be available only upon submission of an official budget request and justification for such amount by the President to the Congress.

SEC. 746. (a) SHORT TITLE.—This section may be cited as the ''Prescription Drug Import Fairness Act of 2000''.

(b) FINDINGS.—The Congress finds as follows:

(1) Patients and their families sometimes have reason to import into the United States drugs that have been approved by the Food and Drug Administration (''FDA'').

(2) There have been circumstances in which—

(A) an individual seeking to import such a drug has received a notice from FDA that importing the drug violates or may violate the Federal Food, Drug, and Cosmetic Act; and

(B) the notice failed to inform the individual of the reasons underlying the decision to send the notice.

(3) FDA should not send a warning notice regarding the importation of a drug without providing to the individual involved a statement of the underlying reasons for the notice.

(c) CLARIFICATION OF CERTAIN RESPONSIBILITIES OF FOOD AND DRUG ADMINISTRATION WITH RESPECT TO IMPORTATION OF PRESCRIPTION DRUGS INTO UNITED STATES.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381) is amended by adding at the end the following subsection:

''(g)(1) With respect to a prescription drug being imported or offered for import into the United States, the Secretary, in the case of an individual who is not in the business of such importations, may not send a warning notice to the individual unless the following conditions are met:

''(A) The notice specifies, as applicable to the importation of the drug, that the Secretary has made a determination that—

''(i) importation is in violation of section 801(a) because the drug is or appears to be adulterated, misbranded, or in violation of section 505;

''(ii) importation is in violation of section 801(a) because the drug is or appears to be forbidden or restricted in sale in the country in which it was produced or from which it was exported;

''(iii) importation is or appears to be in violation of section 801(d)(1); or

''(iv) importation otherwise is or appears to be in violation of Federal law.

''(B) The notice does not specify any provision described in subparagraph (A) that is not applicable to the importation of the drug.

''(C) The notice states the reasons underlying such determination by the Secretary, including a brief application to the principal facts involved of the provision of law described in subparagraph (A) that is the basis of the determination by the Secretary.

''(2) For purposes of this section, the term 'warning notice', with respect to the importation of a drug, means a communication from the Secretary (written or otherwise) notifying a person, or clearly suggesting to the person, that importing the drug for personal use is, or appears to be, a violation of this Act.''.

SEC. 747. Notwithstanding any other provision of law, the Secretary of Agriculture may not deny a loan application made pursuant to the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in Arkansas solely on the basis that—

(a) the proceeds of the loan will be used to conduct activities in a flood plain; or

(b) the loan is secured by land that is in a flood plain.

SEC. 748. Section 2111(a)(3) of the Organic Foods Production Act of 1990 (7 U.S.C. 651(a)(3)) is amended by adding after ''sulfites,'' ''except in the production of wine,''.

SEC. 749. Notwithstanding any other provision of law or regulation, hereafter, Friends of the National Arboretum, an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code incorporated in the District of Columbia, shall not be considered a prohibited source with respect to gifts to the United States National Arboretum so long as Friends of the National Arboretum remains an organization described under section 501(c)(3) of such Code and continues to conduct its operations exclusively for the benefit of the United States National Arboretum. The Secretary of Agriculture shall, within 90 days of enactment of this Act, provide the Appropriations Committees of both Houses of Congress with either a copy of a Memorandum of Understanding detailing the nature of its partnership with the Friends of the National Arboretum, or with a written explanation of why such a Memorandum of Understanding could not be achieved.

SEC. 750. None of the funds made available by this Act may be used to require an office of the Farm Service Agency that is using FINPACK on May 17, 1999, for financial planning and credit analysis, to discontinue use of FINPACK for six months from the date of enactment of this Act.

SEC. 751. Hereafter, the Secretary of Agriculture shall consider any borrower whose income does not exceed 115 percent of the median family income of the United States as meeting the eligibility requirements for a borrower contained in section 502(h)(2) of the Housing Act of 1949 (42 U.S.C. 1472(h)(2)).

SEC. 752. Effective 180 days after the date of the enactment of this Act and continuing for the remainder of fiscal year 2001 and each subsequent fiscal year, establishments in the United States that slaughter or process birds of the order Ratitae, such as ostriches, emus and rheas, and squab, for distribution in commerce as human food shall be subject to the ante mortem and post mortem inspection, reinspection, and sanitation requirements of the Poultry Products Inspection Act (21 U.S.C. 451 et seq.) rather than the voluntary poultry inspection program of the Department of Agriculture under section 203 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1622).

SEC. 753. In developing a rule concerning on-farm standards for prevention of Salmonella Enteritidis in shell eggs pursuant to any plan to eliminate Salmonella Enteritidis illnesses due to eggs, the Food and Drug Administration shall—

(a) consider one environmental test per laying cycle for each layer house for verification of the producer's Salmonella Enteritidis reduction plan;

(b) consider when it is appropriate to require diversion of shell eggs to treatment, such as pasteurization, and base any requirement for testing that would necessitate diversion, which may include the receipt of a positive egg test result, on sound science;

(c) conduct or support research to develop cost-effective and improved tests for determination of Salmonella Enteritidis; and

(d) solicit comments on appropriate options for implementing a Salmonella Enteritidis reduction plan in shell eggs, including comments on conducting and funding testing, through state and federal programs.

SEC. 754. Public Law 105–277, division A, title XI, section 1121 (112 Stat. 2681–44, 2681–45) is amended by—

(1) striking ''not later than January 1, 2000'' and inserting ''not later than January 1, 2001''; and

(2) adding the following new subsection at the end thereof—

''(d) ADDITIONAL DISBURSEMENT.—

''(1) COTTON STORED IN GEORGIA.—The State of Georgia may use funds remaining in the indemnity fund established in accordance with this section to compensate cotton producers in other States who stored cotton in the State of Georgia and incurred losses in 1998 or 1999 as the result of the events described in subsection (a).

''(2) GINNERS AND OTHERS.—The State of Georgia may also use funds remaining in the indemnity fund established in accordance with this section to compensate cotton ginners and others

in the business of producing, ginning, warehousing, buying, or selling cotton for losses they incurred in 1998 or 1999 as the result of the events described in subsection (a), if—

''(A) as of March 1, 2000, the indemnity fund has not been exhausted,

''(B) the State of Georgia provides cotton producers an additional time period prior to May 1, 2000, in which to establish eligibility for compensation under this section;

''(C) the State of Georgia determines during calendar year 2000 that all cotton producers in that State and cotton producers in other States as described in paragraph (d)(1) have been appropriately compensated for losses incurred in 1998 or 1999 as described in subsection (a); and

''(D) such additional compensation is not made available until May 1, 2000.''.

SEC. 755. The Food Security Act of 1985 is amended by inserting after section 1230 (16 U.S.C. 3830) the following:

''SEC. 1230A. GOOD FAITH RELIANCE.

''(a) IN GENERAL.—Except as provided in subsection (d) and notwithstanding any other provision of this chapter, the Secretary shall provide equitable relief to an owner or operator that has entered into a contract under this chapter, and that is subsequently determined to be in violation of the contract, if the owner or operator in attempting to comply with the terms of the contract and enrollment requirements took actions in good faith reliance on the action or advice of an authorized representative of the Secretary.

''(b) TYPES OF RELIEF.—The Secretary shall—

''(1) to the extent the Secretary determines that an owner or operator has been injured by good faith reliance described in subsection (a), allow the owner or operator to do any one or more of the following—

''(A) to retain payments received under the contract;

''(B) to continue to receive payments under the contract;

''(C) to keep all or part of the land covered by the contract enrolled in the applicable program under this chapter;

''(D) to reenroll all or part of the land covered by the contract in the applicable program under this chapter; or

''(E) or any other equitable relief the Secretary deems appropriate; and

''(2) require the owner or operator to take such actions as are necessary to remedy any failure to comply with the contract.

''(c) RELATION TO OTHER LAW.—The authority to provide relief under this section shall be in addition to any other authority provided in this or any other Act.

''(d) EXCEPTION.—This section shall not apply to a pattern of conduct in which an authorized representative of the Secretary takes actions or provides advice with respect to an owner or operator that the representative and the owner or operator know are inconsistent with applicable law (including regulations).

''(e) APPLICABILITY OF RELIEF.—Relief under this section shall be available for contracts in effect on January 1, 2000 and for all subsequent contracts.''.

SEC. 756. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking ''$20,000,000'' and inserting ''$25,000,000''.

SEC. 757. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of Agriculture's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 7 U.S.C. 2235 and used to fund management initiatives of general benefit to the Department of Agriculture bureaus and offices as determined by the Secretary of Agriculture or the Secretary's designee.

SEC. 758. The Act of August 19, 1958 (7 U.S.C. 1431 note) is amended—

(1) by striking ''clause (3) or (4) of'' the first place it appears and inserting ''the Food for Progress Act of 1985,'';

(2) by striking ''clause (3) or (4) of such'' and inserting ''the Food for Progress Act of 1985, such''; and

(3) by striking ''to the President''.

SEC. 759. Notwithstanding any other provision of law, the Sea Island Health Clinic located on Johns Island, South Carolina, shall remain eligible for assistance and funding from the Rural Development community facilities programs administered by the Department of Agriculture until such time new population data is available from the 2000 Census.

SEC. 760. Notwithstanding any other provision of law, the area bounded by West 197th Avenue, North S.W. 232nd Street, East U.S. Highway 1 and S.W. 360th Street in Dade County, Florida, shall continue to be eligible to receive business and industry guaranteed loans under section 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932) until such time that population data is available from the 2000 decennial Census.

SEC. 761. Hereafter, the Secretary of Agriculture shall consider the City of Kewanee and the City of Jacksonville, Illinois, as meeting the requirements of a rural area contained in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 762. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service shall provide funds, within discretionary amounts available, to pay the balance of the amount due pursuant to the settlement of claims associated with the Chuquatonchee Watershed Project in Mississippi to close out this project.

SEC. 763. Notwithstanding any other provision of law, the Konocti Water District, California, shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 764. Notwithstanding any other provision of law, Jefferson County, Kentucky, shall be considered to be a rural area for the purposes of the business and industry direct and guaranteed loan program authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

SEC. 765. The Secretary of Agriculture may convey, under such terms and conditions as the Secretary considers appropriate, all right, title, and interest of the United States in and to a parcel of real property consisting of approximately one acre located within the Sunnyside Subdivision in Prince George's County, Maryland, for the purpose of resolving land title claims and encroachments at the Beltsville Agricultural Research Center and for promoting public access on Sunnyside Avenue. Any funds received by the Secretary as a result of the conveyance shall be credited to and merged with the appropriations available to operate the Beltsville Agricultural Research Center and shall be available, without further appropriation, for the same purposes and for the same time period as such appropriations.

SEC. 766. Of the funds provided to carry out section 211(a) of the Agricultural Risk Protection Act of 2000 (16 U.S.C. 2820 note; Public Law 106–224), up to $500,000 shall be used solely for the State of California.

SEC. 767. The first section of the Act of March 2, 1931 (7 U.S.C. 426) is amended to read as follows:

''SECTION 1. PREDATORY AND OTHER WILD ANIMALS.

''The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before the date of the enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001.''.

SEC. 768. Section 412(d) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f(d)) is amended by striking ''title I of the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.)'' and inserting ''dairy price support operations''.

SEC. 769. Notwithstanding any other provision of law, the City of Coachella, California, shall be eligible for grants and loans administered by the rural development mission areas of the Department of Agriculture.

SEC. 770. Notwithstanding any other provision of law, the Secretary of Agriculture shall consider the City of Vicksburg, Mississippi, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 771. Notwithstanding any other provision of law, the Administrator of the Rural Utilities Service shall use the authorities provided in the Rural Electrification Act of 1936 to finance the acquisition of existing generation, transmission and distribution systems and facilities serving high cost, predominantly rural areas by entities capable of and dedicated to providing or improving service in such areas in an efficient and cost effective manner.

SEC. 772. None of the funds appropriated or otherwise made available by this Act shall be used to issue a notice of proposed rulemaking, to promulgate a proposed rule, or to otherwise change or modify the definition of ''animal'' in existing regulations pursuant to the Animal Welfare Act.

SEC. 773. Section 306(a)(19)(A) of the Consolidated Farmers Home Administration Act of 1961 is amended by inserting after ''nonprofit corporations'' the following new phrase: '', Indian tribes (as such term is defined under section 4(e) of Public Law 93–638, as amended),''.

SEC. 774. Section 2101 of the Emergency Supplemental Act, 2000 (Public Law 106–246; 114 Stat. 541) is amended—

(1) by inserting ''or prior'' after ''such outstanding''; and

(2) by inserting ''and subsequently repaid'' after ''placed under loan''.

SEC. 775. For purposes of administering Title IX of this Act, the term ''agricultural commodity'' shall also include fertilizer and organic fertilizer, except to the extent provided pursuant to Section 904 of that title.

***Sec.** 776. HAMILTON GRANGE, NEW YORK.*

(a) SENSE OF THE CONGRESS.—Congress finds that—

(1) Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

(2) Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

(3) after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

(4) the only home Hamilton ever owned, commonly known as ''the Grange'', is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

(5) the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

(6) in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

(7) the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

(8) the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

(9) no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Alexander Hamilton made an immense contribution to the United States by serving as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

SECTION 777. FINANCIAL ASSISTANCE FOR LAND ACQUISITION FOR FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE.

(a) IN GENERAL.—Section 4 of the Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999 (Public Law 106–164; 16 U.S.C. 461 note) is amneded by adding at the end the following:

''(d) LAND ACQUISITION ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide financial assistance to the management entity for acquiring lands or interests in lands within the boundaries of the historic site under subsection (b).

''(2) COST SHARING.—Financial assistance under this subsection may not be used to pay more than 50 percent of the cost of any acquisition made with the assistance.

''(3) CONDITION.—The Secretary shall require, as a condition of any assistance under this subsection, that any interest in land acquired with assistance under this subsection shall be included in and managed as part of the historic site.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of such Act is amended by inserting ''(a) IN GENERAL.— before ''There is authorized'', and by adding at the end the following:

''(b) LAND ACQUISITION ASSISTANCE.—There is authorized to be appropriated $2,500,000 to carry out section 4(d).''

TITLE VIII

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

OFFICE OF THE CHIEF INFORMATION OFFICER

COMMON COMPUTING ENVIRONMENT

For an additional amount for ''Common Computing Environment,'' $19,500,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for $19,500,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for Departmental Administration, $200,000: Provided, That this amount shall be transferred to the Small Business Administration to support two advocacy staffers to review rules and regulations relating to disasters to determine the impact of their implementation on small business entities: Provided further, That the entire amount shall be available only to the extent an official budget request for $200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $50,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent that an official budget request for $50,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

EMERGENCY CONSERVATION PROGRAM

For an additional amount for ''Emergency Conservation Program,'' for expenses resulting from natural disasters, $80,000,000, to remain available until expended: Provided, That the entire amount shall be available only to the extent an official budget request for $80,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

FEDERAL CROP INSURANCE CORPORATION FUND

For an additional amount for the Federal Crop Insurance Corporation Fund, up to $13,000,000, to provide premium discounts to purchasers of crop insurance reinsured by the Corporation (except for catastrophic risk protection coverage), as authorized under section 1102(g)(2) of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 1999 (Public Law 105–277): Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for ''Watershed and Flood Prevention Operations'', to repair damages to the waterways and watersheds, including the purchase of floodplain easements, resulting from natural disasters, $110,000,000, to remain available until expended: Provided, That of the amount made available in this section, the Secretary may use up to $2,000,000 to replace, repair and improve snow telemetry equipment impacted by fire, winds, and fire fighting efforts in order to protect watersheds: Provided further, That the entire amount shall be available only to the extent an official budget request for $110,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the Rural Community Advancement Program, $200,000,000, to remain available until expended: Provided, That of the additional amount appropriated, $50,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression: Provided further, That of the additional amount appropriated, $30,000,000 shall be to provide grants in rural communities with extremely high energy costs: Provided further, That of the additional amount appropriated, $50,000,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d), of which $25,000,000 shall be to provide assistance to areas in the State of North Carolina subject to a declaration of a major disaster as a result of Hurricane Floyd, Hurricane Dennis, or Hurricane Irene: Provided further, That of the additional amount appropriated, $70,000,000 shall be for the cost of direct loans and grants of the rural utilities programs described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d) for distribution through the national reserve, of which $30,000,000 may be used in counties which have received an emergency designation by the President or the Secretary after January 1, 2001, for applications responding to water shortages resulting from the designated emergency: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $200,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISIONS—THIS TITLE

SEC. 801. Notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), an additional $35,000,000, to remain available until expended, shall be provided through the Commodity Credit Corporation for technical assistance activities performed by any agency of the Department of Agriculture in carrying out the Conservation Reserve Program and the Wetlands Reserve Program funded by the Commodity Credit Corporation: Provided, That the entire amount shall be available only to the extent an official budget request for $35,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 802. The paragraph under the heading ''Livestock Assistance'' in chapter 1, title I of H.R. 3425 of the 106th Congress, enacted by section 1000(a)(5) of Public Law 106–113 (113 Stat. 1536) is amended by striking ''during 1999'' and inserting ''from January 1, 1999, through February 7, 2000'': Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the

request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 803. Hereafter, for the purposes of the Livestock Indemnity Program authorized in Public Law 105–18, the term ''livestock'' shall have the same meaning as the term ''livestock'' under section 104 of Public Law 106–31.

SEC. 804. Notwithstanding any other provision of law, the Secretary of Agriculture may use the funds, facilities and authorities of the Commodity Credit Corporation to administer and make payments for losses not otherwise compensated to: (a) compensate growers whose crops could not be sold due to Mexican fruit fly quarantines in San Diego and San Bernardino/Riverside counties in California since their imposition on November 16, 1999, and September 10, 1999, respectively; (b) compensate growers in relation to the Secretary's ''Declaration of Extraordinary Emergency'' on March 2, 2000, regarding the plum pox virus; (c) compensate growers for losses due to Pierce's disease; (d) compensate growers for losses due to watermelon sudden wilt disease; and (e) compensate growers for losses incurred due to infestations of grasshoppers and Mormon crickets: Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 805. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation to make and administer supplemental payments to dairy producers who received a payment under section 805 of Public Law 106–78 and to new dairy producers. Such payment, per unit of production used in such prior payments, shall be in an amount equal to 35 percent of the reduction in market value per unit of milk production in 2000, as determined by the Secretary, based, to the extent practicable, on price estimates as of the date of enactment of this Act, from the previous 5-year average and on the base production of the producer used to make a payment under section 805 of Public Law 106–78: Provided, That these funds shall be available until September 30, 2001: Provided further, That the Secretary shall make payments to producers under this section in a manner consistent with and subject to the same limitations on payments and eligible production which were applicable to the payments that were made to dairy producers under section 805 of Public Law 106–78, except that a producer may be paid for production up to 39,000 cwt: Provided further, That the Secretary shall also make payments to new dairy producers at the same per unit rate: Provided further, That for any dairy producers, including new dairy producers, whose base production was less than twelve months for purposes of section 805 of Public Law 106–78, the producer's base production for the purposes of payments under this section may be, at the producer's option, the production of that producer in the twelve months preceding the enactment of this section or the producer's base production under the program carried out under section 805 of Public Law 106–78 subject to such limitations which are applicable to other producers: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 806. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation in an amount equal to $490,000,000 to make and administer payments for livestock losses using the criteria established to carry out the 1999 Livestock Assistance Program (except for application of the national percentage reduction factor) to producers for 2000 losses in a county which has received an emergency designation by the President or the Secretary after January 1, 2000, and shall be available until September 30, 2001: Provided, That the Secretary shall give consideration to the effect of recurring droughts in establishing the level of payments to producers under this section: Provided further, That of the funds made available by this section, up to $40,000,000 may be used to carry out the Pasture Recovery Program: Provided further, That the payments to a producer made available through the Pasture Recovery Program shall be no less than 65 percent of the average cost of reseeding: Provided further, That of the funds made available, the Secretary shall use not more than $12,000,000 to carry out the American Indian Livestock Feed Program: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for $490,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 807. In using amounts made available under section 801(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (7 U.S.C. 1421 note; Public Law 106–78), or under the matter under the heading ''CROP LOSS ASSISTANCE'' under the heading ''COMMODITY CREDIT CORPORATION FUND'' of H.R. 3425 of the 106th Congress, as enacted by section 1001(a)(5) of Public Law 106–113 (113 Stat. 1536, 1501A–289), to provide emergency financial assistance to producers on a farm that have incurred losses in a 1999 crop due to a disaster, the Secretary of Agriculture shall consider nursery stock losses caused by Hurricane Irene on October 16 and 17, 1999, to be losses to the 1999 crop of nursery stock: Provided, That such sums shall also be available to provide additional compensation to eligible agriculture producers of 1999 crop year citrus fruit for losses incurred due to the December 1998 freeze in California: Provided further, That such additional compensation, together with compensation previously provided by the Secretary of Agriculture for such losses does not exceed the level of compensation such producers would have received if such losses had occurred during the 1998 crop year: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount necessary to carry out this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 808. Notwithstanding section 1237(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3837(b)(1)), the Secretary of Agriculture may permit the enrollment of not to exceed 1,075,000 acres in the Wetlands Reserve Program: Provided, That notwithstanding section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i), such sums as may be necessary, to remain available until expended, shall be provided through the Commodity Credit Corporation for technical assistance activities performed by any agency of the Department of Agriculture in carrying out this section: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 809. In addition to other compensation paid by the Secretary of Agriculture, the Secretary shall compensate, for economic losses not otherwise compensated, or otherwise seek to make whole, from funds of the Commodity Credit Corporation, not to exceed $2,400,000, the owners of all sheep destroyed from flocks within the period ending 20 days after the date of enactment of this Act under the Secretary's declarations of July 14, 2000, for lost income, or other business interruption losses, due to actions of the Secretary with respect to such sheep: Provided, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 810. (a) The Secretary of Agriculture shall pay Florida commercial citrus and lime growers $26 for each commercial citrus or lime tree removed to control citrus canker in order to allow for tree replacement and associated business costs. Payments under this subsection shall be capped in accordance with the following trees per acre limitations:

(1) in the case of grapefruit, 104 trees per acre;

(2) in the case of valencias, 123 trees per acre;

(3) in the case of navels, 118 trees per acre;

(4) in the case of tangelos, 114 trees per acre;

(5) in the case of limes, 154 trees per acre; and

(6) in the case of other or mixed citrus, 104 trees per acre.

(b) The Secretary of Agriculture shall compensate Florida commercial citrus and lime growers for lost production, as determined by the Secretary of Agriculture, with respect to trees removed to control citrus canker.

(c) To receive assistance under this section, a tree referred to in subsection (a) or (b) must have been removed after January 1, 1986, and before September 30, 2001.

(d) In the case of a removed tree that was covered by a crop insurance tree policy, compensation for lost production under subsection (b) with respect to such a tree shall be reduced by the indemnity received with respect to such a tree. In the case of a removed tree that was not covered by a crop insurance tree policy, although such insurance was available for the

tree, compensation for lost production under subsection (b) with respect to such a tree shall be reduced by 5 percent.

(e) The Secretary of Agriculture shall use $58,000,000 of the funds of the Commodity Credit Corporation to carry out this section, to remain available until expended.

(f) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement under the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 811. Notwithstanding any other provision of law, the Secretary of Agriculture shall use $100,000,000 of Commodity Credit Corporation funds, to remain available until expended, to make payments to apple producers to provide relief for the loss of markets: Provided, That the amount of payment to each producer shall be made on a per pound basis equal to each qualifying producer's 1998 and 1999 production of apples: Provided further, That the grower shall establish eligibility for the amount of market loss payment upon either of the two crop years or an average of the two years: Provided further, That the Secretary shall not make payments for that amount of a particular farm's apple production that is in excess of 1.6 million pounds: Provided further, That in addition to the assistance provided under this section, the Secretary of Agriculture shall use $38,000,000 of Commodity Credit Corporation funds, to remain available until expended, to make payments to apple and potato producers to compensate them for quality losses to either or both their 1999 and 2000 crops due to fireblight or weather-related disaster, including but not limited to a hurricane or hail: Provided further, That these payments shall be made regardless of whether a crop was harvested and without limit: Provided further, That the producer shall be ineligible for payments under this section with respect to a market loss for apples or a quality loss for apples or potatoes to the extent of that amount that the producer received as compensation or assistance for the loss under any other Federal program, other than the Federal Crop Insurance Program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.): Provided further, That the Secretary shall not establish any terms or conditions for grower eligibility, such as limits based upon gross income, other than those in this section: Provided further, That the assistance made available under this section for an eligible producer shall be made as soon as practicable after the enactment of this Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 812. (a) NONRECOURSE MARKETING ASSISTANCE LOANS.—

(1) The Secretary shall use funds of the Commodity Credit Corporation to make nonrecourse marketing assistance loans available to producers of the 2000 crop of honey.

(2) The loan rate for a marketing assistance loan under paragraph (1) for honey shall be 65 cents per pound.

(3) The Secretary shall permit producers to repay a marketing assistance nonrecourse loan under paragraph (1) at a rate that is the lesser of—

(A) the loan rate for honey, plus interest (as determined by the Secretary); or

(B) the prevailing domestic market price for honey, as determined by the Secretary.

(b) LOAN DEFICIENCY PAYMENTS.—

(1) The Secretary may make loan deficiency payments available to any producer of honey that, although eligible to obtain a marketing assistance loan under subsection (a), agrees to forgo obtaining the loan in return for a payment under this subsection.

(2) A loan deficiency payment under this subsection shall be determined by multiplying—

(A) the loan payment rate determined under paragraph (3); by

(B) the quantity of honey that the producer is eligible to place under loan, but for which the producer forgoes obtaining the loan in return for a payment under this subsection.

(3) For the purposes of this subsection, the loan payment rate shall be the amount by which—

(A) the loan rate established under subsection (a)(2); exceeds

(B) the rate at which a loan may be repaid under subsection (a)(3).

(c) In order to provide an orderly transition to the loans and payments provided under this section, the Secretary shall convert recourse loans for the 2000 crop of honey outstanding on the date of enactment of this Act to nonrecourse marketing assistance loans under subsection (a).

(d) LIMITATIONS.—

(1) The marketing assistance loan gains and loan deficiency payments that a person may receive for the 2000 crop of honey under this section shall be subject to the same limitations that apply to marketing assistance loans and loan deficiency payments received by producers of the same crop of other agricultural commodities.

(2) The Secretary shall carry out this section in such a manner as to minimize forfeitures of honey marketing assistance loans.

(e) The Secretary shall make loans and loan deficiency payments under this section available to producers beginning not later than 30 days after the date of enactment of this Act.

(f) In the case of a producer that marketed or redeemed, before, on, or within 30 days after the date of the enactment of this Act, a quantity of an eligible 2000 crop for which the producer has not received a loan deficiency payment or marketing loan gain under this section, the producer shall be eligible to receive a payment from the Secretary of Agriculture under this section in an amount equal to the payment or gain that the producer would have received for that quantity of eligible production as of the date on which the producer lost beneficial interest in the quantity or redeemed the quantity, as determined by the Secretary.

(g) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 813. The Secretary shall use up to $10,000,000 of the funds of the Commodity Credit Corporation to make livestock indemnity payment to producers on a farm that have incurred livestock losses during calendar year 2000 due to a disaster, as determined by the Secretary, including losses due to fires and anthrax: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 814. The Secretary shall use the funds, facilities and authorities of the Commodity Credit Corporation, not to exceed $20,000,000, to make payments directly to producers of wool, and producers of mohair, for the 2000 marketing year: Provided, That the payment rate for producers of wool and mohair shall be equal to $0.40 per pound: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 815. (a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), including using the same loss thresholds for quantity and economic losses as were used in administering that section.

(2) LOSS THRESHOLDS FOR QUALITY LOSSES.—In the case of a payment for quality loss for a crop under subsection (c)(2), the loss thresholds for quality loss for the crop shall be determined under subsection (d).

(c) QUALIFYING LOSSES.—Assistance under this section may be made available for losses due to damaging weather or related condition (including losses due to crop diseases and insects) associated with crops that are, as determined by the Secretary—

(1) quantity losses for the 2000 crop;

(2) quality losses for the 2000 crop; or

(3) severe economic losses for the 2000 crop.

(d) QUALITY LOSSES.—

(1) AMOUNT OF QUALITY LOSS.—The amount of a quality loss for a crop of producers on a farm under subsection (c)(2) shall be equal to the difference between—

(A) the per unit market value of the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(B) the per unit market value of the units of the crop affected by the quality loss.

(2) AMOUNT OF QUALITY LOSS PAYMENT.—Subject to paragraph (3), the amount of a payment made to producers on a farm for a quality loss for a crop under subsection (c)(2) shall be equal to the amount obtained by multiplying—

(A) 65 percent of the quantity of the crop affected by the quality loss that was produced on the farm; by

(B) 65 percent of the per unit quality loss for the crop determined under paragraph (1).

(3) ELIGIBILITY.—For producers on a farm to be eligible to obtain a payment for a quality loss

for a crop under subsection (c)(2), the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be at least 20 percent of the value that all production of the crop would have had if the crop had not suffered a quality loss.

(e) CROPS COVERED.—Assistance under this section shall be applicable to losses for all crops, as determined by the Secretary, due to disasters, including—

(1) irrigated crops that, due to lack of water or contamination by saltwater intrusion of an irrigation supply resulting from drought conditions, were planted and suffered a loss or were prevented from being planted;

(2) pecans; and

(3) nursery losses in the State of Florida that occur, because of disaster, during the period beginning on October 1, 2000, and ending on December 31, 2000. Calculations of the amount of such losses shall be made independently of other losses of the producer, and such losses shall be subject to a separate limit on payment amounts as may otherwise apply. Any payment under this section for such losses shall for all purposes, present and future, be considered to be a 2000 crop payment, and such compensated losses shall be ineligible for any assistance that may become available for 2001 crop losses.

(f) CROP INSURANCE.—In carrying out this section, the Secretary shall not discriminate against or penalize producers on a farm that have purchased crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(g) LIMITATION ON PAYMENTS FOR MULTIPLE LOSSES ON SAME ACREAGE.—Notwithstanding subsection (d), a producer may not receive assistance under this section for losses to more than 2000 crop on the same acreage unless there is an established practice of planting two or more crops for harvest on such acreage in the same crop year, as determined by the Secretary. The Secretary shall give a producer that is not covered by the exception in the previous sentence an opportunity to designate the 2000 crop for which the producer requests assistance under this section.

(h) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 816. Of the amounts made available to the Secretary for the purchase of specialty crops under sections 203(d) and 261(a)(2) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224), the Secretary shall use not less than $30,000,000 to purchase cranberry juice concentrate and frozen cranberry fruit: Provided, That section 203(d)(1) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224) is amended by inserting ''or cranberry products (including cranberry juice concentrate and frozen cranberry fruit)'' after ''cranberries'': Provided further, That in this section, the term ''farm unit'' means a separate and distinct farming operation that reports independent production information to the Cranberry Marketing Committee: Provided further, That to provide assistance for loss of markets for cranberries, the Secretary shall use $20,000,000 of funds of the Commodity Credit Corporation to make payments to cranberry producers: Provided further, That subject to this section and such other terms and conditions as are determined by the Secretary, a payment under this section shall be made on the basis of the quantity of the 1999 crop of cranberries that was produced on each farm unit: Provided further, That the maximum quantity of the 1999 crop of cranberries for which producers are eligible for a payment for a farm unit under this section shall be 1,600,000 pounds: Provided further, That subject to this section, the Secretary shall take such actions as are necessary to ensure that payments made under this section do not duplicate payments provided under other Federal programs for the same loss: Provided further, That this shall not apply to an indemnity provided under a policy or plan of insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.): Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 817. Section 1232(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(4)) is amended—

(1) by striking ''except that such'' and inserting ''except that—

''(A) such'';

(2) by inserting ''and'' after the semicolon at the end; and

(3) by adding at the end the following:

''(B) the Secretary shall not terminate the contract for failure to establish approved vegetative or water cover on the land if—

''(i) the failure to plant such cover was due to excessive rainfall or flooding;

''(ii) the land subject to the contract that could practicably be planted to such cover is planted to such cover; and

''(iii) the land on which the owner or operator was unable to plant such cover is planted to such cover after the wet conditions that prevented the planting subsides;''.

SEC. 818. (a) Section 353(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2001(e)) is amended by adding at the end the following:

''(7) FINANCING OF RECAPTURE PAYMENT.—

''(A) IN GENERAL.—The Secretary may amortize a recapture payment owed to the Secretary under this subsection.

''(B) TERM.—The term of an amortization under this paragraph may not exceed 25 years.

''(C) INTEREST RATE.—

''(i) IN GENERAL.—The interest rate applicable to an amortization under this paragraph may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.

''(ii) EXISTING AMORTIZATIONS AND LOANS.—The interest rate applicable to an amortization or loan made by the Secretary before the date of enactment of this paragraph to finance a recapture payment owed to the Secretary under this subsection may not exceed the rate applicable to a loan to reacquire homestead property less 100 basis points.''.

(b) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 819. The Secretary of Agriculture shall use up to $2,500,000 of the funds of the Commodity Credit Corporation to provide financial assistance to the State of South Carolina to capitalize the South Carolina Grain Dealers Guaranty Fund: Provided, That these funds shall only be available if the State of South Carolina provides an equal amount in the form of a grant to the South Carolina Grain Dealers Guaranty Fund: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 820. (a) The Secretary of Agriculture may use funds made available under sections 211(a) and 211(b), and 133(b) of the Agricultural Risk Protection Act of 2000 to provide technical assistance to farmers and ranchers for the purposes described in sections 211(a) and 211(b), and 133(b) of that Act; and

(b) The Secretary of Agriculture may use funds made available under section 211(b) of the Agricultural Risk Protection Act of 2000 (16 U.S.C. 3830 note; Public Law 106–224) to provide additional funding for the Wildlife Habitat Incentive Program established under section 387 of the Federal Agriculture Improvement and Reform Act of 1996 in such sums as the Secretary considers necessary to carry out that program.

(c) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 821. Section 19(a)(1)(A) of the Food Stamp Act of 1977 (7 U.S.C. 2028(a)(1)(A)) is amended by striking ''Puerto Rico'' and all that follows through ''2002, to finance'' and inserting ''Puerto Rico—

''(i) for fiscal year 2000, $1,268,000,000;

''(ii) for fiscal year 2001, the amount required to be paid under clause (i) for fiscal year 2000, as adjusted by the change in the Food at Home series of the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor, for the most recent 12-month period ending in June; and

''(iii) for fiscal year 2002, the amount required to be paid under clause (ii) for fiscal year 2001, as adjusted by the percentage by which the thrifty food plan is adjusted for fiscal year 2002 under section 3(o)(4);

to finance''.

SEC. 822. Notwithstanding any other provision of law, the Secretary of Agriculture shall make a payment in the amount $7,200,000 to the State of Hawaii from the Commodity Credit Corporation for assistance to an agricultural transportation cooperative in Hawaii, the members of which are eligible to participate in the Farm Service Agency administered Commodity Loan Program and have suffered extraordinary market losses due to unprecedented low prices: Provided, That the entire amount shall be available only to the extent an official budget request for $7,200,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget

and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 823. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Long Park Dam in Utah from funds available for the Emergency Watershed Program, not to exceed $4,500,000.

SEC. 824. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Kuhn Bayou (Point Remove) Project in Arkansas from funds available for the Emergency Watershed Program, not to exceed $3,300,000.

SEC. 825. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the Snake River Watershed project in Minnesota from funds available for the Emergency Watershed Program, not to exceed $4,000,000.

SEC. 826. Of the funds made available for the Emergency Watershed Protection Program activities in the State of North Carolina, $1,000,000 shall be available to the Secretary of Agriculture, acting through the Natural Resources Conservation Service, to provide technical and financial assistance for implementation of the project known as the ''Flood Water Mitigation and Stream Restoration Project'', Princeville, North Carolina.

SEC. 827. Notwithstanding any other provision of law, funds paid to oyster producers in the State of Connecticut under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, as contained in the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277) shall be retained by such producers.

SEC. 828. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to DuPage County, Illinois, from funds available for the Emergency Watershed Program, not to exceed $1,100,000.

SEC. 829. Subtitle G, Section 262 of Public Law 106–224 is amended as follows: After ''obligate'', strike ''and expend''.

SEC. 830. Any funds appropriated by Cerro Grande Fire Supplemental as contained in Public Law 106–246 for the Emergency Conservation Program not required to meet the purposes of rehabilitating farmland damaged from fires which resulted from prescribed burnings conducted by the Federal Government may be used by the Secretary of Agriculture for activities mandated under the Emergency Conservation Program authorized under section 401 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201) consistent with the cost-share requirements of that program: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 831. Notwithstanding any other provision of law, for technical and financial assistance up to $120,000 shall be made available from the Emergency Watershed Program for the Camp Lejeune Project on the Camp Lejeune Marine Base, North Carolina.

SEC. 832. Funds appropriated by this Act and Public Law 106–113 to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans and emergency loans may be transferred among these programs with the prior approval of the Committees on Appropriations of both Houses of Congress: Provided, That the entire amount shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 833. Section 321(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(b)) is amended by adding at the end the following:

''(3) LOANS TO POULTRY FARMERS.—

''(A) INABILITY TO OBTAIN INSURANCE.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subtitle, the Secretary may make a loan to a poultry farmer under this subtitle to cover the loss of a chicken house for which the farmer did not have hazard insurance at the time of the loss, if the farmer—

''(I) applied for, but was unable, to obtain hazard insurance for the chicken house;

''(II) uses the loan to rebuild the chicken house in accordance with industry standards in effect on the date the farmer submits an application for the loan (referred to in this paragraph as 'current industry standards');

''(III) obtains, for the term of the loan, hazard insurance for the full market value of the chicken house; and

''(IV) meets the other requirements for the loan under this subtitle.

''(ii) AMOUNT.—Subject to the limitation contained in section 324(a)(2), the amount of a loan made to a poultry farmer under clause (i) shall be an amount that will allow the farmer to rebuild the chicken house in accordance with current industry standards.

''(B) LOANS TO COMPLY WITH CURRENT INDUSTRY STANDARDS.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subtitle, the Secretary may make a loan to a poultry farmer under this subtitle to cover the loss of a chicken house for which the farmer had hazard insurance at the time of the loss, if—

''(I) the amount of the hazard insurance is less than the cost of rebuilding the chicken house in accordance with current industry standards;

''(II) the farmer uses the loan to rebuild the chicken house in accordance with current industry standards;

''(III) the farmer obtains, for the term of the loan, hazard insurance for the full market value of the chicken house; and

''(IV) the farmer meets the other requirements for the loan under this subtitle.

''(ii) AMOUNT.—Subject to the limitation contained in section 324(a)(2), the amount of a loan made to a poultry farmer under clause (i) shall be the difference between—

''(I) the amount of the hazard insurance obtained by the farmer; and

''(II) the cost of rebuilding the chicken house in accordance with current industry standards.''.

SEC. 834. For an additional amount for grants under sections 231(a) and 261(a)(2) of the Agricultural Risk Protection Act of 2000, $10,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 835. For an additional amount for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under section 310B(a)(1) of the Consolidated Farm and Rural Development Act, $10,000,000: Provided, That the entire amount shall be available only to the extent an official budget request for $10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 836. Section 156(e) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(e)) is amended—

(1) in paragraph (1)—

(A) by striking ''recourse'' each place that it appears and inserting ''nonrecourse''; and

(B) by striking ''Subject to paragraph (2), the'' and inserting ''The'';

(2) by striking paragraph (2);

(3) by re-designating paragraph (3) as paragraph (2); and

(4) in paragraph (2) as so re-designated, by striking ''If'' through ''shall'' in the first sentence and inserting ''The Secretary shall''.

SEC. 837. Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308 (1)), the total amount of the payments specified in section 1001(3) of that Act or section 812 of this Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for one or more contract commodities, oilseeds and for honey under section 812 of this Act produced during the 2000 crop year may not exceed $150,000: Provided, That in carrying out this section, the Secretary shall allow a producer that has marketed or redeemed a quantity of an eligible 2000 crop for which the producer has not received a loan deficiency payment or marketing loan gain under section 134 or 135 of the Agricultural Market Transition Act (7 U.S.C. 7234, 7235) or section 812 of this Act to receive such payment or gain as of the date on which the quantity was marketed or redeemed, as determined by the Secretary.

SEC. 838. Notwithstanding any other provision of law, the Secretary shall extend until the date that is 60 days after the date of enactment of this Act the final eligibility date for marketing assistance loans and loan deficiency payments under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) for rice of special grade designations, as determined by the Secretary, that was made eligible for the loans by the Secretary during December 1999; and for which producers were not notified of the eligibility period for the loans: Provided, That producers on a farm that lost a beneficial interest in rice after the date on which the rice was made ineligible for loans and loan deficiency payments by the Secretary shall be eligible to obtain loan deficiency payments based on the payment rate that was in effect on the last date of eligibility for the loans before the date of enactment of this Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is

transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 839. Notwithstanding any other provision of law, the Secretary of Agriculture may enter into contracts with livestock producers for the purpose of controlling the buildup of grasses, forbs and other natural fuels that contribute to the threat of wildfire on rangelands administered by the Secretary: Provided, That such contracts are provided from within discretionary funds.

SEC. 840. As soon as practicable after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall issue such regulations as are necessary to implement sections 804, 805, 806, 809, 810, 811, 812, 814, 815, 816, 836, 837, 838, 839, 841, 843, 844, and 845 of this title: Provided, That the issuance of the regulations shall be made without regard to: (1) the notice and comment provisions of section 553 of title 5, United States Code; (2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''): Provided further, That in carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 841. The Secretary of Agriculture shall use funds of the Commodity Credit Corporation to make a payment to each eligible person described in section 204(b)(1)(A) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224) without regard to section 204(b)(1)(A)(ii) of that Act: Provided, That the Secretary shall make a payment to an eligible person described in this section in the same amount as is payable to an eligible person under section 204 of that Act: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 842. Payments made from amounts appropriated pursuant to this title shall not be subject to administrative offset, including administrative offset under chapter 37 of title 31, United States Code.

SEC. 843. The Secretary of Agriculture shall use not more than $20,000,000 of funds of the Commodity Credit Corporation to make payments to producers of tomatoes, pears, peaches, and apricots that were unable to market the crops of the producers because of the insolvency of an agriculture cooperative in the State of California: Provided, That the amount of a payment made to a producer under this subsection shall not exceed 50 percent of the contract value of the unmarketed crop referred to in this section: Provided further, That the entire amount necessary to carry out this section shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 844. LOAN FORFEITURES OF BURLEY TOBACCO.

(a) IN GENERAL.—Notwithstanding sections 106 through 106B of the Agricultural Act of 1949 (7 U.S.C. 1445 through 1445–2)—

(1) a producer-owned cooperative marketing association may fully settle a loan made for the 1999 crop of Burley tobacco by forfeiting to the Commodity Credit Corporation the Burley tobacco covered by the loan regardless of the condition of the tobacco;

(2) any losses to the Commodity Credit Corporation as a result of paragraph (1)—

(A) shall not be charged to the No Net Cost Tobacco Account; and

(B) shall not affect the amount of any assessment imposed against Burley or any other kind of tobacco under sections 106 through 106B of the Agricultural Act of 1949 (7 U.S.C. 1445 through 1445-2); and

(3) any tobacco forfeited pursuant to this section shall not be—

(A) counted for the purpose of determining the Burley tobacco quota for any year pursuant to section 319 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e); or

(B) sold for use in the United States.

(b) EMERGENCY REQUIREMENT.—

(1) The entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 845. COMMODITY ELIGIBILITY ASSISTANCE.

(a) IN GENERAL.—Section 3720B(a) of title 31, United States Code, is amended in the first sentence by inserting ''or a marketing assistance loan or loan deficiency payment under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.)'' after ''disaster loan''.

(b) PAYMENTS.—Any payment made by the Commodity Credit Corporation to a producer as a result of the amendment made by section (a) shall be credited toward any delinquent debt owed by the producer to the Farm Service Agency.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) takes effect on the date of enactment of this Act.

(2) TRANSITION LOAN DEFICIENCY PAYMENTS.—If the producers on a farm lost beneficial interest in a crop during the period beginning March 21, 2000, and ending on the day before the date of enactment of this Act and were ineligible for a marketing assistance loan under subtitle C of the Agricultural Market Transition Act (7 U.S.C. 7231 et seq.) because of section 3720B(a) of title 31, United States Code, as in effect before the amendment made by subsection (a), the producers shall be eligible for any loan deficiency payment under subtitle C of that Act that was available on the date on which the producers lost beneficial interest in the crop.

(d)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amedned, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 846. MAXIMUM AMOUNT OF EXCESS SHELTER EXPENSE DEDUCTION.

(a) AMENDMENT.—Section 5(e)(7)(B) of the Food Stamp Act of 1977 (7 U.S.C. 2014(e)(7)(B)) is amended by striking clauses (iii) and (iv) and inserting the following:

''(iii) for fiscal year 1999, $275, $478, $393, $334, and $203 per month, respectively;

''(iv) for fiscal year 2000, $280, $483, $398, $339, and $208 per month, respectively;

''(v) for fiscal year 2001, $340, $543, $458, $399, and $268 per month, respectively; and

''(vi) for fiscal year 2002 and each subsequent fiscal year, the applicable amount during the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) EFFECTIVE DATE; APPLICATION OF AMENDMENT.—(1) Except as provided in paragraph (2), the amendment made by this section shall take effect on March 1, 2001.

(2) The amendment made by this section shall not apply with respect to certification periods beginning before March 1, 2001.

(c)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

SEC. 847. VEHICLE ALLOWANCE.

(a) IN GENERAL.—Section 5(g)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(g)(2)) is amended—

(1) in subparagraph (B)(iv)—

(A) by striking ''subparagraph (C)'' and inserting ''subparagraphs (C) and (D)''; and

(B) by striking ''to the extent that'' and all that follows through the end of the clause and inserting ''to the extent that the fair market value of the vehicle exceeds $4,650; and''; and

(2) by adding at the end the following:

''(D) ALTERNATIVE VEHICLE ALLOWANCE.—If the vehicle allowance standards that a State agency uses to determine eligibility for assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) would result in a lower attribution of resources to certain households than under subparagraph (B)(iv), in lieu of applying subparagraph (B)(iv), the State agency may elect to apply the State vehicle allowance standards to all households that would incur a lower attribution of resources under the State vehicle allowance standards.''.

(b) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on July 1, 2001.

(2) The amendments made by this section shall not apply with respect to certification periods beginning before July 1, 2001.

(c)(1) The entire amount necessary to carry out this section shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

(2) The entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TITLE IX—TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT

SEC. 901. SHORT TITLE.

This title may be cited as the ''Trade Sanctions Reform and Export Enhancement Act of 2000''.

SEC. 902. DEFINITIONS.

In this title:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(A) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

(B) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) any program administered under the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.);

(D) the dairy export incentive program administered under section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14);

(E) any commercial export sale of agricultural commodities; or

(F) any export financing (including credits or credit guarantees) provided by the United States Government for agricultural commodities.

(3) JOINT RESOLUTION.—The term ''joint resolution'' means—

(A) in the case of section 903(a)(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 903(a)(1) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 903(a)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000, transmitted on _____.'', with the blank completed with the appropriate date; and

(B) in the case of section 906(1), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under section 906(2) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section 906(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000, transmitted on _____.'', with the blank completed with the appropriate date.

(4) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

(7) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to—

(A) a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures; or

(B) a mandatory decision of the United Nations Security Council.

SEC. 903. RESTRICTION.

(a) NEW SANCTIONS.—Except as provided in sections 904 and 905 and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity, unless—

(1) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(A) describes the activity proposed to be prohibited, restricted, or conditioned; and

(B) describes the actions by the foreign country or foreign entity that justify the sanction; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

(b) EXISTING SANCTIONS.—The President shall terminate any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act.

SEC. 904. EXCEPTIONS.

Section 903 shall not affect any authority or requirement to impose (or continue to impose) a sanction referred to in section 903—

(1) against a foreign country or foreign entity—

(A) pursuant to a declaration of war against the country or entity;

(B) pursuant to specific statutory authorization for the use of the Armed Forces of the United States against the country or entity;

(C) against which the Armed Forces of the United States are involved in hostilities; or

(D) where imminent involvement by the Armed Forces of the United States in hostilities against the country or entity is clearly indicated by the circumstances; or

(2) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(A) controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778);

(B) controlled on any control list established under the Export Administration Act of 1979 or any successor statute (50 U.S.C. App. 2401 et seq.); or

(C) used to facilitate the development or production of a chemical or biological weapon or weapon of mass destruction.

SEC. 905. TERMINATION OF SANCTIONS.

Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in section 903(a) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(1) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing—

(A) the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years; and

(B) the request of the President for approval by Congress of the recommendation; and

(2) there is enacted into law a joint resolution stating the approval of Congress for the report submitted under paragraph (1).

SEC. 906. STATE SPONSORS OF INTERNATIONAL TERRORISM.

(a) REQUIREMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of this title (other than section 904), the export of agricultural commodities, medicine, or medical devices to Cuba or to the government of a country that has been determined by the Secretary of State to have repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. app. 2405(j)(1)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)), or to any other entity in such a country, shall only be made pursuant to one-year licenses issued by the United States Government for contracts entered into during the one-year period of the license and shipped within the 12-month period beginning on the date of the signing of the contract, except that the requirements of such one-year licenses shall be no more restrictive than license exceptions administered by the Department of Commerce or general licenses administered by the Department of the Treasury, except that procedures shall be in place to deny licenses for exports to any entity within such country promoting international terrorism.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to the export of agricultural commodities, medicine, or medical devices to the Government of Syria or to the Government of North Korea.

(b) QUARTERLY REPORTS.—The applicable department or agency of the Federal Government shall submit to the appropriate congressional committees on a quarterly basis a report on any activities undertaken under subsection (a)(1) during the preceding calendar quarter.

(c) BIENNIAL REPORTS.—Not later than two years after the date of enactment of this Act, and every two years thereafter, the applicable department or agency of the Federal Government shall submit a report to the appropriate congressional committees on the operation of the licensing system under this section for the preceding two-year period, including—

(1) the number and types of licenses applied for;

(2) the number and types of licenses approved;

(3) the average amount of time elapsed from the date of filing of a license application until the date of its approval;

(4) the extent to which the licensing procedures were effectively implemented; and

(5) a description of comments received from interested parties about the extent to which the licensing procedures were effective, after the applicable department or agency holds a public 30-day comment period.

SEC. 907. CONGRESSIONAL PROCEDURES.

(a) REFERRAL OF REPORT.—A report described in section 903(a)(1) or 905(1) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(b) REFERRAL OF JOINT RESOLUTION.—

(1) IN GENERAL.—A joint resolution introduced in the Senate shall be referred to the Committee on Foreign Relations, and a joint resolution introduced in the House of Representatives shall be referred to the Committee on International Relations.

(2) REPORTING DATE.—A joint resolution referred to in paragraph (1) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

SEC. 908. PROHIBITION ON UNITED STATES ASSISTANCE AND FINANCING.

(a) PROHIBITION ON UNITED STATES ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no United States Government assistance, including United States foreign assistance, United States export assistance, and any United States credit or guarantees shall be available for exports to Cuba or for commercial exports to Iran, Libya, North Korea, or Sudan.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to alter, modify, or

otherwise affect the provisions of section 109 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039) or any other provision of law relating to Cuba in effect on the day before the date of the enactment of this Act.

(3) WAIVER.—The President may waive the application of paragraph (1) with respect to Iran, Libya, North Korea, and Sudan to the degree the President determines that it is in the national security interest of the United States to do so, or for humanitarian reasons.

(b) PROHIBITION ON FINANCING OF AGRICULTURAL SALES TO CUBA.—

(1) IN GENERAL.—No United States person may provide payment or financing terms for sales of agricultural commodities or products to Cuba or any person in Cuba, except in accordance with the following terms (notwithstanding part 515 of title 31, Code of Federal Regulations, or any other provision of law):

(A) Payment of cash in advance.

(B) Financing by third country financial institutions (excluding United States persons or Government of Cuba entities), except that such financing may be confirmed or advised by a United States financial institution.

Nothing in this paragraph authorizes payment terms or trade financing involving a debit or credit to an account of a person located in Cuba or of the Government of Cuba maintained on the books of a United States depository institution.

(2) PENALTIES.—Any private person or entity that violates paragraph (1) shall be subject to the penalties provided in the Trading With the Enemy Act for violations under that Act.

(3) ADMINISTRATION AND ENFORCEMENT.—The President shall issue such regulations as are necessary to carry out this section, except that the President, in lieu of issuing new regulations, may apply any regulations in effect on the date of the enactment of this Act, pursuant to the Trading With the Enemy Act, with respect to the conduct prohibited in paragraph (1).

(4) DEFINITIONS.—In this subsection—

(A) the term ''financing'' includes any loan or extension of credit;

(B) the term ''United States depository institution'' means any entity (including its foreign branches or subsidiaries) organized under the laws of any jurisdiction within the United States, or any agency, office or branch located in the United States of a foreign entity, that is engaged primarily in the business of banking (including a bank, savings bank, savings association, credit union, trust company, or United States bank holding company); and

(C) the term ''United States person'' means the Federal Government, any State or local government, or any private person or entity of the United States.

SEC. 909. PROHIBITION ON ADDITIONAL IMPORTS FROM CUBA.

Nothing in this title shall be construed to alter, modify, or otherwise affect the provisions of section 515.204 of title 31, Code of Federal Regulations, relating to the prohibition on the entry into the United States of merchandise that (1) is of Cuban origin, (2) is or has been located in or transported from or through Cuba, or (3) is made or derived in whole or in part of any article which is the growth, produce, or manufacture of Cuba.

SEC. 910. REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA.

(a) AUTHORIZATION OF TRAVEL RELATING TO COMMERCIAL SALE OF AGRICULTURAL COMMODITIES.—The Secretary of the Treasury shall promulgate regulations under which the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations, may be authorized on a case-by-case basis by a specific license for travel to, from, or within Cuba for the commercial export sale of agricultural commodities pursuant to the provisions of this title.

(b) PROHIBITION ON TRAVEL RELATING TO TOURIST ACTIVITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law or regulation, the Secretary of the Treasury, or any other Federal official, may not authorize the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations, either by a general license or on a case-by-case basis by a specific license for travel to, from, or within Cuba for tourist activities.

(2) DEFINITION.—In this subsection, the term ''tourist activities'' means any activity with respect to travel to, from, or within Cuba that is not expressly authorized in subsection (a) of this section, in any of paragraphs (1) through (12) of section 515.560 of title 31, Code of Federal Regulations, or in any section referred to in any of such paragraphs (1) through (12) (as such sections were in effect on June 1, 2000).

SEC. 911. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title shall take effect on the date of enactment of this Act, and shall apply thereafter in any fiscal year.

(b) EXISTING SANCTIONS.—In the case of any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act, this title shall take effect 120 days after the date of enactment of this Act, and shall apply thereafter in any fiscal year.

TITLE X—CONTINUED DUMPING AND SUBSIDY OFFSET

SEC. 1001. SHORT TITLE.

This title may be cited as the ''Continued Dumping and Subsidy Offset Act of 2000''.

SEC. 1002. FINDINGS OF CONGRESS.

Congress makes the following findings:

(1) Consistent with the rights of the United States under the World Trade Organization, injurious dumping is to be condemned and actionable subsidies which cause injury to domestic industries must be effectively neutralized.

(2) United States unfair trade laws have as their purpose the restoration of conditions of fair trade so that jobs and investment that should be in the United States are not lost through the false market signals.

(3) The continued dumping or subsidization of imported products after the issuance of antidumping orders or findings or countervailing duty orders can frustrate the remedial purpose of the laws by preventing market prices from returning to fair levels.

(4) Where dumping or subsidization continues, domestic producers will be reluctant to reinvest or rehire and may be unable to maintain pension and health care benefits that conditions of fair trade would permit. Similarly, small businesses and American farmers and ranchers may be unable to pay down accumulated debt, to obtain working capital, or to otherwise remain viable.

(5) United States trade laws should be strengthened to see that the remedial purpose of those laws is achieved.

SEC. 1003. AMENDMENTS TO THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) is amended by inserting after section 753 following new section:

''SEC. 754. CONTINUED DUMPING AND SUBSIDY OFFSET.

''(a) IN GENERAL.—Duties assessed pursuant to a countervailing duty order, an antidumping duty order, or a finding under the Antidumping Act of 1921 shall be distributed on an annual basis under this section to the affected domestic producers for qualifying expenditures. Such distribution shall be known as the 'continued dumping and subsidy offset'.

''(b) DEFINITIONS.—As used in this section:

''(1) AFFECTED DOMESTIC PRODUCER.—The term 'affected domestic producer' means any manufacturer, producer, farmer, rancher, or worker representative (including associations of such persons) that—

''(A) was a petitioner or interested party in support of the petition with respect to which an antidumping duty order, a finding under the Antidumping Act of 1921, or a countervailing duty order has been entered, and

''(B) remains in operation.

Companies, businesses, or persons that have ceased the production of the product covered by the order or finding or who have been acquired by a company or business that is related to a company that opposed the investigation shall not be an affected domestic producer.

''(2) COMMISSIONER.—The term 'Commissioner' means the Commissioner of Customs.

''(3) COMMISSION.—The term 'Commission' means the United States International Trade Commission.

''(4) QUALIFYING EXPENDITURE.—The term 'qualifying expenditure' means an expenditure incurred after the issuance of the antidumping duty finding or order or countervailing duty order in any of the following categories:

''(A) Manufacturing facilities.

''(B) Equipment.

''(C) Research and development.

''(D) Personnel training.

''(E) Acquisition of technology.

''(F) Health care benefits to employees paid for by the employer.

''(G) Pension benefits to employees paid for by the employer.

''(H) Environmental equipment, training, or technology.

''(I) Acquisition of raw materials and other inputs.

''(J) Working capital or other funds needed to maintain production.

''(5) RELATED TO.—A company, business, or person shall be considered to be 'related to' another company, business, or person if—

''(A) the company, business, or person directly or indirectly controls or is controlled by the other company, business, or person,

''(B) a third party directly or indirectly controls both companies, businesses, or persons,

''(C) both companies, businesses, or persons directly or indirectly control a third party and there is reason to believe that the relationship causes the first company, business, or persons to act differently than a nonrelated party.

For purposes of this paragraph, a party shall be considered to directly or indirectly control another party if the party is legally or operationally in a position to exercise restraint or direction over the other party.

''(c) DISTRIBUTION PROCEDURES.—The Commissioner shall prescribe procedures for distribution of the continued dumping or subsidies offset required by this section. Such distribution shall be made not later than 60 days after the first day of a fiscal year from duties assessed during the preceding fiscal year.

''(d) PARTIES ELIGIBLE FOR DISTRIBUTION OF ANTIDUMPING AND COUNTERVAILING DUTIES ASSESSED.—

''(1) LIST OF AFFECTED DOMESTIC PRODUCERS.—The Commission shall forward to the Commissioner within 60 days after the effective date of this section in the case of orders or findings in effect on January 1, 1999, or thereafter, or in any other case, within 60 days after the date an antidumping or countervailing duty order or finding is issued, a list of petitioners and persons with respect to each order and finding and a list of persons that indicate support of the petition by letter or through questionnaire

response. In those cases in which a determination of injury was not required or the Commission's records do not permit an identification of those in support of a petition, the Commission shall consult with the administering authority to determine the identity of the petitioner and those domestic parties who have entered appearances during administrative reviews conducted by the administering authority under section 751.

''(2) PUBLICATION OF LIST; CERTIFICATION.—The Commissioner shall publish in the Federal Register at least 30 days before the distribution of a continued dumping and subsidy offset, a notice of intention to distribute the offset and the list of affected domestic producers potentially eligible for the distribution based on the list obtained from the Commission under paragraph (1). The Commissioner shall request a certification from each potentially eligible affected domestic producer—

''(A) that the producer desires to receive a distribution;

''(B) that the producer is eligible to receive the distribution as an affected domestic producer; and

''(C) the qualifying expenditures incurred by the producer since the issuance of the order or finding for which distribution under this section has not previously been made.

''(3) DISTRIBUTION OF FUNDS.—The Commissioner shall distribute all funds (including all interest earned on the funds) from assessed duties received in the preceding fiscal year to affected domestic producers based on the certifications described in paragraph (2). The distributions shall be made on a pro rata basis based on new and remaining qualifying expenditures.

''(e) SPECIAL ACCOUNTS.—

''(1) ESTABLISHMENTS.—Within 14 days after the effective date of this section, with respect to antidumping duty orders and findings and countervailing duty orders notified under subsection (d)(1), and within 14 days after the date an antidumping duty order or finding or countervailing duty order issued after the effective date takes effect, the Commissioner shall establish in the Treasury of the United States a special account with respect to each such order or finding.

''(2) DEPOSITS INTO ACCOUNTS.—The Commissioner shall deposit into the special accounts, all antidumping or countervailing duties (including interest earned on such duties) that are assessed after the effective date of this section under the antidumping order or finding or the countervailing duty order with respect to which the account was established.

''(3) TIME AND MANNER OF DISTRIBUTIONS.—Consistent with the requirements of subsections (c) and (d), the Commissioner shall by regulation prescribe the time and manner in which distribution of the funds in a special account shall be made.

''(4) TERMINATION.—A special account shall terminate after—

''(a) the order or finding with respect to which the account was established has terminated;

''(B) all entries relating to the order or finding are liquidated and duties assessed collected;

''(C) the Commissioner has provided notice and a final opportunity to obtain distribution pursuant to subsection (c); and

''(D) 90 days has elapsed from the date of the notice described in subparagraph (C).

Amounts not claimed within 90 days of the date of the notice described in subparagraph (C), shall be deposited into the general fund of the Treasury.''.

(b) CONFORMING AMENDMENT.—The table of contents for title VII of the Tariff Act of 1930 is amended by inserting the following new item after the item relating to section 753:

''Sec. 754. Continued dumping and subsidy offset.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to all antidumping and countervailing duty assessments made on or after October 1, 2000.

TITLE XI—CONSERVATION OF FARMABLE WETLAND

SECTION 1101. SHORT TITLE.

This title may be cited as the ''Conservation of Farmable Wetland Act of 2000''.

SEC. 1102. PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.

(a) IN GENERAL.—Section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended by adding at the end the following:

''(h) PILOT PROGRAM FOR ENROLLMENT OF WETLAND AND BUFFER ACREAGE IN CONSERVATION RESERVE.—

''(1) IN GENERAL.—During the 2001 and 2002 calendar years, the Secretary shall carry out a pilot program in the States of Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota under which the Secretary shall include eligible acreage described in paragraph (3) in the program established under this subchapter.

''(2) PARTICIPATION AMONG STATES.—The Secretary shall ensure, to the maximum extent practicable, that owners and operators in each of the States referred to in paragraph (1) have an equitable opportunity to participate in the pilot program established under this subsection.

''(3) ELIGIBLE ACREAGE.—

''(A) IN GENERAL.—Subject to subparagraphs (B) through (D), an owner or operator may enroll in the conservation reserve under this subsection—

''(i) a wetland (including a converted wetland described in section 1222(b)(1)(A)) that was cropped during at least 3 of the immediately preceding 10 crop years; and

''(ii) buffer acreage that—

''(I) is contiguous to the wetland described in clause (i);

''(II) is used to protect the wetland; and

''(III) is of such width as the Secretary determines is necessary to protect the wetland, taking into consideration and accommodating the farming practices (including the straightening of boundaries to accommodate machinery) used with respect to the cropland that surrounds the wetland.

''(B) EXCLUSIONS.—An owner or operator may not enroll in the conservation reserve under this subsection—

''(i) any wetland, or land on a floodplain, that is, or is adjacent to, a perennial riverine system wetland identified on the final national wetland inventory map of the Secretary of the Interior; or

''(ii) in the case of an area that is not covered by the final national inventory map, any wetland, or land on a floodplain, that is adjacent to a perennial stream identified on a 1-24,000 scale map of the United States Geological Survey.

''(C) PROGRAM LIMITATIONS.—

''(i) IN GENERAL.—The Secretary may enroll in the conservation reserve under this subsection—

''(I) not more than 500,000 acres in all States referred to in paragraph (1); and

''(II) not more than 150,000 acres in any 1 State referred to in paragraph (1).

''(ii) RELATIONSHIP TO PROGRAM MAXIMUM.—Subject to clause (iii), for the purposes of subsection (d), any acreage enrolled in the conservation reserve under this subsection shall be considered acres maintained in the conservation reserve.

''(iii) RELATIONSHIP TO OTHER ENROLLED ACREAGE.—Acreage enrolled under this subsection shall not affect for any fiscal year the quantity of—

''(I) acreage enrolled to establish conservation buffers as part of the program announced on March 24, 1998 (63 Fed. Reg. 14109); or

''(II) acreage enrolled into the conservation reserve enhancement program announced on May 27, 1998 (63 Fed. Reg. 28965).

''(D) OWNER OR OPERATOR LIMITATIONS.—

''(i) WETLAND.—The maximum size of any wetland described in subparagraph (A)(i) of an owner or operator enrolled in the conservation reserve under this subsection shall be 5 contiguous acres.

''(ii) BUFFER ACREAGE.—The maximum size of any buffer acreage described in subparagraph (A)(ii) of an owner or operator enrolled in the conservation reserve under this subsection shall be the greater of—

''(I) 3 times the size of any wetland described in subparagraph (A)(i) to which the buffer acreage is contiguous; or

''(II) 150 feet on either side of the wetland.

''(iii) TRACTS.—The maximum size of any eligible acreage described in subparagraph (A) in a tract (as determined by the Secretary) of an owner or operator enrolled in the conservation reserve under this subsection shall be 40 acres.

''(4) DUTIES OF OWNERS AND OPERATORS.—Under a contract entered into under this subsection, during the term of the contract, an owner or operator of a farm or ranch must agree—

''(A) to restore the hydrology of the wetland within the eligible acreage to the maximum extent practicable, as determined by the Secretary;

''(B) to establish vegetative cover on the eligible acreage, as determined by the Secretary; and

''(C) to carry out other duties described in section 1232.

''(5) DUTIES OF THE SECRETARY.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in return for a contract entered into by an owner or operator under this subsection, the Secretary shall make payments and provide assistance to the owner or operator in accordance with sections 1233 and 1234.

''(B) CONTINUOUS SIGNUP.—The Secretary shall use continuous signup under section 1234(c)(2)(B) to determine the acceptability of contract offers and the amount of rental payments under this subsection.

''(C) INCENTIVES.—The amounts payable to owners and operators in the form of rental payments under contracts entered into under this subsection shall reflect incentives that are provided to owners and operators to enroll filterstrips in the conservation reserve under section 1234.''.

SEC. 1103. INCIDENTAL GRAZING.

Section 1232(a)(7)(A) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)(A)) is amended—

(1) by striking ''occurs during'' and inserting ''occurs—

''(I) in the case of land other than eligible acreage enrolled under section 1231(h), during''; and

(2) by adding at the end the following:

''(II) in the case of eligible acreage enrolled under section 1231(h), at any time other than during the period beginning May 1 and ending August 1 of each year for a reduction in rental payment commensurate with the limited economic value of such incidental grazing; and''.

SEC. 1104. STUDY OF IMPACT OF PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Agriculture shall conduct a study of the impact of the pilot program established under section 1231(h) of the Food Security Act of 1985 (16 U.S.C. 3831(h)) (as added by section 1102(a)) on—

(1) enrollment of owners and operators in—

(A) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of that Act (16 U.S.C. 3831 et seq.);

(B) the wetlands reserve program established under subchapter C of chapter 1 of subtitle D of title XII of that Act (16 U.S.C. 3837 et seq.); and

(C) other Federal and State conservation programs;

(2) types of environmentally sensitive acreage that have not been enrolled in the wetlands reserve program; and

(3) conservation of soil, water, and related natural resources, including grazing land, wetland, and wildlife habitat.

(b) REPORTS.—Not later than March 1, 2003, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the results of the study.

SEC. 1105. REGULATIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendments made by this Act.

(b) PROCEDURE.—The promulgation of the regulations and administration of the amendments made by this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE XII—HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Hass Avocado Promotion, Research, and Information Act of 2000''.

SEC. 1202. FINDINGS AND DECLARATION OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Hass avocados are an integral food source in the United States that are a valuable and healthy part of the human diet and are enjoyed by millions of persons every year for a multitude of everyday and special occasions.

(2) Hass avocados are a significant tree fruit crop grown by many individual producers, but virtually all domestically produced Hass avocados for the commercial market are grown in the State of California.

(3) Hass avocados move in interstate and foreign commerce, and Hass avocados that do not move in interstate or foreign channels of commerce but only in intrastate commerce directly affect interstate commerce in Hass avocados.

(4) In recent years, large quantities of Hass avocados have been imported into the United States from other countries.

(5) The maintenance and expansion of markets in existence on the date of enactment of this title, and the development of new or improved markets or uses for Hass avocados are needed to preserve and strengthen the economic viability of the domestic Hass avocado industry for the benefit of producers and other persons associated with the producing, marketing, processing, and consuming of Hass avocados.

(6) An effective and coordinated program of promotion, research, industry information, and consumer information regarding Hass avocados is necessary for the maintenance, expansion, and development of domestic markets for Hass avocados.

(b) PURPOSE.—It is the purpose of this title to authorize the establishment, through the exercise of the powers provided in this title, of an orderly procedure for the development and financing (through an adequate assessment on Hass avocados sold by producers and importers in the United States) of an effective and coordinated program of promotion, research, industry information, and consumer information, including funds for marketing and market research activities, that is designed to—

(1) strengthen the position of the Hass avocado industry in the domestic marketplace; and

(2) maintain, develop, and expand markets and uses for Hass avocados in the domestic marketplace.

(c) LIMITATION.—Nothing in this title may be construed to provide for the control of production or otherwise limit the right of any person to produce, handle, or import Hass avocados.

SEC. 1203. DEFINITIONS.

As used in this title:

(1) BOARD.—The terms ''Avocado Board'' and ''Board'' mean the Hass Avocado Board established under section 1205.

(2) CONFLICT OF INTEREST.—The term ''conflict of interest'' means a situation in which a member or employee of the Board has a direct or indirect financial interest in a person that performs a service for, or enters into a contract with, the Board for anything of economic value.

(3) CONSUMER INFORMATION.—The term ''consumer information'' means any action or program that provides information to consumers and other persons on the use, nutritional attributes, and other information that will assist consumers and other persons in making evaluations and decisions regarding the purchase, preparation, and use of Hass avocados.

(4) CUSTOMS.—The term ''Customs'' means the United States Customs Service.

(5) DEPARTMENT.—The term ''Department'' means the United States Department of Agriculture.

(6) HASS AVOCADO.—

(A) IN GENERAL.—The term ''Hass avocado'' includes—

(i) the fruit of any Hass variety avocado tree; and

(ii) any other type of avocado fruit that the Board, with the approval of the Secretary, determines is so similar to the Hass variety avocado as to be indistinguishable to consumers in fresh form.

(B) FORM OF FRUIT.—Except as provided in subparagraph (C), the term includes avocado fruit described in subparagraph (A) whether in fresh, frozen, or any other processed form.

(C) EXCEPTIONS.—In any case in which a handler further processes avocados described in subparagraph (A), or products of such avocados, for sale to a retailer, the Board, with the approval of the Secretary, may determine that such further processed products do not constitute a substantial value of the product and that, based on its determination, the product shall not be treated as a product of Hass avocados subject to assessment under the order. In addition, the Board, with the approval of the Secretary, may exempt certain frozen avocado products from assessment under the order.

(7) HANDLER.—

(A) FIRST HANDLER.—The term ''first handler'' means a person operating in the Hass avocados marketing system that sells domestic or imported Hass avocados for United States domestic consumption, and who is responsible for remitting assessments to the Board. The term includes an importer or producer who sells directly to consumers Hass avocados that the importer or producer has imported into the United States or produced, respectively.

(B) EXEMPT HANDLER.—The term ''exempt handler'' means a person who would otherwise be considered a first handler, except that all avocados purchased by the person have already been subject to the assessment under section 1205(h).

(8) IMPORTER.—The term ''importer'' means any person who imports Hass avocados into the United States.

(9) INDUSTRY INFORMATION.—The term ''industry information'' means information and programs that are designed to increase efficiency in processing, enhance the development of new markets and marketing strategies, increase marketing efficiency, and activities to enhance the image of Hass avocados and the Hass avocado industry domestically.

(10) ORDER.—The term ''order'' means the Hass avocado promotion, research, and information order issued under this title.

(11) PERSON.—The term ''person'' means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(12) PRODUCER.—The term ''producer'' means any person who—

(A) is engaged in the domestic production of Hass avocados for commercial use; and

(B) owns, or shares the ownership and risk of loss, of such Hass avocados.

(13) PROMOTION.—The term ''promotion'' means any action to advance the image, desirability, or marketability of Hass avocados, including paid advertising, sales promotion, and publicity, in order to improve the competitive position and stimulate sales of Hass avocados in the domestic marketplace.

(14) RESEARCH.—The term ''research'' means any type of test, study, or analysis relating to market research, market development, and marketing efforts, or relating to the use, quality, or nutritional value of Hass avocados, other related food science research, or research designed to advance the image, desirability, and marketability of Hass avocados.

(15) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(16) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(17) UNITED STATES.—The term ''United States'' means the United States collectively.

SEC. 1204. ISSUANCE OF ORDERS.

(a) IN GENERAL.—

(1) ISSUANCE.—To effectuate the policy of this title specified in section 1202(b), the Secretary, subject to the procedures provided in subsection (b), shall issue orders under this title applicable to producers, importers, and first handlers of Hass avocados.

(2) SCOPE.—Any order shall be national in scope.

(3) ONE ORDER.—Not more than one order shall be in effect at any one time.

(b) PROCEDURES.—

(1) PROPOSAL FOR AN ORDER.—An existing organization of avocado producers established pursuant to a State statute, or any other person who will be affected by this title, may request the issuance of, and submit a proposal for an order.

(2) PUBLICATION OF PROPOSAL.—The Secretary shall publish a proposed order and give notice and opportunity for public comment on the proposed order not later than 60 days after receipt by the Secretary of a proposal for an order from an existing organization of avocado producers established pursuant to a State statute, as provided in paragraph (1).

(3) ISSUANCE OF ORDER.—

(A) IN GENERAL.—After notice and opportunity for public comment are provided in accordance with paragraph (2), the Secretary shall issue the order, taking into consideration the comments received and including in the

order such provisions as are necessary to ensure that the order is in conformity with this title.

(B) EFFECTIVE DATE.—The order shall be issued and become effective only after an affirmative vote in a referendum as provided in section 1206, but not later than 180 days after publication of the proposed order.

(c) AMENDMENTS.—The Secretary, from time to time, may amend an order. The provisions of this title applicable to an order shall be applicable to any amendment to an order.

SEC. 1205. REQUIRED TERMS IN ORDERS.

(a) IN GENERAL.—An order shall contain the terms and provisions specified in this section.

(b) HASS AVOCADO BOARD.—

(1) ESTABLISHMENT AND MEMBERSHIP.—

(A) ESTABLISHMENT.—The order shall provide for the establishment of a Hass Avocado Board, consisting of 12 members, to administer the order.

(B) MEMBERSHIP.—

(i) APPOINTMENT.—The order shall provide that members of the Board shall be appointed by the Secretary from nominations submitted as provided in this subsection.

(ii) COMPOSITION.—The Board shall consist of participating domestic producers and importers.

(C) SPECIAL DEFINITION OF IMPORTER.—In this subsection, the term ''importer'' means a person who is involved in, as a substantial activity, the importation, sale, and marketing of Hass avocados in the United States (either directly or as an agent, broker, or consignee of any person or nation that produces or handles Hass avocados outside the United States for sale in the United States), and who is subject to assessments under the order.

(2) DISTRIBUTION OF APPOINTMENTS.—

(A) IN GENERAL.—The order shall provide that the membership of the Board shall consist of the following:

(i) Seven members who are domestic producers of Hass avocados and are subject to assessments under the order.

(ii) Two members who represent importers of Hass avocados and are subject to assessments under the order.

(iii) Three members who are domestic producers of Hass avocados and are subject to assessments under the order, or are importers of Hass avocados and are subject to assessments under the order, to reflect the proportion of domestic production and imports supplying the United States market, which shall be based on the Secretary's determination of the average volume of domestic production of Hass avocados proportionate to the average volume of imports of Hass avocados in the United States over the previous three years.

(B) ADJUSTMENT IN BOARD REPRESENTATION.—Three years after the assessment of Hass avocados commences pursuant to an order, and at the end of each three-year period thereafter, the Avocado Board shall adjust the proportion of producer representatives to importer representatives on the Board under subparagraph (A)(iii) on the basis of the amount of assessments collected from producers and importers over the immediately preceding three-year period. Any adjustment under this subparagraph shall be subject to the review and approval of the Secretary.

(3) NOMINATION PROCESS.—The order shall provide that—

(A) 2 nominees shall be submitted for each appointment to the Board;

(B) nominations for each appointment of a producer or an importer shall be made by domestic producers or importers, respectively—

(i) in the case of producers, through an election process which utilizes existing organizations of avocado producers established pursuant to a State statute, with approval by the Secretary; and

(ii) in the case of importers, nominations are submitted by importers under such procedures as the Secretary determines appropriate; and

(C) in any case in which producers or importers fail to nominate individuals for an appointment to the Board, the Secretary may appoint an individual to fill the vacancy on a basis provided in the order or other regulations of the Secretary.

(4) ALTERNATES.—The order shall provide for the selection of alternate members of the Board by the Secretary in accordance with procedures specified in the order.

(5) TERMS.—The order shall provide that—

(A) each term of appointment to the Board shall be for 3 years, except that, of the initial appointments, 4 of the appointments shall be for 2-year terms, 4 of the appointments shall be for 3-year terms, and 4 of the appointments shall be for 4-year terms; and

(B) no member of the Board may serve more than 2 consecutive terms of three years, except that any member serving an initial term of 4 years may serve an additional term of 3 years.

(6) REPLACEMENT.—

(A) DISQUALIFICATION FROM BOARD SERVICE.—The order shall provide that if a member or alternate of the Board who was appointed as a domestic producer or importer ceases to belong to the group for which such member was appointed, such member or alternate shall be disqualified from serving on the Board.

(B) MANNER OF FILLING VACANCY.—A vacancy arising as a result of disqualification or any other reason before the expiration of the term of office of an incumbent member or alternate of the Board shall be filled in a manner provided in the order.

(7) COMPENSATION.—The order shall provide that members and alternates of the Board shall serve without compensation, but shall be reimbursed for the reasonable expenses incurred in performing duties as members or alternates of the Board.

(c) GENERAL RESPONSIBILITIES OF THE AVOCADO BOARD.—The order shall define the general responsibilities of the Avocado Board, which shall include the responsibility to—

(1) administer the order in accordance with the terms and provisions of the order;

(2) meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(3) recommend to the Secretary rules and regulations to effectuate the terms and provisions of the order;

(4) employ such persons as the Board determines are necessary, and set the compensation and define the duties of the persons;

(5)(A) develop budgets for the implementation of the order and submit the budgets to the Secretary for approval under subsection (d); and

(B) propose and develop (or receive and evaluate), approve, and submit to the Secretary for approval under subsection (d) plans or projects for Hass avocado promotion, industry information, consumer information, or related research;

(6)(A) implement plans and projects for Hass avocado promotion, industry information, consumer information, or related research, as provided in subsection (d); or

(B) contract or enter into agreements with appropriate persons to implement the plans and projects, as provided in subsection (e), and pay the costs of the implementation, or contracts and agreement, with funds received under the order;

(7) evaluate on-going and completed plans and projects for Hass avocado promotion, industry information, consumer information, or related research and comply with the independent evaluation provisions of the Commodity Promotion, Research, and Information Act of 1996 (subtitle B of title V of Public Law 104–127; 7 U.S.C. 7401 et seq.);

(8) receive, investigate, and report to the Secretary complaints of violations of the order;

(9) recommend to the Secretary amendments to the order;

(10) invest, pending disbursement under a plan or project, funds collected through assessments authorized under this title only in—

(A) obligations of the United States or any agency of the United States;

(B) general obligations of any State or any political subdivision of a State;

(C) any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System; or

(D) obligations fully guaranteed as to principal and interest by the United States, except that income from any such invested funds may be used only for a purpose for which the invested funds may be used;

(11) borrow funds necessary for the startup expenses of the order; and

(12) provide the Secretary such information as the Secretary may require.

(d) BUDGETS; PLANS AND PROJECTS.—

(1) SUBMISSION OF BUDGETS.—The order shall require the Board to submit to the Secretary for approval budgets, on a fiscal year basis, of the anticipated expenses and disbursements of the Board in the implementation of the order, including the projected costs of Hass avocado promotion, industry information, consumer information, and related research plans and projects.

(2) PLANS AND PROJECTS.—

(A) PROMOTION AND CONSUMER INFORMATION.—The order shall provide—

(i) for the establishment, implementation, administration, and evaluation of appropriate plans and projects for advertising, sales promotion, other promotion, and consumer information with respect to Hass avocados, and for the disbursement of necessary funds for the purposes described in this clause; and

(ii) that any plan or project referred to in clause (i) shall be directed toward increasing the general demand for Hass avocados in the domestic marketplace.

(B) INDUSTRY INFORMATION.—The order shall provide for the establishment, implementation, administration, and evaluation of appropriate plans and projects that will lead to the development of new markets, maintain and expand existing markets, lead to the development of new marketing strategies, or increase the efficiency of the Hass avocado industry, and activities to enhance the image of the Hass avocado industry, and for the disbursement of necessary funds for the purposes described in this subparagraph.

(C) RESEARCH.—The order shall provide for—

(i) the establishment, implementation, administration, and evaluation of plans and projects for market development research, research with respect to the sale, distribution, marketing, use, quality, or nutritional value of Hass avocados, and other research with respect to Hass avocado marketing, promotion, industry information or consumer information;

(ii) the dissemination of the information acquired through the plans and projects; and

(iii) the disbursement of such funds as are necessary to carry out this subparagraph.

(D) SUBMISSION TO SECRETARY.—The order shall provide that the Board shall submit to the Secretary for approval a proposed plan or project for Hass avocados promotion, industry information, consumer information, or related research, as described in subparagraphs (A), (B), and (C).

(3) APPROVAL BY SECRETARY.—A budget, plan, or project for Hass avocados promotion, industry information, consumer information, or related research may not be implemented prior to approval of the budget, plan, or project by the Secretary. Not later than 45 days after receipt of such a budget, plan, or project, the Secretary shall notify the Board whether the Secretary approves or disapproves the budget, plan, or

project. If the Secretary fails to provide such notice before the end of the 45-day period, the budget, plan, or project shall be deemed to be approved and may be implemented by the Board.

(e) CONTRACTS AND AGREEMENTS.—

(1) PROMOTION, CONSUMER INFORMATION, INDUSTRY INFORMATION AND RELATED RESEARCH PLANS AND PROJECTS.—

(A) IN GENERAL.—To ensure the efficient use of funds, the order shall provide that the Board, with the approval of the Secretary, shall enter into a contract or an agreement with an avocado organization established by State statute in a State with the majority of Hass avocado production in the United States, for the implementation of a plan or project for promotion, industry information, consumer information, or related research with respect to Hass avocados, and for the payment of the cost of the contract or agreement with funds received by the Board under the order.

(B) REQUIREMENTS.—The order shall provide that any contract or agreement entered into under this paragraph shall provide that—

(i) the contracting or agreeing party shall develop and submit to the Board a plan or project, together with a budget that includes the estimated costs to be incurred for the plan or project;

(ii) the plan or project shall become effective on the approval of the Secretary; and

(iii) the contracting party or agreeing party shall—

(I) keep accurate records of all transactions of the party;

(II) account for funds received and expended;

(III) make periodic reports to the Board of activities conducted; and

(IV) make such other reports as the Board or the Secretary shall require.

(2) OTHER CONTRACTS AND AGREEMENTS.—The order shall provide that the Board, with the approval of the Secretary, may enter into a contract or agreement for administrative services. Any contract or agreement entered into under this paragraph shall include provisions comparable to the provisions described in paragraph (1)(B).

(f) BOOKS AND RECORDS OF BOARD.—

(1) IN GENERAL.—The order shall require the Board to—

(A) maintain such books and records (which shall be available to the Secretary for inspection and audit) as the Secretary may require;

(B) prepare and submit to the Secretary, from time to time, such reports as the Secretary may require; and

(C) account for the receipt and disbursement of all the funds entrusted to the Board, including all assessment funds disbursed by the Board to a State organization of avocado producers established pursuant to State law.

(2) AUDITS.—The Board shall cause the books and records of the Board to be audited by an independent auditor at the end of each fiscal year. A report of each audit shall be submitted to the Secretary.

(g) CONTROL OF ADMINISTRATIVE COSTS.—

(1) SYSTEM OF COST CONTROLS.—The order shall provide that the Board shall, as soon as practicable after the order becomes effective and after consultation with the Secretary and other appropriate persons, implement a system of cost controls based on normally accepted business practices that—

(A) will ensure that the costs incurred by the Board in administering the order in any fiscal year shall not exceed 10 percent of the projected level of assessments to be collected by the Board for that fiscal year; and

(B) cover the minimum administrative activities and personnel needed to properly administer and enforce the order, and conduct, supervise, and evaluate plans and projects under the order.

(2) USE OF EXISTING PERSONNEL AND FACILITIES.—The Board shall use, to the extent possible, the resources, staffs, and facilities of existing organizations, as provided in subsection (e)(1)(A).

(h) ASSESSMENTS.—

(1) AUTHORITY.—

(A) IN GENERAL.—The order shall provide that each first handler shall remit to the Board, in the manner provided in the order, an assessment collected from the producer, except to the extent that the sale is excluded from assessments under paragraph (6). In the case of imports, the assessment shall be levied upon imports and remitted to the Board by Customs.

(B) PUBLISHED LISTS.—To facilitate the payment of assessments under this paragraph, the Board shall publish lists of first handlers required to remit assessments under the order and exempt handlers.

(C) MAKING DETERMINATIONS.—

(i) FIRST HANDLER STATUS.—The order shall contain provisions regarding the determination of the status of a person as a first handler or exempt handler.

(ii) PRODUCER-HANDLERS.—For purposes of paragraph (3), a producer-handler shall be considered the first handler of those Hass avocados that are produced by that producer-handler and packed by that producer-handler for sale at wholesale or retail.

(iii) IMPORTERS.—The assessment on imported Hass avocados shall be paid by the importer to Customs at the time of entry into the United States and shall be remitted by Customs to the Board. Importation occurs when Hass avocados originating outside the United States are released from custody of Customs and introduced into the stream of commerce within the United States. Importers include persons who hold title to foreign-produced Hass avocados immediately upon release by Customs, as well as any persons who act on behalf of others, as agents, brokers, or consignees, to secure the release of Hass avocados from Customs and the introduction of the released Hass avocados into the current of commerce.

(2) ASSESSMENT RATES.—With respect to assessment rates, the order shall contain the following terms:

(A) INITIAL RATE.—The rate of assessment on Hass avocados shall be $.025 per pound on fresh avocados or the equivalent rate for processed avocados on which an assessment has not been paid.

(B) CHANGES IN THE RATE.—

(i) IN GENERAL.—Once the order in is effect, the uniform assessment rate may be increased or decreased not more than once annually, but in no event shall the rate of assessment be in excess of $.05 per pound.

(ii) REQUIREMENTS.—Any change in the rate of assessment under this subparagraph—

(I) may be made only if adopted by the Board by an affirmative vote of at least seven members of the Board and approved by the Secretary as necessary to achieve the objectives of this title (after public notice and opportunity for comment in accordance with section 553 of title 5, United States Code, and without regard to sections 556 and 557 of such title);

(II) shall be announced by the Board not less than 30 days prior to going into effect; and

(III) shall not be subject to a vote in a referendum conducted under section 1206.

(3) COLLECTION BY FIRST HANDLERS.—Except as provided in paragraph (1)(C)(iii), the first handler of Hass avocados shall be responsible for the collection of assessments from the producer under this subsection. As part of the collection of assessments, the first handler shall maintain a separate record of the Hass avocados of each producer whose Hass avocados are so handled, including the Hass avocados produced by the first handler.

(4) TIMING OF SUBMITTING ASSESSMENTS.—The order shall provide that each person required to remit assessments under this subsection shall remit to the Board the assessment due from each sale of Hass avocados that is subject to an assessment within such time period after the sale (not to exceed 60 days after the end of the month in which the sale took place) as is specified in the order.

(5) CLAIMING AN EXEMPTION FROM COLLECTING ASSESSMENTS.—To claim an exemption under section 1203(6) as an exempt handler for a particular fiscal year, a person shall submit an application to the Board—

(A) stating the basis for such exemption; and

(B) certifying such person will not purchase Hass avocados in the United States on which an assessment has not been paid for the current fiscal year.

(6) EXCLUSION.—An order shall exclude from assessments under the order any sale of Hass avocados for export from the United States.

(7) USE OF ASSESSMENT FUNDS.—The order shall provide that assessment funds shall be used for payment of costs incurred in implementing and administering the order, with provision for a reasonable reserve, and to cover the administrative costs incurred by the Secretary in implementing and administering this title, including any expenses incurred by the Secretary in conducting referenda under this title, subject to subsection (i).

(8) ASSESSMENT FUNDS FOR STATE ASSOCIATION.—The order shall provide that a State organization of avocado producers established pursuant to State law shall receive an amount equal to the product obtained by multiplying the aggregate amount of assessments attributable to the pounds of Hass avocados produced in such State by 85 percent. The State organization shall use such funds and any proceeds from the investment of such funds for financing domestic promotion, research, consumer information, and industry information plans and projects, except that no such funds shall be used for the administrative expenses of such State organization.

(9) ASSESSMENT FUNDS FOR IMPORTERS ASSOCIATIONS.—

(A) IN GENERAL.—The order shall provide that any importers association shall receive a credit described in subparagraph (B) if such association is—

(i) established pursuant to State law that requires detailed State regulation comparable to that applicable to the State organization of United States avocado producers, as determined by the Secretary; or

(ii) certified by the Secretary as meeting the requirements applicable to the Board as to budgets, plans, projects, audits, conflicts of interest, and reimbursements for administrative costs incurred by the Secretary.

(B) CREDIT.—An importers association described in subparagraph (A) shall receive 85 percent of the assessments paid on Hass avocados imported by the members of such association.

(C) USE OF FUNDS.—

(i) IN GENERAL.—Importers associations described in subparagraph (A) shall use the funds described in subparagraph (B) and proceeds from the investment of such funds for financing promotion, research, consumer information, and industry information plans and projects in the United States.

(ii) ADMINISTRATIVE EXPENSES.—No funds described in subparagraph (C) shall be used for the administrative expenses of such importers association.

(i) REIMBURSEMENT OF SECRETARY EXPENSES.—The order shall provide for reimbursing the Secretary—

(1) for expenses not to exceed $25,000 incurred by the Secretary in connection with any referendum conducted under section 1206;

(2) for administrative costs incurred by the Secretary for supervisory work of up to 2 employee years annually after an order or amendment to any order has been issued and made effective; and

(3) for costs incurred by the Secretary in implementation of the order issued under section 1204, for enforcement of the title and the order, for subsequent referenda conducted under section 1206, and in defending the Board in litigation arising out of action taken by the Board.

(j) PROHIBITION ON BRAND ADVERTISING AND CERTAIN CLAIMS.—

(1) PROHIBITIONS.—Except as provided in paragraph (2), a program or project conducted under this title shall not—

(A) make any reference to private brand names;

(B) make false, misleading, or disparaging claims on behalf of Hass avocados; or

(C) make false, misleading, or disparaging statements with respect to the attributes or use of any competing products.

(2) EXCEPTIONS.—Paragraph (1) does not preclude the Board from offering its programs and projects for use by commercial parties, under such terms and conditions as the Board may prescribe as approved by the Secretary. For the purposes of this subsection, a reference to State of origin does not constitute a reference to a private brand name with regard to any funds credited to, or disbursed by the Board to, a State organization of avocado producers established pursuant to State law. Furthermore, for the purposes of this section, a reference to either State of origin or country of origin does not constitute a reference to a private brand name with regard to any funds credited to, or disbursed by the Board to, any importers association established or certified in accordance with subsection (h)(9)(A).

(k) PROHIBITION ON USE OF FUNDS TO INFLUENCE GOVERNMENTAL ACTION.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), the order shall prohibit any funds collected by the Board under the order from being used in any manner for the purpose of influencing legislation or government action or policy.

(2) EXCEPTION.—Paragraph (1) shall not apply to the development or recommendation of amendments to the order.

(l) PROHIBITION OF CONFLICT OF INTEREST.—The Board may not engage in, and shall prohibit the employees and agents of the Board from engaging in, any action that would be a conflict of interest.

(m) BOOKS AND RECORDS; REPORTS.—

(1) IN GENERAL.—The order shall provide that each first handler, producer, and importer subject to the order shall maintain, and make available for inspection, such books and records as are required by the order and file reports at the time, in the manner, and having the content required by the order, to the end that such information is made available to the Secretary and the Board as is appropriate for the administration or enforcement of this title, the order, or any regulation issued under this title.

(2) CONFIDENTIALITY REQUIREMENT.—

(A) IN GENERAL.—Information obtained from books, records, or reports under paragraph (1) shall be kept confidential by all officers and employees of the Department of Agriculture and by the staff and agents of the Board.

(B) SUITS AND HEARINGS.—Information described in subparagraph (A) may be disclosed to the public only—

(i) in a suit or administrative hearing brought at the request of the Secretary, or to which the Secretary or any officer of the United States is a party, involving the order; and

(ii) to the extent the Secretary considers the information relevant to the suit or hearing.

(C) GENERAL STATEMENTS AND PUBLICATIONS.—Nothing in this paragraph may be construed to prohibit—

(i) the issuance of general statements, based on the reports, of the number of persons subject to the order or statistical data collected from the reports, if the statements do not identify the information furnished by any person; or

(ii) the publication, by direction of the Secretary, of the name of any person who violates the order, together with a statement of the particular provisions of the order violated by the person.

(3) LISTS OF IMPORTERS.—

(A) REVIEW.—The order shall provide that the staff of the Board shall periodically review lists of importers of Hass avocados to determine whether persons on the lists are subject to the order.

(B) CUSTOMS SERVICE.—On the request of the Secretary or the Board, the Commissioner of the United States Customs Service shall provide to the Secretary or the Board lists of importers of Hass avocados.

(n) CONSULTATIONS WITH INDUSTRY EXPERTS.—

(1) IN GENERAL.—The order shall provide that the Board may seek advice from and consult with experts from the production, import, wholesale, and retail segments of the Hass avocado industry to assist in the development of promotion, industry information, consumer information, and related research plans and projects.

(2) SPECIAL COMMITTEES.—

(A) IN GENERAL.—For the purposes described in paragraph (1), the order shall authorize the appointment of special committees composed of persons other than Board members.

(B) CONSULTATION.—A committee appointed under subparagraph (A) shall consult directly with the Board.

(o) OTHER TERMS OF THE ORDER.—The order shall contain such other terms and provisions, consistent with this title, as are necessary to carry out this title (including provision for the assessment of interest and a charge for each late payment of assessments under subsection (h)).

SEC. 1206. REFERENDA.

(a) REQUIREMENTS FOR INITIAL REFERENDUM.—

(1) REFERENDUM REQUIRED.—During the 60-day period immediately preceding the proposed effective date of an order issued under section 1204(b)(3), the Secretary shall conduct a referendum among producers and importers required to pay assessments under the order, as provided in section 1205(h)(1).

(2) APPROVAL OF ORDER NEEDED.—The order shall become effective only if the Secretary determines that the order has been approved by a simple majority of all votes cast in the referendum.

(b) VOTES PERMITTED.—

(1) IN GENERAL.—Each producer and importer eligible to vote in a referendum conducted under this section shall be entitled to cast 1 vote if they satisfy the eligibility requirements as defined in paragraph (2).

(2) ELIGIBILITY.—For purposes of paragraph (1), producers and importers, as these terms are defined in section 1203, shall be considered to be eligible to vote if they have been producers or importers with sales of Hass avocados during a period of at least 1 year prior to the referendum.

(c) MANNER OF CONDUCTING REFERENDA.—

(1) IN GENERAL.—Referenda conducted pursuant to this title shall be conducted in a manner determined by the Secretary.

(2) ADVANCE REGISTRATION.—A producer or importer of Hass avocados who chooses to vote in any referendum conducted under this title shall register with the Secretary prior to the voting period, after receiving notice from the Secretary concerning the referendum under paragraph (4).

(3) VOTING.—A producer or importer of Hass avocados who chooses to vote in any referendum conducted under this title shall vote in accordance with procedures established by the Secretary. The ballots and other information or reports that reveal or tend to reveal the identity or vote of voters shall be strictly confidential.

(4) NOTICE.—The Secretary shall notify all producers and importers at least 30 days prior to the referendum conducted under this title. The notice shall explain the procedure established under this subsection.

(d) SUBSEQUENT REFERENDA.—If an order is approved in a referendum conducted under subsection (a), effective beginning on the date that is 3 years after the date of the approval, the Secretary—

(1) at the discretion of the Secretary, may conduct at any time a referendum of producers and importers required to pay assessments under the order, as provided in section 1205(h)(1), subject to the voting requirements of subsections (b) and (c), to ascertain whether eligible producers and importers favor suspension, termination, or continuance of the order; or

(2) shall conduct a referendum of eligible producers and importers if requested by the Board or by a representative group comprising 30 percent or more of all producers and importers required to pay assessments under the order, as provided in section 1205(h)(1), subject to the voting requirements of subsections (b) and (c), to ascertain whether producers and importers favor suspension, termination, or continuance of the order.

(e) SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under subsection (d), the Secretary determines that suspension or termination of the order is favored by a simple majority of all votes cast in the referendum, the Secretary shall—

(1) not later than 180 days after the referendum, suspend or terminate, as appropriate, collection of assessments under the order; and

(2) suspend or terminate, as appropriate, activities under the order as soon as practicable and in an orderly manner.

SEC. 1207. PETITION AND REVIEW.

(a) PETITION AND HEARING.—

(1) PETITION.—A person subject to an order may file with the Secretary a petition—

(A) stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law; and

(B) requesting a modification of the order or an exemption from the order.

(2) HEARING.—The petitioner shall be given the opportunity for a hearing on a petition filed under paragraph (1), in accordance with regulations issued by the Secretary. Any such hearing shall be conducted in accordance with section 1209(b)(2) and be held within the United States judicial district in which the residence or principal place of business of the person is located.

(3) RULING.—After a hearing under paragraph (2), the Secretary shall make a ruling on the petition, which shall be final if in accordance with law.

(4) LIMITATION.—Any petition filed under this subsection challenging an order, any provision of the order, or any obligation imposed in connection with the order, shall be filed within 2 years after the effective date of the order, provision, or obligation subject to challenge in the petition.

(b) REVIEW.—

(1) COMMENCEMENT OF ACTION.—The district courts of the United States in any district in which a person who is a petitioner under subsection (a) resides or conducts business shall

have jurisdiction to review the ruling of the Secretary on the petition of the person, if a complaint requesting the review is filed no later than 20 days after the date of the entry of the ruling by the Secretary.

(2) PROCESS.—Service of process in proceedings under this subsection shall be conducted in accordance with the Federal Rules of Civil Procedure.

(3) REMAND.—If the court in a proceeding under this subsection determines that the ruling of the Secretary on the petition of the person is not in accordance with law, the court shall remand the matter to the Secretary with directions—

(A) to make such ruling as the court shall determine to be in accordance with law; or

(B) to take such further action as, in the opinion the court, the law requires.

(c) ENFORCEMENT.—The pendency of proceedings instituted under this section shall not impede, hinder, or delay the Attorney General or the Secretary from obtaining relief under section 1208.

SEC. 1208. ENFORCEMENT.

(a) JURISDICTION.—A district court of the United States shall have jurisdiction to enforce, and to prevent and restrain any person from violating, this title or an order or regulation issued by the Secretary under this title.

(b) REFERRAL TO ATTORNEY GENERAL.—A civil action brought under subsection (a) shall be referred to the Attorney General for appropriate action, except that the Secretary is not required to refer to the Attorney General a violation of this title, or an order or regulation issued under this title, if the Secretary believes that the administration and enforcement of this title would be adequately served by administrative action under subsection (c) or suitable written notice or warning to the person who committed or is committing the violation.

(c) CIVIL PENALTIES AND ORDERS.—

(1) CIVIL PENALTIES.—

(A) IN GENERAL.—A person who violates a provision of this title, or an order or regulation issued by the Secretary under this title, or who fails or refuses to pay, collect, or remit any assessment or fee required of the person under an order or regulation issued under this title, may be assessed by the Secretary—

(i) a civil penalty of not less than $1,000 nor more than $10,000 for each violation; and

(ii) in the case of a willful failure to remit an assessment as required by an order or regulation, an additional penalty equal to the amount of the assessment.

(B) SEPARATE OFFENSES.—Each violation shall be a separate offense.

(2) CEASE AND DESIST ORDERS.—In addition to or in lieu of a civil penalty under paragraph (1), the Secretary may issue an order requiring a person to cease and desist from continuing a violation of this title, or an order or regulation issued under this title.

(3) NOTICE AND HEARING.—No penalty shall be assessed, or cease and desist order issued, by the Secretary under this subsection unless the Secretary gives the person against whom the penalty is assessed or the order is issued notice and opportunity for a hearing before the Secretary with respect to the violation. Any such hearing shall be conducted in accordance with section 1209(b)(2) and shall be held within the United States judicial district in which the residence or principal place of business of the person is located.

(4) FINALITY.—The penalty assessed or cease and desist order issued under this subsection shall be final and conclusive unless the person against whom the penalty is assessed or the order is issued files an appeal with the appropriate district court of the United States in accordance with subsection (d).

(d) REVIEW BY DISTRICT COURT.—

(1) COMMENCEMENT OF ACTION.—

(A) IN GENERAL.—Any person against whom a violation is found and a civil penalty is assessed or a cease and desist order is issued under subsection (c) may obtain review of the penalty or order by, within the 30-day period beginning on the date the penalty is assessed or the order is issued—

(i) filing a notice of appeal in the district court of the United States for the district in which the person resides or conducts business, or in the United States District Court for the District of Columbia; and

(ii) sending a copy of the notice by certified mail to the Secretary.

(B) COPY OF RECORD.—The Secretary shall promptly file in the court a certified copy of the record on which the Secretary found that the person had committed a violation.

(2) STANDARD OF REVIEW.—A finding of the Secretary shall be set aside under this subsection only if the finding is found to be unsupported by substantial evidence.

(e) FAILURE TO OBEY AN ORDER.—

(1) IN GENERAL.—A person who fails to obey a cease and desist order issued under subsection (c) after the order has become final and unappealable, or after the appropriate United States district court had entered a final judgment in favor of the Secretary of not more than $10,000 for each offense, after opportunity for a hearing and for judicial review under the procedures specified in subsections (c) and (d).

(2) SEPARATE VIOLATIONS.—Each day during which the person fails to obey an order described in paragraph (1) shall be considered as a separate violation of the order.

(f) FAILURE TO PAY A PENALTY.—

(1) IN GENERAL.—If a person fails to pay a civil penalty assessed under subsection (c) or (e) after the penalty has become final and unappealable, or after the appropriate United States district court has entered final judgment in favor of the Secretary, the Secretary shall refer the matter to the Attorney General for recovery of the amount assessed in any United States district court in which the person resides or conducts business.

(2) SCOPE OF REVIEW.—In an action by the Attorney General under paragraph (1), the validity and appropriateness of a civil penalty shall not be subject to review.

(g) ADDITIONAL REMEDIES.—The remedies provided in this title shall be in addition to, and not exclusive of, other remedies that may be available.

SEC. 1209. INVESTIGATIONS AND POWER TO SUBPOENA.

(a) INVESTIGATIONS.—The Secretary may conduct such investigations as the Secretary considers necessary for the effective administration of this title, or to determine whether any person has engaged or is engaging in any act that constitutes a violation of this title or any order or regulation issued under this title.

(b) SUBPOENAS, OATHS, AND AFFIRMATIONS.—

(1) INVESTIGATIONS.—For the purpose of conducting an investigation under subsection (a), the Secretary may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) ADMINISTRATIVE HEARINGS.—For the purpose of an administrative hearing held under section 1207(a)(2) or 1208(c)(3), the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) AID OF COURTS.—

(1) IN GENERAL.—In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) ORDER.—The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) FAILURE TO OBEY.—Any failure to obey the order of the court may be punished by the court as a contempt of court.

(4) PROCESS.—Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business, or wherever the person may be found.

SEC. 1210. CONFIDENTIALITY.

(a) PROHIBITION.—No information regarding names of voters or how a person voted in a referendum conducted under this title shall be made public.

(b) PENALTY.—Any person who knowingly violates subsection (a) or the confidentiality terms of an order, as described in section 1205(m)(2), shall be subject to a fine of not less that $1,000 nor more than $10,000 or to imprisonment for not more than 1 year, or both. If the person is an officer or employee of the Department of Agriculture or the Board, the person shall be removed from office.

(c) ADDITIONAL PROHIBITION.—No information obtained under this title may be made available to any agency or officer of the Federal Government for any purpose other than the implementation of this title or an investigatory or enforcement action necessary for the implementation of this title.

(d) WITHHOLDING INFORMATION FROM CONGRESS PROHIBITED.—Nothing in this title shall be construed to authorize the withholding of information from Congress.

SEC. 1211. AUTHORITY FOR SECRETARY TO SUSPEND OR TERMINATE ORDER.

(a) GROUNDS FOR SUSPENSION OR TERMINATION.—If the Secretary finds that an order, or any provision of the order, obstructs or does not tend to effectuate the policy of this title specified in section 1202(b), the Secretary shall terminate or suspend the operation of the order or provision under such terms as the Secretary determines are appropriate.

(b) EFFECT OF LACK OF APPROVAL OF ORDER.—If, as a result of a referendum, the Secretary determines that the order is not approved, the Secretary shall, within 180 days after making the determination, suspend, or terminate, as appropriate, collection of assessments under the order, and suspend or terminate, as appropriate, activities under the order in an orderly manner as soon as possible.

SEC. 1212. RULES OF CONSTRUCTION.

(a) TERMINATION OR SUSPENSION NOT AN ORDER.—The termination or suspension of an order, or a provision of an order, shall not be considered an order under the meaning of this title.

(b) RIGHTS.—This title—

(1) may not be construed to provide for control of production or otherwise limit the right of individual Hass avocado growers, handlers and importers to produce, handle, or import Hass avocados; and

(2) shall be construed to treat all persons producing, handling, and importing Hass avocados fairly and to implement any order in an equitable manner.

(c) OTHER PROGRAMS.—Nothing in this title may be construed to preempt or supersede any other program relating to Hass avocado promotion, research, industry information, and

consumer information organized and operated under the laws of the United States or of a State.

SEC. 1213. REGULATIONS.

The Secretary may issue such regulations as are necessary to carry out this title and the powers vested in the Secretary by this title, including regulations relating to the assessment of late payment charges and interest.

SEC. 1214. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this title.

(b) ADMINISTRATIVE EXPENSES.—Funds appropriated under subsection (a) may not be used for the payment of the expenses or expenditures of the Board in administering a provision of an order.

TITLE XIII—DEBT REDUCTION

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001''.

Following is explanatory language on H.R. 5426, as introduced on October 6, 2000.

The conferees on H.R. 4461 agree with the matter included in H.R. 5426 and enacted in this conference report by reference and the following description of it. This bill was developed through negotiations by the conferees on the differences in H.R. 4461. References in the following description to the ''conference agreement'' mean the matter included in the introduced bill enacted by this conference report.

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House and Senate bills that remain unchanged by this conference agreement, except as noted in this statement of the managers.

The conferees agree that executive branch wishes cannot substitute for Congress' own statements as to the best evidence of congressional intentions—that is, the official reports of the Congress. The conferees further point out that funds in this Act must be used for the purposes for which appropriated, as required by section 1301 of title 31 of the United States Code, which provides: ''Appropriations shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.''

The House and Senate report language that is not changed by the conference 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 in which the House or the Senate have directed the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $2,914,000 for the Office of the Secretary instead of $2,836,000 as proposed by the House and $27,914,000 as proposed by the Senate.

The conferees note that $40,000,000 for the development and implementation of a common computing environment is provided under the heading ''Common Computing Environment'' instead of $25,000,000 as proposed by the House.

The conference agreement does not adopt bill language as proposed by the Senate providing that funds for the development and implementation of a common computing environment shall be available only upon prior notice to the Committees on Appropriations.

The conference agreement does not include House language permitting unobligated balances of representation funds in the Foreign Agricultural Service to be used for official reception and representation purposes.

The conferees direct the Secretary to provide to the Committees on Appropriations a detailed report of all USDA activities related to Hurricane Mitch recovery efforts in Central America. The report should specifically include, but not be limited to, a list of all agencies that participated in the efforts, the specific activities by each agency, the cost incurred by each agency, and the source of funding for these costs.

The Secretary of Agriculture is urged to use ethanol, biodiesel, and other alternative fuels to the maximum extent practicable in meeting the fuel needs of the Department of Agriculture.

As the Administration proceeds with implementing the 1998 Congressional amendments to the Clean Air Act, the conferees urge that it closely follow the legislative language defining the quarantine and preshipment exemption. The conferees also urge the Administration to work with stakeholders regarding methyl bromide availability for critical post-harvest uses.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

The conference agreement provides $7,462,000 for the Office of the Chief Economist as proposed by the Senate instead of $6,408,000 as proposed by the House.

NATIONAL APPEALS DIVISION

The conference agreement provides $12,421,000 for the National Appeals Division (NAD) as proposed by the Senate instead of $11,718,000 as proposed by the House.

The conferees direct that the Director of NAD track and make available information about Director Review Determinations that are made in favor of the Department and those that are made in favor of the producer, and that NAD make this information available to the public, and submit a report to the Committees on Appropriations no later than February 1, 2001, as proposed by the House.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $6,765,000 for the Office of Budget and Program Analysis as proposed by the Senate instead of $6,581,000 as proposed by the House.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $10,051,000 for the Office of the Chief Information Officer as proposed by the House instead of $10,046,000 as proposed by the Senate. This includes the following increases from the fiscal year 2000 level: $1,392,000 for a central cyber security program; $1,280,000 to strengthen the information risk management program; $1,116,000 for an information and telecommunications security architecture; and $217,000 for pay costs.

The conferees direct the Chief Information Officer to keep the Committees updated on a quarterly basis as the information security programs are implemented.

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $40,000,000 in a separate account for the Common Computing Environment instead of $25,000,000 as proposed by the House.

The conferees note that incorporating geographic information systems technology and the use of geospatial information are important components of the Common Computing Environment.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $5,171,000 for the Office of the Chief Financial Officer as proposed by the Senate instead of $4,783,000 as proposed by the House.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $629,000 for the Office of the Assistant Secretary for Administration as proposed by the Senate instead of $613,000 as proposed by the House.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $182,747,000 for Agriculture Buildings and Facilities and Rental Payments as proposed by the Senate instead of $150,343,000 as proposed by the House.

The conferees expect that the five percent transfer authority will be proposed when a move into General Services Administration (GSA) space is vacated in favor of commercial space. The report further notes that this flexibility is provided to allow for incremental changes in the amount of GSA space, and is not intended to finance changes in GSA billing.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $36,010,000 for Departmental Administration instead of $34,708,000 as proposed by the House and $36,840,000 as proposed by the Senate.

The conference agreement reflects the transfer of $177,000 in FY 2000 for accounting support services from Departmental Administration to the Office of the Chief Financial Officer, and increases of $979,000 for pay costs and $500,000 for alternative dispute resolution.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides $3,568,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House and the Senate. The conference agreement allows funds to be transferred to the agencies, but does not prescribe the amount of funds to be transferred. The conferees direct the Department, within 30 days of enactment, to notify the Committees on the allocation of these funds, including an explanation for any agency-by-agency distribution of these funds.

OFFICE OF COMMUNICATIONS

The conference agreement provides $8,623,000 for the Office of Communications instead of $8,138,000 as proposed by the House and $8,873,000 as proposed by the Senate.

The conference agreement includes the increase requested for pay costs and $250,000 for electronic access to information.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $68,867,000 for the Office of the Inspector General instead of $66,867,000 as proposed by the Senate and $65,097,000 as proposed by the House.

The conference agreement includes $2,000,000 for oversight and audit activities involving the more than $16 billion provided

in emergency agricultural assistance in fiscal years 1999 and 2000. The conferees want to ensure the Inspector General's office has resources to carry out its oversight activities with respect to these funds.

The conferees do not agree to language proposed by the Senate directing the Inspector General to investigate whether National Appeals Division decisions overwhelmingly favor the Department. The conference agreement addresses this issue under the National Appeals Division account.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $31,080,000 for the Office of the General Counsel as proposed by the Senate instead of $29,194,000 as proposed by the House.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $556,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the Senate instead of $540,000 as proposed by the House.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $67,038,000 for the Economic Research Service as proposed by the Senate instead of $66,419,000 as proposed by the House. Included in this amount is $12,195,000 for USDA food assistance program studies and evaluations, of which $1,000,000 is transferred to the Food Program Administration account of the Food and Nutrition Service as proposed by the Senate.

Of the $1,000,000 to be transferred to the Food and Nutrition Service for studies and evaluations, $500,000 is to be made available for a study on the decline in participation in the food stamp program. The FNS study on this issue is to be completed by the Food and Nutrition Service within 180 days of enactment of this Act.

The conferees note that the USDA released a study in June, 2000, on this same issue. In addition, the USDA has contracted out for a broader, more in-depth study of food stamp program access and declining food stamp participation. The conferees are concerned that the studies to date neither accounted for a large segment of the participation decline, nor did they fully account for the corresponding rise in demand among community food banks. The Department is encouraged to develop the ongoing study in a manner to answer these questions.

The conferees direct the Economic Research Service to provide an interim report, by April 15, 2001, on the number of suppliers of infant formula in each state or major marketing area, and to compare the cost of formula that is included in the WIC rebate program versus the cost of formula that is not in the WIC rebate program. The conferees expect a final report by August 31, 2001.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $100,772,000 for the National Agricultural Statistics Service instead of $100,851,000 as proposed by the House and $100,615,000 as proposed by the Senate. This amount includes $159,000 to develop and implement a bi-weekly cream/milkfat price survey to benefit all segments of the dairy industry.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $898,812,000 for the Agricultural Research Service instead of $843,584,000 as proposed by the House and $871,593,000 as proposed by the Senate.

The conference agreement approves all directives and provides funding for all research and related costs, as specified in the House and Senate reports accompanying the fiscal year 2001 appropriations bill. Where increased funding is provided by both the House and Senate for the same research activity, the conference agreement provides funding at the higher level.

The conferees are aware that USDA is considering the relocation of ARS scientists from the Shafter Cotton Research Station, CA. The conferees are concerned that this relocation will reduce the level of resources for cotton research conducted at the station. The conference agreement provides continued funding at the fiscal year 2000 level for this research and directs that no action be taken to shift funds or staffing resources from Shafter without the prior approval of the Committees on Appropriations of both Houses of Congress.

The conferees recognize that ARS, Stoneville, MS, should be properly credited with the development of a catfish line (USDA 103) with improved growth characteristics. The Stoneville Unit has also developed the first channel catfish detailed genetic linkage map.

Increased funding provided by the conference agreement for endophyte research, as recommended by the House, is to be divided equally among the participating institutions (University of Arkansas, University of Missouri, and Oregon State University).

Increased funding provided by the conference agreement for chicken genome mapping, as recommended by the House, is to be carried out at the Avian Disease Oncology Laboratory, currently located in East Lansing, Michigan.

The conferees encourage the Department to carry out glassy-winged sharpshooter and Pierce's disease research at Parlier, CA.

The conferees expect the Department to ensure that funds provided to the Yakima Agricultural Research Laboratory intended for potato research are fully utilized for potato research.

The conferees concur with House report language regarding increased funding, as recommended by both the House and Senate, for potato research at Prosser, WA.

Increased funding provided by the conference agreement for mosquito trapping research and West Nile virus, as recommended by the House, is to be utilized for cooperative research with the State of Connecticut Agricultural Experiment Station for research that focuses on the West Nile virus crisis. These resources will allow the experiment station to enhance its on-going efforts to control and eradicate this infectious disease.

Within the increased funding provided by the conference agreement for soil tilth research, as recommended by the House, $350,000 is to be utilized for carbon cycle research focusing on the corn-soybean rotation.

BUILDINGS AND FACILITIES

The conference agreement provides $74,200,000 for Agricultural Research Service, Building and Facilities instead of $39,300,000 as proposed by the House and $56,330,000 as proposed by the Senate.

The following table reflects the conference agreement:

Arizona: Water Conservation and Western Cotton Laboratory, Maricopa.	$5,000,000
California: Western Regional Research Center, Albany.	4,900,000
District of Columbia: U.S. National Arboretum.	3,330,000
Hawaii: U.S. Pacific Basin Agricultural Research Center, Hilo.	5,000,000
Illinois: USDA Greenhouse Complex, Urbana.	3,600,000
Iowa: National Animal Disease Center, Ames.	9,000,000
Kansas: U.S. Grain Marketing Research Laboratory, Manhattan.	3,500,000
Maine: Northeast Marine Cold Water Aquaculture Research Center, Orono.	2,500,000
Maryland:	
Human Nutrition Research Center, Beltsville.	13,300,000
National Agricultural Library, Beltsville.	1,770,000
Mississippi: Insect Rearing Facility, Stoneville.	5,000,000
Montana: Fort Keogh Laboratory, Miles City.	5,300,000
New York: Plum Island Animal Disease Center, Greenport.	7,000,000
Utah: Poisonous Plant Laboratory, Logan.	5,000,090
Total	$74,200,000

The conferees are aware that the Agriculture Research Station and the Animal and Plant Health Inspection Service are developing a Master Plan to construct new and expanded facilities at Ames, Iowa. The conferees direct the Secretary of Agriculture to assess the scope of and need for this project based on the research and regulatory requirements of the Department, and the relationship between this project and existing capabilities available to the Department. The Office of the Secretary of Agriculture is directed to submit a report to the Committees on Appropriations by March 1, 2001 that will include this assessment as well as current estimates of full costs and the proposed construction schedule for this project. Of the funds appropriated no more than $2,000,000 will be expended prior to March 30, 2001. The Department will not commit additional funds on any of the components of this project after that date unless the report finds that the construction of the component is found to be appropriate.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $506,193,000 for research and education activities instead of $481,551,000 as proposed by the House and $494,044,000 as proposed by the Senate.

The following table reflects the conference agreement:

Research and education activities

(In thousands of dollars)

	Conference Agreement
Payments under the Hatch Act	$180,545
Cooperative Forestry Research (McIntire-Stennis)	21,932
Payments to 1890 Colleges and Tuskegee University	32,676
Special Research Grants (Public Law 89–106):	
Advanced genetic technologies (KY)	475
Advanced spatial technologies (MS)	1,000
Aegilops cylindricum (WA)	360
Aflatoxin (IL)	131

	Conference Agreement
Agricultural diversification (HI)	131
Agricultural diversity/Red River Trade Corridor (MN,ND)	375
Agricultural telecommunications (NY)	425
Agriculture-based industrial lubricants (IA)	350
Agriculture water usage (GA)	300
Agroecology (MD)	285
Alliance of food protection (GA, NE)	300
Alternative crops (ND)	625
Alternative corps for arid lands (TX)	100
Alternative nutrient management (VT)	190
Alternative salmon products (AK)	645
Animal science food safety consortium (AR, IA, KS)	1,635
Apple fire blight (MI, NY)	500
Aquaculture (AR)	238
Aquaculture (FL)	446
Aquaculture (LA)	330
Aquaculture (MS)	592
Aquaculture (NC)	300
Aquaculture (VA)	100
Aquaculture (WA)	285
Aquaculture Product and Marketing Development (WV)	750
Asparagus technology and production (WA)	225
Babcock Institute (WI)	600
Beef technology transfer (MO)	285
Biobased technology (MI)	285
Bioinformatics (VA)	475
Biomass-based energy research (OK, MS)	902
Biotechnology (NC)	285
Blocking anhydrous methamphetamine production (IA)	248
Bovine Tuberculosis (MI)	325
Brucellosis vaccine (MT)	496
Center for animal health & productivity (PA)	113
Center for Rural Studies (VT)	200
Chesapeake Bay agroecology (MD)	175
Chesapeake Bay aquaculture	392
Citrus canker (FL)	4,750
Citrus tristeza	742
Competitiveness of agriculture products (WA)	680
Cool season legume research (ID, WA)	329
Cranberry/blueberry (MA)	175
Cranberry/blueberry disease and breeding (NJ)	220
Dairy and meat goat research (TX)	63
Dairy farm profitability (PA)	285
Delta rural revitalization (MS)	205
Designing foods for health (TX)	563
Diaprepes/root weevil (FL)	395
Drought mitigation (NE)	200
Ecosystems (AL)	500
Efficient irrigation (NM, TX)	1,188
Environmental biotechnology (RI)	190
Environmental horticulture (FL)	285
Environmental research (NY)	400
Environmental risk factors/cancer (NY)	227
Environmentally-safe products (VT)	246
Exotic pest diseases (CA)	1,250
Expanded wheat pasture (OK)	293
Farm injuries and illnesses (NC)	285
Feed barley for rangeland cattle (MT)	694
Fish and shellfish technologies (VA)	475
Floriculture (HI)	250
Food and Agriculture Policy Research Institute (IA, MO)	950
Food irradiation (IA)	225
Food Marketing Policy Center (CT)	495
Food processing center (NE)	42
Food quality (AK)	350
Food safety (AL)	521
Food safety research consortium (NY)	285
Food Systems Research Group (WI)	500
Forages for advancing livestock production (KY)	375
Forestry (AR)	523
Fruit and vegetable market analysis (AZ, MO)	348
Generic commodity promotions, research and evaluation (NY)	198
Global change/ultraviolet radiation	1,434
Grain sorghum (KS)	106
Grass seed cropping systems for sustainable agriculture (ID, OR, WA)	423
Human nutrition (IA)	473
Human nutrition (LA)	752
Human nutrition (NY)	622
Hydroponic tomato production (OH)	100
Illinois-Missouri Alliance for Biotechnology	1,242
Improved dairy management practices (PA)	398
Improved early detection of crop disease (NC)	198
Improved fruit practices (MI)	445
Infectious disease research (CO)	300
Institute for Food Science & Engineering (AR)	1,250
Integrated production systems (OK)	180
Intelligent quality sensor for food safety (ND)	142
International arid lands consortium	495
Iowa Biotechnology Consortium	1,564
Livestock and dairy policy (NY, TX)	570
Lowbush blueberry research (ME)	260
Maple research (VT)	119
Meadowfoam (OR)	300
Michigan biotechnology consortium	725
Midwest Advanced Food Manufacturing Alliance	462
Midwest agricultural products (IA)	646
Milk safety (PA)	375
Minor use animal drugs	550
Molluscan shellfish (OR)	400
Multi-commodity research (OR)	364
Multi-cropping strategies for aquaculture (HI)	127
National beef cattle genetic evaluation consortium (NY)	285
National biological impact assessment	254
Nematode resistance genetic engineering (NM)	127
Nevada arid rangelands initiative (NV)	300
New crop opportunities (AK)	496
New crop opportunities (KY)	725
Non-food uses of agricultural products (NE)	64
Nursery, greenhouse, and turf specialities (AL)	285
Oil resources from desert plants (NM)	175
Organic waste utilization (NM)	100
Pasture and forage research (UT)	250
Peach tree short life (SC)	179
Peanut allergy reduction (AL)	500
Pest control alternatives (SC)	117
Phytophthora root rot (NM)	138
Pierce's disease (CA)	1,900
Plant, drought, and disease resistance gene cataloging (NM)	250
Potato research	1,450
Precision agriculture (KY)	750
Preharvest food safety (KS)	212
Preservation and processing research (OK)	226
Produce pricing (AZ)	76
Protein utilization (IA)	190
Rangeland ecosystems (NM)	300
Red snapper research (AL)	725
Regional barley gene mapping project	588
Regionalized implications of farm programs (MO, TX)	294
Rice Modeling (AR)	296
Rural Development Centers (PA, IA, ND, MS, OR, LA)	523
Rural Policies Research Institute (NE, IA, MO)	822
Russian wheat aphid (CO)	250
Safe vegetable production (GA)	285
Satsuma orange research (AL)	475
Sclerotina disease research (MN)	238
Seafood and acquaculture harvesting, processing, and marketing (MS)	305
Seafood harvesting, processing, and marketing (AK)	1,168
Seafood safety (MA)	278
Small fruit research (OR, WA, ID)	325
Southwest consortium for plant genetics and water resources	369
Soybean cyst nematode (MO)	600
STEEP-water quality in the Pacific Northwest	500
Sustainable agriculture (CA)	393
Sustainable agriculture (MI)	445
Sustainable agriculture and natural resources (PA)	100
Sustainable agriculture systems (NE)	59
Sustainable agriculture beef supply (MT)	744
Sustainable pest management for dryland wheat (MT)	462
Swine waste management (NC)	500
Technological development of renewable resources (MO)	285
Tillage silviculture, waste management (LA)	212
Tomato wilt virus (GA)	250
Tropical aquaculture (FL)	198
Tropical and subtropical research/T STAR	3,862
Turkey carna virus (IN)	200
Value-added product development from agricultural resources (MT)	332
Value-added products (IL)	95
Vidalia onions (GA)	250
Viticulture consortium (NY, CA, PA)	1,500
Water conservation (KS)	79
Weed control (ND)	436
Wetland plants (LA)	600
Wheat genetic research (KS)	261
Wheat sawfly research (MT)	332
Wood utilization (AK, ID, ME, MI, MN, MS, NC, OR, TN)	5,786
Wool research (TX, MT, WY)	300
Subtotal, Special Grants	85,669
Improved pest control:	
Emerging pests/critical issues	200

	Conference Agreement
Expert IPM decision support system	177
Integrated pest management	2,731
IR–4 minor crop pest management	8,990
Pest management alternatives	1,623
Subtotal, Improved pest control	13,721
National Research Initiative (NRI) Competitive Grants	106,000
Animal health and disease (sec. 1433)	5,109
Alternative crops	800
Critical Agricultural Materials Act	640
1994 Institutions research program	1,000
Institution challenge grants	4,350
Graduate fellowships grants	3,000
Multicultural scholars program	1,000
Hispanic education partnership grants	3,500
Capacity building grants (1890 Institutions)	9,500
Payments to the 1994 Institutions	1,552
Alaska Native serving and Native Hawaiian-serving Institutions education grants	3,000
Secondary agriculture education	800
Sustainable agriculture research and education/SARE	9,250
Aquaculture centers (sec. 1475)	4,000
Federal Administration:	
Agriculture development in the American Pacific	564
Agriculture waste utilization (WV)	496
Agriculture water policy (GA)	366
Alternative fuels characterization laboratory (ND)	259
Animal waste management (OK)	275
Biotechnology (MS)	591
Center for Agricultural and Rural Development (IA)	428
Center for innovative food technology (OH)	761
Center for North American Studies (TX)	87
Climate change research (FL)	170
Cotton research (TX)	500
Data Information system	2,125
Geographic information system	1,025
Germplasm development in forage grasses (OH)	100
Livestock marketing information center (CO)	185
Mariculture (NC)	325
Mississippi Valley State University	647
National Center for Peanut Competitiveness (GA)	400
Office of Extramural Programs	449
Pay costs and FERS	1,100
Peer panels	350
PM–10 air quality study (WA)	436
Precision agriculture/Geospatial Training and Application Center (AL)	587
Precision agriculture/Tennessee Valley Research and Extension Center (AL)	147
Shrimp aquaculture (AZ, HI, MA, MS, SC, TX)	4,177
Sustainable agriculture development (OH)	475
Urban silviculture (NY)	238
Water quality (IL)	349
Water quality (ND)	395
Wetland plants (WV)	142
Subtotal, Federal Administration	18,149
Total, Research and Education Activities	$506,193

The conference agreement includes $800,000 for alternative crops, of which $600,000 is for canola and $200,000 is for hesperaloe and other natural products from desert plants.

The conference agreement for Binational Agricultural Research and Development (BARD) is included under the ''Agricultural Research Service, Salaries and Expenses'' account, which provides $400,000 as proposed by the Senate instead of $400,000 under CSREES Research and Education Activities as proposed by the House.

The conference agreement provides $106,000,000 for the National Research Initiative (NRI), without specifying the breakdown of funds to support the ''high priority research'' areas authorized by 7 U.S.C. 450i(b). However, the conferees direct that $20,788,000 of this amount, the full request level, be made available to support the President's Food Safety Initiative. The conferees also encourage a fair distribution of resources between research on animal systems and plants.

The conferees are aware that CSREES intends to fill the position of National Program Leader, Agricultural Engineering, vacated by retirement. The conferees intend that the primary responsibilities of the position should continue to support ginning education and technology transfer and be based at a USDA ginning laboratory facility to maintain efficiency and ensure close communications with stakeholders and researchers.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $7,100,000 for the Native American Institutions Endowment Fund as proposed by both the House and the Senate, with technical corrections as proposed by the Senate.

EXTENSION ACTIVITIES

The conference agreement provides $433,429,000 for extension activities instead of $431,540,000 as proposed by the House and $427,380,000 as proposed by the Senate.

The following table reflects the conference agreement:

Extension Activities

[In thousands of dollars]

	Conference agreement
Smith-Lever sections 3(b) and (c)	$276,548
Smith-Lever section 3(d):	
Farm safety	4,000
Food and nutrition education	58,695
Indian reservation agents	2,000
Pesticide applicator training	0
Pest management	10,783
Rural development centers	908
Sustainable agriculture	3,800
Youth at risk	8,500
Youth farm safety education and certification	500
Renewable Resources Extension Act	3,192
1890 Colleges & Tuskegee University	28,243
1890 facilities grants	12,200
Rural health and safety education	2,628
Extension services at the 1994 institutions	3,280
Subtotal	415,277
Federal administration:	
After-school program (CA)	399
Ag in the Classroom	452
Beef producers improvement (AR)	197
Botanical garden initiative (IL)	238
Conservation technology transfer (WI)	475
Dairy education (IA)	238
Delta Teachers Academy	3,500
Diabetes detection, prevention (WA)	926
Efficient irrigation (NM/TX)	1,900
Extension specialist (MS)	100
Family farm beef industry network (OH)	1,320
Food animal residue avoidance database/FARAD	285
Food Electronically and Effectively Distributed (FEED) demonstration project (OR)	167
Income enhancement demonstration (OH)	246
Integrated cow/calf management (IA)	285
National Center for Agriculture Safety (IA)	195
Pilot technology transfer (WI)	163
Pilot technology transfer (OK, MS)	326
Potato pest management (WI)	190
Range improvement (NM)	197
Rural development (AK)	618
Rural development (NM)	280
Rural rehabilitation (GA)	246
Vocational agriculture (OK)	276
Wood biomass as an alternative farm product (NY)	197
General administration and pay	4,736
Total, Federal Administration	18,152
Total, Extension Activities	$433,429

The conference agreement includes $4,000,000 for farm safety, of which $2,800,000 is for the AgrAbility project.

INTEGRATED ACTIVITIES

The conference agreement provides $41,941,000 for integrated activities instead of $39,541,000 as proposed by the House and $43,365,000 as proposed by the Senate.

The following table reflects the conference agreement:

Integrated Activities Account

[In thousands of dollars]

	Conference agreement
Integrated Research, Education and Extension Competitive Grants Program:	
Water Quality	$13,000

	Conference agreement
Food Safety	15,000
Pesticide Impact Assessment	4,541
Crops at Risk From FQPA Implementation	1,500
FQPA Risk Mitigation Program for Major Food Crop Systems	4,900
Methyl Bromide Transition Program	2,500
Organic Transition Program	500
Total, Integrated Activities	41,941

The conferees direct the Department to continue funding for the Farm*A*Syst program at no less than the fiscal year 1999 level, and encourage the Department to give consideration to $4,000,000 for this program within the funds provided for water quality.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $635,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the Senate instead of $618,000 as proposed by the House.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $530,564,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $469,985,000 as proposed by the House and $458,149,000 as proposed by the Senate.

The conference agreement does not include the House bill language ''reduced by $15,510.''

The conference agreement includes language permitting up to $1,000,000 for wildlife services methods development pilot projects for wildlife predation of livestock.

The conference agreement includes an additional $59,400,000 for boll weevil eradication program as proposed by the Senate in Division B.

The conferees direct the agency not to deduct administrative and overhead expenses from the additional funding provided for boll weevil eradication. The conferees support the producer-governed Boll Weevil Action Committee's unanimously approved plan for allocation of the emergency and regular funding for eradication zones active as of December 1, 2000. The conferees understand the plan provides for distribution of funds on a pro-rata basis with exceptions to address special funding requirements arising from extraordinary circumstances in Oklahoma, Mississippi and possibly Tennessee.

The conferees are concerned about the need for more control of rabies. The conferees direct the Secretary of Agriculture to issue a declaration of emergency with regard to rabies in West Virginia, Ohio, Vermont, New Hampshire, New York, Pennsylvania, and Texas, and to provide an additional $4,100,000 above the fiscal year 2000 level for control efforts by the Animal and Plant Health Service (APHIS), Wildlife Services. Of this amount, not less than $1,300,000 is to be directed toward cooperative rabies control in West Virginia.

The following table reflects the conference agreement:

[In thousands of dollars]

	Conference agreement
Pest and Disease Exclusion:	
Agricultural quarantine inspection	$38,970
User fees	85,000
Subtotal, Agricultural Quarantine Inspection	123,970
Cattle ticks	5,276
Foot-and-mouth disease	3,803
Import/export	7,025
Sanitary/phytosanitary management	8,205
Fruit fly exclusion and detection	32,610
Screwworm	30,375
Tropical bont tick	407
Total, Pest and Disease Exclusion	211,671
Plant and Animal Health Monitoring:	
Animal health monitoring and surveillance	68,653
Animal and plant health regulatory enforcement	6,263
Emergency Management System	2,997
Pest detection	6,729
Total, Plant and Animal Health Monitoring	84,642
Pest and Disease Management Programs:	
Aquaculture	920
Biocontrol	8,318
Boll weevil	79,157
Brucellosis eradication	9,943
Emerging plant pests	3,533
Golden nematode	580
Gypsy moth	4,417
Imported fire ant	2,100
Noxious weeds	1,124
Pink bollworm	1,548
Pseudorabies	4,039
Scrapie eradication	3,024
Tuberculosis	5,474
Wildlife services operations	36,781
Witchweed	1,506
Total, Pest and Disease Management	162,464
Animal Care:	
Animal welfare	12,167
Horse protection	398
Total, Animal Care	12,565
Scientific and Technical Services:	
Biotechnology/environmental protection	10,021
Integrated systems acquisition project	1,000
Plant methods development laboratories	4,806
Veterinary biologics	10,751
Veterinary diagnostics	17,514
Wildlife Services methods development	11,025
Total, Scientific and Technical Services	55,117
Contingency fund	4,105
Invasive species	0
Total, Contingency Fund and Invasive Species	4,105
Total, Salaries and Expenses	530,564

The conference agreement provides $625,000 for a cooperative agreement with Georgia Wildlife Services and the University of Georgia to conduct research on and control of game bird predation in Georgia.

The conference agreement provides an increase of $1,000,000 above the fiscal year 2000 level for predator control programs for livestock operators in Montana, Idaho and Wyoming.

The conference agreement provides $50,000 to begin studies in order to better understand the effect of American white pelicans and their associated ecology on the aquaculture industry in the Mid-south.

The conferees are aware that the General Accounting Office has been asked to provide an analysis of the likely impact of an extension of the Andean Trade Preferences Act on imports of Peruvian asparagus within six months of the date of enactment of this Act. The conferees support this request and note the importance of completion of the study by the date requested.

The conferees urge the use of the VAC–TRAC Verification System (VTVS) through Artificial Intelligence networking in the establishment of the permanent animal identification system in the United States. The VTVS will possibly help enforce APHIS' port of entry agricultural quarantine program and assure the safety and efficacy of veterinary biological and agricultural biotechnology products overseen by APHIS.

The conference agreement includes an increase of $1,000,000 above the fiscal year 2000 level for aviation operations and safety.

The conference agreement includes an increase of $2,000,000 above the fiscal year 2000 level for the shared responsibility with the states to conduct surveys, compliance monitoring, and enforcement responsibilities affiliated with the fire ant quarantine of nursery and greenhouse plants including control, management and eradication of the imported fire ant in New Mexico.

The conference agreement provides $500,000 for research and evaluation of nicarbazin as a means of controlling goose and other avian populations and to increase airport safety.

The conference agreement does not adopt House report language regarding apportionment of funds by the Office of Management and Budget. The conferees direct the Department to notify the Committees on Appropriations when funds are released from the Commodity Credit Corporation for APHIS programs.

The conference agreement provides $920,000 for aquaculture including an increase of $191,000 above the fiscal year 2000 level to continue the telemetry studies on depredating species of wildlife in the Southeast and to pay for cost increases. The conference agreement also includes $100,000 to support a wildlife biologist at the Northwest Florida Aquaculture Farm in Blountstown, FL.

The conference agreement provides an increase of $124,000 for the National Poultry Improvement Program.

The conferees emphasize that they expect the Secretary to continue to conduct a wildlife services program consistent with the program in place on the date of enactment of this Act. The Secretary is expected to take all actions deemed necessary and proper to protect agricultural resources, natural resources, property, and public health and safety on all lands with respect to injurious animals such as predators, rodents, birds, reptiles, and amphibians. The conferees also emphasize the importance to develop and implement methods that best promote and further utilize non-lethal means of control in

order to sustain diversity of and reduce harm to native species, and realize savings and efficiencies among public agencies and those seeking agency assistance. The conferees expect the Secretary to continue cooperating with all parties interested in agency activities and to conduct such investigations, experiments, and tests as he may deem necessary and proper to determine, demonstrate, and promulgate the best methods of eliminating the threats posed by injurious animals in the most efficient and humane manner practicable. The conferees further expect the General Accounting Office to provide a report to the Appropriations Committees of the House and the Senate by November 30, 2001 on actions taken or planned by Wildlife Services to reduce the threats posed by injurious animals; the nature, severity, and harm resulting from such threats; specific costs and benefits of agency operations; and opportunities for developing effective non-lethal methods of control as evidenced by evaluations of actual agency activities on farms and ranches representative of client appeals for assistance and results.

The conference agreement provides an increase of $50,000 above the fiscal year 2000 level for a cooperative agreement with Murray State University, Breathitt Veterinary Center, Hopkinsville, KY to determine the impact on animal health from common agricultural chemical usage.

The conference agreement provides an increase of $2,370,000 above the fiscal year 2000 level for the emergency management systems program so the agency can respond to crises that threaten the economic health of the animal industry.

The conferees direct the agency to evaluate its authority and its resources for sufficiency to promote the safety of companion animals transported on commercial airlines. This study should include recommendations regarding any authority needed by the agency to improve animal safety on all commercial airlines.

BUILDINGS AND FACILITIES

The conference agreement provides $9,870,000 for Animal and Plant Health Inspection Service Buildings and Facilities as proposed by the Senate instead of $5,200,000 as proposed by the House.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $65,335,000 for the Agricultural Marketing Service instead of $56,326,000 as proposed by the House and $64,696,000 as proposed by the Senate. The conference agreement provides that $639,000 shall be transferred for the National Organic Standards program only after promulgation of a final rule as proposed by the House. The total amount recommended includes: $5,900,000 for the Livestock Mandatory Price Reporting Act of 1999 as proposed by the Senate instead of $3,000,000 as proposed by the House; $6,235,000 for the Microbiological Data program as proposed by the Senate; an increase of $1,106,000 for the Pesticide Data program as proposed by the House instead of $1,137,000 as proposed by the Senate; and an increase of $31,000 for the Federal-State Marketing Improvement program as proposed by the House.

The conferees expect that, prior to implementation of the recommendations of the USDA Research and Promotion Task Force, the Agricultural Marketing Service will conduct a cost and benefit analysis of the recommendations of the USDA Research and Promotion Task Force, and report to the Committees on Appropriations of the House of Representatives and the Senate on the cost implications to the affected commodity promotion boards.

The conferees place the highest emphasis on ensuring the safety of meals delivered through USDA's various feeding programs. The conferees direct that USDA will not preclude the use of any USDA-approved food safety technology in the preparation of food for its meal or nutrition programs.

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement provides $1,350,000 for the Payments to States and Possessions program instead of $1,500,000 as proposed by the House and $1,200,000 as proposed by the Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $31,420,000 for the Grain Inspection, Packers and Stockyards Administration instead of $27,801,000 as proposed by the House and $27,269,000 as proposed by the Senate.

The conference agreement includes $600,000 for the completion of a biotechnology facility.

The conferees direct the Secretary of Agriculture to conduct a comprehensive study on the issue of captive supply, and deliver a report by September 30, 2001. In particular, the Secretary is instructed to examine and report on whether or not the cattle that are procured pursuant to a captive supply arrangement by a packer's non-reporting subsidiary, affiliate and owners, officers and employees are being included in the percentages as captive supply. The report shall also include the reasons why GIPSA's annual ''Packers and Stockyard Statistical Report'' frequently reports a captive supply percentage much lower than the percentages reported by other entities.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $460,000 for the Office of the Under Secretary for Food Safety as proposed by the Senate instead of $446,000 as proposed by the House.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $696,704,000 for the Food Safety and Inspection Service instead of $673,790,000 as proposed by the House and $678,011,000 as proposed by the Senate.

The conference agreement includes $591,258,000 for federal food inspection.

The conference agreement includes $6,000,000 to be used to the extent approved by the Director of the Office of Management and Budget to liquidate obligations incurred in previous years that violated the Antideficiency Act. The conferees expect the agency to take appropriate action to avoid violations of the Antideficiency Act from occurring again.

The conference agreement does not adopt Senate bill language providing that the appropriation shall not be available for shell egg surveillance under the Egg Products Inspection Act.

The conferees direct the agency to provide $500,000 to the National Research Council for an evaluation, at the earliest date practicable, by the National Research Council of the role of scientifically determined criteria, including microbiological criteria, in the production and regulation of meat and poultry products and a report, including recommendations to the Secretary, to be prepared by the National Advisory Committee on Microbiological Criteria for Foods, no later that March 1, 2001, regarding microbiological performance standards, including the role of such standards as a means of assuring meat and poultry product safety, as well as such other considerations as the Committee deems appropriate. These activities should in no way delay the implementation of the HACCP inspection system or other food safety activities.

The conferees direct the agency to continue to provide the Quarterly Report on Budget Execution and Staffing to the Committees on Appropriations.

The conference agreement does not include language under this heading which permits FSIS to expend funds appropriated for FY 2001 to liquidate overobligations and overexpenditures incurred in previous fiscal years as proposed by the House.

The conferees note that the conference agreement provides for all mandatory pay cost increases and the full amount requested for the FSIS portion of the Food Safety Initiative.

The conference agreement includes full funding for inspection costs and activities and $2,039,000 for activities related to the Codex Alimentarius. The conferees note increased responsibilities for the agency regarding participation in the Codex Alimentarius. The conference agreement provides for not to exceed $50,000 for representational expenses associated with Codex activities.

The conferees direct a report by March 1, 2001 on meat and poultry inspection regulations in place prior to publication of the Pathogen Reduction HACCP Rule.

Furthermore, the conferees, in supporting food safety regulations based upon the best available science, recognize the importance of the National Advisory Committee for Microbiological Criteria for Foods' (NACMF) chartered mission of providing impartial, scientific advice to Federal agencies on food safety matters. The conferees, therefore, direct that as part of Department of Health and Human Services and Department of Agriculture's ongoing rechartering of the NACMF, the Secretary of Agriculture and Secretary of Health and Human Services shall: (1) appoint a number of members consistent with scientific advisory committees utilized by agencies such as the Food and Drug Administration and the U.S. Environmental Protection Agency; (2) adhere strictly to applicable Federal conflict-of-interest requirements for Federal advisory committee membership; (3) report to the Committee on Appropriations and Committee on Agriculture, Nutrition, and Forestry of the U.S. Senate, the Committee on Appropriations and Committee on Agriculture in the U.S. House of Representatives, and the Secretaries of Agriculture and Health and Human Services on any conflicts of interest of NACMF members involved in making recommendations to federal agencies, whether waived under applicable Federal law or not, and what those conflicts are.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $589,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the Senate instead of $572,000 as proposed by the House.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $828,385,000 for the salaries and expenses of the Farm Service Agency (FSA), the same as proposed by the House, Senate and President's budget request. The conferees are concerned, however, that the budget request did

not include a funding request sufficient to maintain FSA county office employees at the fiscal year 2000 level. Rural communities and agricultural producers rely heavily on the programs administered by the FSA county office employees during periods of economic decline. Since the economic crisis and FSA workload are not expected to decline in the near future, the conferees expect that future funding requests will fully support the workload needs of county office employees.

STATE MEDIATION GRANTS

The conferees are aware of outstanding issues regarding confidentiality of client information and auditing requirements necessary to maintain program integrity in the State Mediation Program. The conferees strongly encourage the relevant agencies to work cooperatively to balance those program interests and propose further reauthorization requirements as appropriate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Guaranteed	($870,000,000)
Subsidy	4,437,000
Farm Operating Loans:	
Direct	(525,000,000)
Subsidy	47,355,000
Unsubsidized Guaranteed	(1,077,839,000)
Subsidy	14,770,000
Subsidized Guaranteed	(369,902,000)
Subsidy	30,185,000
Emergency Loans	(25,000,000)
Subsidy	6,133,000
Indian Tribe Land Acquisition Loans	(2,006,000)
Subsidy	323,000

The conferees considered the estimated large carry over balances in the Agricultural Credit Insurance Fund Program account in determining the fiscal year 2001 funding amounts. The estimated carry over balances and the conference agreement reflect at a minimum the President's budget request. In the case of emergency loans, the total amount available is $292,802,000 with a subsidy of $71,825,000, reflecting an increase of $142,738,000 and $35,014,000, respectively, over the President's request.

RISK MANAGEMENT AGENCY

The conference agreement provides $65,597,000 for the Risk Management Agency (RMA) as proposed by the Senate instead of $67,700,000 as proposed by the House.

The conferees recognize the importance of improved risk management tools for dairy farmers and expect the RMA to allow the participation of producers in the Dairy Options Pilot Program (DOPP) for more than one year. The complexities inherent in DOPP require a full understanding of all facets of the program rather than a mere introduction to any benefits or problems. Accordingly, the Administrator of RMA is directed to report to the Appropriations Committees of the House and the Senate by January 2001 on agency compliance with this directive.

CORPORATIONS

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses as proposed by the Senate instead of a limitation of $27,771,007,000 as proposed by the House.

TITLE II—CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $711,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the Senate instead of no appropriation as proposed by the House.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $714,116,000 for Conservation Operations as proposed by the Senate instead of $676,812,000 as proposed by the House. Included in this amount is not less than $9,125,000 for operation and establishment of plant materials centers as proposed by the House instead of not less than $9,975,000 as proposed by the Senate.

The conference agreement provides $2,000,000 for the Urban Resources Partnership program, the same amount as the budget request, of which $1,000,000 is available only after promulgation of a final rule for the program.

The conference agreement includes language that makes $204,000 available for the American Heritage Rivers program, the same amount as the budget request.

The conferees recognize the long-term nature of the technical assistance work associated with EQIP contracts and recommend that the technical assistance component be reimbursed, from the Commodity Credit Corporation, for all costs associated with new and existing contracts.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, funding is included for the following items: fiscal year 2000 funding level for the National Water Management Center in Arkansas; $290,000 to expand cooperative efforts with Delaware State University as proposed by the House instead of $500,000 as proposed by the Senate; $5,000,000 for pilot projects for technology systems resulting in nutrient reduction in Florida and North Carolina instead of $1,600,000 as proposed by the House; $525,000 for a cooperative agreement with the Georgia Soil and Water Conservation Commission; $750,000 for Hungry Canyon/Loess Hills erosion control instead of $900,000 as proposed by the Senate; $500,000 above the fiscal year 2000 funding level for Chesapeake Bay activities instead of $1,000,000 as proposed by the Senate; $250,000 for the Squirrel Branch drainage project in Mississippi instead of $500,000 as proposed by the Senate; $100,000 for a cooperative agreement for soil erosion and water quality analysis with Alcorn State University; $150,000 for Tallahagga grade stabilization; no funds to implement Phase II for watershed work in Walton, New York instead of $525,000 as proposed by the House; $300,000 for a study to characterize land use change in cooperation with Clemson University instead of $350,000 as proposed by the Senate; $300,000 for Oregon Garden in Silverton instead of $400,000 as proposed by the Senate; $225,000 to test emerging alternative technology to reduce phosphorus loading into Lake Champlain instead of $300,000 as proposed by the Senate; $18,000,000 for the Grazing Lands Conservation Initiative as proposed by the House instead of $17,000,000 as proposed by the Senate; $725,000 for the Great Lakes Basin Program instead of $700,000 as proposed by the House and $750,000 as proposed by the Senate; $1,000,000 above the fiscal year 2000 level for the Wildlife Management Institute for developing and transferring fish and wildife technology to States and field offices; and an increase of $14,060,000 above the fiscal year 2000 funding level for AFO/CAFO instead of $8,660,000 above fiscal year 2000 as proposed by the House.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $10,868,000 for Watershed Surveys and Planning as proposed by the House instead of $10,705,000 as proposed by the Senate. The conference agreement includes language providing $136,000 for American Heritage Rivers, the same amount as requested in the budget.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $99,443,000 as proposed by the Senate instead of $83,423,000 as proposed by the House. The conference agreement includes $15,000,000 for watersheds authorized under the Flood Control Act of 1936 as proposed by the Senate instead of $12,000,000 as proposed by the House.

The conference report includes a provision that earmarks $8,000,000 of the funds available for Emergency Watershed Protection activities for Mississippi, Wisconsin, New Mexico, and Ohio for financial and technical assistance for pilot rehabilitation projects.

The conference agreement includes funds for a study in cooperation with the town of Johnston, Rhode Island, on floodplain management for the Pocasset River.

In addition to the items in the House and Senate reports that are not changed by the conference agreement, the following item is included: funds for financial assistance to implement Phase II of a multi-year agreement between the NRCS and the Watershed Agricultural Council in Walton, New York including funds to monitor perpetual stewardship easements.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $42,015,000 for Resource Conservation and Development instead of $41,708,000 as proposed by the House and $36,265,000 as proposed by the Senate.

FORESTRY INCENTIVES PROGRAM

The conference agreement provides $6,325,000 for the Forestry Incentives Program as proposed by the Senate. The House bill provided no funds for this account.

TITLE III—RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $605,000 for the Office of the Under Secretary for Rural Development as proposed by the Senate instead of $588,000 as proposed by the House.

The conferees expect the Department to give consideration to the following requests for assistance from rural development programs: rural business enterprise grants to the Lower Mississippi Delta Development Center in Memphis, TN, the Central Kentucky Growers in Georgetown, KY, the Warren County Port Commission in Vicksburg, MS, and the York (PA) Farmers' Market; assistance from community facilities grant and loan programs for construction of a Filipino community center in Waipahu in Honolulu County, HI; assistance from the distance learning program to the Memphis Mid-south Telemedicine Network Initiative in Tennessee and an outreach program for e-commerce and a high school mentoring program at New Mexico State University; financial assistance to the Town of Newton, MA for upgrades to the sewer system to comply with Clean Water Act standards; funding for the Rockland County (NY) Cornell Cooperative

Extension facility; financial assistance, including use of other federal funds to offset USDA loans, for new wastewater treatment facilities in Beach City, OH, and assistance to deal with the environmental health risk due to the quality of water in Browning and East Glacier, MT located on the Blackfeet Indian Reservation and assistance for a sanitary sewers project in Jerusalem Township, Lucas County, OH.

The conferees expect the Department to apply established review procedures when considering applications.

The conferees direct the Department to fund the completion of a study by the National Ground Water Association that would identify and develop strategies to address economic, legal, technological, or public health issues that must be addressed prior to developing a publicly financed program to assist individual low and moderate income households to secure financing for the installation or refurbishing of individually owned household water well systems.

The conferees recognize the urgent need to provide adequate medical care for the members of the Mississippi Band of Choctaw Indians (the Tribe) and other eligible individuals residing in east central Mississippi including Attala, Winston, Noxubee, Leake, Neshoba, Kemper, Scott, Newton, Jasper, and Jones counties. The Tribe, under the provisions of a Self-Governance Compact with the Indian Health Service/U.S. Department of Health and Human Services is the major provider of comprehensive health care services to this large community. Given the rapid population growth in this community, especially young children, the conferees understand there is a critical need to update, expand and modernize the Tribe's existing medical facilities especially the Choctaw Health Center, the Choctaw Residential Center, and the Tribe's ambulatory medical and dental care facilities in the outlying rural clinics in Red Water, Bogue Chitto, and Conehatta.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $762,542,000 for the Rural Community Advancement Program (RCAP) instead of $775,837,000 as proposed by the House and $759,284,000 as proposed by the Senate.

The conference agreement does not include Senate language that specifies program levels within the total made available under the RCAP for assistance to Native Americans. The conferees are aware of housing, utility, business opportunity, and educational infrastructure needs and direct the Department to allocate program benefits in a manner that best serves the requirements of this population, but expect that up to $4,000,000 shall be available for community facility grants for tribal college improvements.

The conference agreement adopts House language setting aside funds provided for Federally Recognized Native American Tribes for technical assistance for rural transportation.

The conference agreement does not adopt House language setting aside $2,000,000 for an agritourism program. The conferees direct the Department to consider requests for agritourism funding and use funds provided under the RCAP to assist meritorious projects.

The conference agreement adopts House language setting aside $5,000,000 for hazardous weather early warning systems.

The conference agreement adopts House language setting aside $5,000,000 for rural partnership technical assistance grants.

The conference agreement does not adopt House language setting aside $2,000,000 for loans to firms that market and process biobased products.

The conference agreement adopts Senate language providing for up to one percent of funds provided for water and waste disposal systems in Alaska for program administration and up to one percent to improve interagency coordination.

The conference agreement adopts Senate language providing $16,125,000 for technical assistance grants.

The conference agreement adopts Senate language setting aside $34,704,000 for Rural Utility Services programs under the Rural Economic Area Partnership Zones.

The conferees direct that of the funds provided for technical assistance for rural waste systems, $7,300,000 be designated for the Rural Community Assistance Program.

The conference agreement includes language provided in title VII to define the use of funds awarded under the Rural Community Development Initiative.

The conferees direct the Department to give priority consideration to applications that will assist producers' transition from tobacco to alternative crops, and to applications that will add value to alternative crops within those states most dependent on tobacco production.

The conferees direct the Department to use RBOG funds for the regional development activities of multi-jurisdictional planning and development organizations serving general purpose units of local government.

The conferees are aware of and encourage the Department to consider applications from the City of Valdez to repair avalanche damage to its water and sewer system through the Water and Waste Disposal Loan and Grants program.

The following table indicates the distribution of funding for the RCAP:

Water/Sewer	$644,360,000
Community Facilities	53,225,000
Business-Cooperative Development	64,957,000
Total	762,542,000
Earmarks:	
Tech. Assist. (water/sewer)	16,215,000
Circuit Rider	9,500,000
Native Americans	24,000,000
Rural Community Development Initiative	6,000,000

RURAL DEVELOPMENT

SALARIES AND EXPENSES

The conference agreement provides $130,371,000 for Rural Development Salaries and Expenses as proposed by the Senate instead of $120,270,000 as proposed by the House.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $254,640,000 for activities under the Rural Housing Insurance Fund Program Account as proposed by the House instead of $285,279,000 as proposed by the Senate. The conference agreement provides for an estimated loan program level of $5,068,649,000 instead of $5,073,497,000 as proposed by the House and $4,564,372,000 as proposed by the Senate.

The conference agreement adopts House language providing up to $5,400,000 for a demonstration program in North Carolina on the use of modular housing.

The conference agreement adopts Senate language providing $13,832,000 for empowerment zones and enterprise communities designated as Rural Economic Area Partnership Zones.

The conference agreement adopts Senate language providing for a transfer of $409,233,000 to salaries and expenses.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account:	
Loan authorizations:	
Single family (sec. 502)	($1,100,000,000)
Unsubsidized guaranteed	(3,700,000,000)
Housing repair (sec. 504)	(32,396,000)
Rental housing (sec. 515)	(114,321,000)
Multi-family housing guarantees (sec. 538)	(100,000,000)
Site loans (sec. 524)	(5,152,000)
Credit sales of acquired property	(11,780,000)
Self-help housing land development fund	(5,000,000)
Total, Loan authorizations	(5,068,649,000)
Loan subsidies:	
Single family (sec. 502)	176,760,000
Unsubsidized guaranteed	7,400,000
Housing repair (sec. 504)	11,481,000
Multi-family housing guarantees (sec. 538)	1,520,000
Rental housing (sec. 515)	56,326,000
Site loans (sec. 524)	—
Credit sales of acquired property	874,000
Self-help housing land development fund	279,000
Total, Loan subsidies	254,640,000
RHIF administration expenses (transfer to RHS)	409,233,000
Total, Rural Housing Insurance Fund	1,343,873,000
(Loan authorization)	(5,068,649,000)

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $680,000,000 for the Rental Assistance Program as proposed by the Senate instead of $655,900,000 as proposed by the House.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $34,000,000 for Mutual and Self-Help Housing Grants as proposed by the Senate instead of $28,000,000 as proposed by the House.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $44,000,000 for Rural Housing Assistance Grants as proposed by the Senate instead of $39,000,000 as proposed by the House.

The conference agreement adopts Senate language setting aside $5,000,000 for a housing demonstration program for workers in the agriculture, aquaculture and seafood processing industries.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides $30,000,000 for the Farm Labor Program Account as proposed by the House instead of $28,750,000 as proposed by the Senate. The conference agreement provides $15,000,000 for loan subsidies and $15,000,000 for grants.

The conference agreement does not adopt House language providing $3,000,000 for grants to migrant and seasonal farm workers.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement adopts Senate language providing for a transfer of $3,640,000 to salaries and expenses.

The conference agreement adopts Senate language setting aside $2,036,000 for Federally Recognized Native American Tribes and $4,072,000 for Mississippi Delta Region counties.

The conferees direct the Department to give priority consideration to applications that will assist producers' transition from tobacco to alternative crops and to applications that will add value to alternative crops within those states most dependent on tobacco production.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $6,500,000 for Rural Cooperative Development Grants as proposed by the House instead of $6,000,000 as proposed by the Senate.

The conference agreement adopts House language providing $2,000,000 for the appropriate technology transfer for rural areas program.

The conference agreement adopts Senate language providing not to exceed $1,500,000 for cooperatives or associations of cooperatives, whose primary focus is to provide assistance to small, minority producers.

The conference agreement does not provide for the requested transfer of $2,000,000 from salaries and expenses to fund cooperative research agreements.

NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER REVOLVING FUND

The conference agreement does not provide $5,000,000 for the National Sheep Industry Improvement Center Revolving Fund as proposed by the House. The Senate bill provided no funds for this program. This matter is addressed in title VII.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $40,374,000 for activities under the Rural Electrification and Telecommunications Loans Program Account as proposed by the Senate instead of $33,270,000 as proposed by the House. The conference agreement provides for an estimated loan program level of $3,111,500,000 as proposed by the Senate instead of $2,040,000,000 as proposed by the House.

The conference agreement adopts Senate language providing for a transfer of $34,716,000 to salaries and expenses.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:	
Loan authorizations:	
Electric:	
Direct, 5 percent	($121,500,000)
Direct, Muni	(295,000,000)
Direct, FFB	(1,700,000,000)
Direct, Treasury rate	(500,000,000)
Guaranteed	
Subtotal	(2,616,500,000)
Telecommunications:	
Direct, (5 percent)	(75,000,000)
Direct, Treasury rate	(300,000,000)
Direct, FFB	(120,000,000)
Subtotal	(495,000,000)
Total, loan authorizations	(3,111,500,000)
Loan subsidies:	
Electric:	
Direct, 5 percent	12,101,000
Direct, Muni	20,503,000
Direct, FFB	(1)
Direct, Treasury rate	(1)
Guaranteed	
Subtotal	32,604,000
Telecommunications:	
Direct, 5 percent	7,770,000
Direct, Treasury rate	(1)
Direct, FFB	(1)
Subtotal	7,770,000
Total, loan subsidies	40,374,000
RETLP administrative expenses (transfer to RUS)	34,716,000
Total, Rural Electrification and Telecommunications Loans Program Account	75,090,000
(Loan authorization)	(3,111,500,000)

[1] Negative subsidy rates for fiscal year 2001 are calculated for these programs.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement adopts House language including audits under ''administrative expenses.''

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides $27,000,000 for the Distance Learning and Telemedicine Program as proposed by the Senate instead of $19,500,000 as proposed by the House.

The conference agreement adopts Senate language setting aside $2,000,000 for a pilot program to finance broadband transmission and local dial-up service in rural areas as proposed by the Senate instead of $1,400,000 as proposed by the House.

The conferees direct the Department to maintain the current level of funding for grants to rural entities to promote employment of rural residents through teleworking.

TITLE IV—DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

The conference agreement provides $570,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the Senate instead of $554,000 as proposed by the House.

The conferees want to ensure that farmers participating in the WIC Farmers Market Nutrition Program (FMNP) and the Food Stamp Program (FSP) are able to participate through electronic benefit transfer (EBT) systems. The conferees note that USDA has established the technical feasibility of wireless and other innovative EBT systems for farmers markets, rural route vendors, and other ''non-traditional'' vendors operating without access to standard telephone and electricity service.

The conferees urge the Department to use funds designated for the development of WIC EBT systems to support state initiatives to implement wireless and other innovative EBT solutions for farmers and farmers markets participating in the WIC FMNP and the FSP to enable them to continue participating in these programs.

Nutrition monitoring activities are vital to shaping policies for food safety, child nutrition, food assistance, and dietary guidance. Integration of these activities must ensure that: (1) the quality of the dietary data collected is not diminished; (2) survey methods capture statistically valid intakes of various population groups, especially at-risk groups, and are continually updated to account for changes in dietary patterns and new food technologies; (3) the needs of the many users of these important data are met; and (4) data are made available in a timely manner. The conferees direct the USDA, in consultation with the Department of Health and Human Services, to prepare and submit a report to the House and Senate Committees on Appropriations, by December 31, 2000, that describes the process for integrating the National Health and Nutrition Examination Survey (NHANES) and the Continuing Survey of Food Intakes by Individuals (CSFII). The report should: (1) include a timeline and steps to accomplish the goals set forth in the National Nutrition Monitoring and Related Research Act of 1990; (2) be prepared in consultation with representatives of user groups (i.e., anti-hunger groups, consumer advocates, commodity organizations, food producers, nutrition professionals, and public and voluntary health organizations); (3) address the strengths and potential weaknesses of merging the two surveys and identify how problems will be addressed and by whom; (4) identify funding needs and sources; and (5) include recommendations for inclusion in reauthorization of the National Nutrition Monitoring and Related Research Act.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides a total of $9,541,539,000 for Child Nutrition Programs as proposed by the Senate instead of $9,535,039,000 as proposed by the House. Included in this amount is an appropriated amount of $4,413,960,000, a transfer from section 32 of $5,127,579,000, $6,000,000 for the school breakfast demonstration project as proposed by the Senate, and $500,000 for a school breakfast pilot project.

The conference agreement provides the following for Child Nutrition programs:

Total Obligational Authority

Child Nutrition Programs:	
School lunch program	$5,387,523,000
School breakfast program	1,495,684,000
Child and adult care food program	1,807,435,000
Summer food service program	323,499,000
Special milk program	16,843,000
State administrative expenses	127,321,000
Commodity procurement and support	360,223,000
School meals initiative/Team nutrition	10,000,000
School breakfast demonstration project	6,000,000
Coordinated review effort	4,511,000
Food safety education	2,000,000
School breakfast pilot project	500,000
Total	9,541,539,000

The conference agreement includes $500,000 for school breakfast startup grants in Wisconsin. The conferees are aware of an effort initiated and funded by the State of Wisconsin to enhance participation in the school breakfast program and the Department is directed to make available grants to currently

non-participating schools in a manner consistent with that program.

The conferees are aware that the Department has recently issued a final rule regarding the use of alternate protein products in the Child Nutrition Programs. The conferees urge the Department to work with interested organizations to ensure that fortification, name and labeling requirements are sufficient to protect the health, growth, and nutritional well-being of America's school children. The conferees believe that any new requirements for fortification of these protein products should be based on the USDA guidelines that set levels for nutrient fortification of soy-containing foods used in the child nutrition programs. In addition, the conferees encourage that any recommended labeling requirements be consistent with similar guidelines of other Departmental agencies and the Food and Drug Administration.

The conferees recognize the longstanding, high level of expertise in the Food and Nutrition Service in the administration of school lunch programs, and encourage the Secretary to take advantage of this expertise by utilizing Food and Nutrition Service staff in any efforts to help other nations establish such programs.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

The conference agreement provides $4,052,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as proposed by the Senate, instead of $4,067,000,000 as proposed by the House. The conference agreement provides sufficient funding to support an average of at least 7.4 million monthly participants in the WIC program, an increase from the projected fiscal year 2000 average monthly participation level of 7.2 million.

The conference agreement provides that the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of enactment of this Act, and that the Secretary shall obligate an additional $10,000,000 for this program from funds not needed to meet program participation requirements.

The conference agreement does not include a provision that allows fiscal year 2000 WIC carryover funds to be transferred to other nutrition programs as proposed by the House.

The conference agreement includes a provision that WIC funds shall be made available for sites participating in the WIC program to determine whether a child eligible to participate has received an appropriate blood lead screening test upon the enrollment of the child in the WIC program as proposed by the Senate.

It is not the intent of this conference agreement to detrimentally affect religious beliefs or practices. Nothing in this agreement is intended to preclude a child's participation in the Special Supplemental Nutrition Program for Women, Infants, and Children if a parent objects to his or her child receiving a lead poisoning screening test because such a test would be inconsistent with his or her religious beliefs and practices. Accommodation of religious beliefs and practices shall have no impact whatsoever on the level of funds made available for each site participating in the WIC program.

The conference agreement directs the USDA to release a final rule on WIC delivery systems no later than 90 days after enactment of this Act.

The conferees are aware that the Department is considering changes in the food package to the WIC program. One of those proposals involves the potential exceptions to the current sugar cap for the WIC food package. The sugar cap is an issue that has been studied many times, always with the same conclusion. The consensus from the studies, nutritionists, State WIC directors, sugar commodity associations, and dentists is that no exceptions to the sugar cap should be made. Accordingly, the conferees direct that the Department make no exceptions to the sugar cap. The conferees further direct that no USDA funds be used to investigate this issue further.

FOOD STAMP PROGRAM

The conference agreement provides $20,114,293,000 for the food stamp program instead of $21,221,293,000 as proposed by the Senate and $21,231,993,000 as proposed by the House. Included in this amount is $18,613,293,000 for expenses instead of $19,720,293,000 as proposed by the Senate and $19,730,993,000 as proposed by the House. The recommendation makes a downward adjustment of $1,107,000,000, as reflected in OMB's Mid-Session Review.

The conference agreement does not include Senate language providing for an additional amount, not to exceed $7,300,000, for bison purchases for the Food Distribution Program on Indian Reservations (FDPIR). The conferees encourage the Department to continue and increase, to the extent practicable, purchases of bison for FDPIR and to use every opportunity to acquire purchases from Native American producer and cooperative organizations. The Department should also review program infrastructure needs, including refrigeration, and use program funds, as necessary, to meet existing requirements.

The conferees recognize the severe health problems facing Native Americans, including diabetes and heart disease. The conferees expect the Secretary to purchase bison meat for the FDPIR to promote health benefits in the Native American population.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $140,300,000 for the Commodity Assistance Program as proposed by the Senate instead of $138,300,000 as proposed by the House. Included in the amount is $45,000,000 for administration of TEFAP, and $98,300,000 for the Commodity Supplemental Food Program.

The conference agreement includes language that provides $20,781,000 of this appropriation shall be available for administrative expenses of the Commodity Supplemental Food Program.

The conferees are aware of the interest in restoring the income eligibility guideline for senior citizens under the Commodity Supplemental Food Program to 185% of poverty, the same as that used for mothers, infants, and children. The Secretary is encouraged to give positive consideration to this proposal.

FOOD DONATIONS PROGRAM

The conference agreement provides $151,081,000 for the Food Donations Program instead of $161,081,000 as proposed by the House and $141,081,000 as proposed by the Senate. Included in this amount is $150,000,000 for the Elderly Feeding Program.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides $116,807,000 for Food Program Administration as proposed by the Senate instead of $116,392,000 as proposed by the House. Included in this amount is not less than $4,500,000 to improve integrity in the Food Stamp Program and Child Nutrition Program as proposed by the Senate instead of not less than $3,000,000 as proposed by the House.

The conference agreement does not include funds for the Colonias program. The conferees note that over $300,000,000 is estimated to be spent on nutrition education, promotion, and information through USDA's feeding programs. The conferees urge the Department to target funding from these nutrition education, promotion and information programs to the Colonias in the southwestern United States.

TITLE V—FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

The conference agreement provides $115,424,000 for the Foreign Agricultural Service instead of $113,424,000 as proposed by the Senate and $109,186,000 as proposed by the House. The conference agreement includes $3,120,000 for mandatory pay cost increases and $618,000 for the Foreign Agricultural Service attaché, office in the American Institute in Taiwan.

The conference agreement provides $4,000,000 for the Cochran Fellowship Program and encourages the Secretary to continue to provide additional support for the program through the CCC Emerging Markets Program at the fiscal year 1999 level.

The conference agreement includes $2,000,000 for the Foreign Agricultural Service to administer and oversee emergency and other international food assistance. The Service is expected to undertake activities in support of monetization where there is the highest potential for promoting and enhancing economic growth and development in recipient countries. Further, the Service is directed to specifically expand its presence in Ukraine where there is a strong potential for expansion, and Bulgaria, where there is a need for more adequate administration and monitoring of USDA programs due to the sharp increase in USDA food aid programs in the Balkans. The conferees believe these funds will help build strong U.S. partnerships with emerging economies and enhance exports to develop long-term markets for U.S. agricultural inputs and products.

The conferees direct the Department to provide a quarterly report to the Subcommittees on Agriculture of the House and Senate Appropriations Committees detailing the volume of agricultural imports from and exports to China by commodity.

The conferees understand that there may be the opportunity to resume food assistance to Ukraine in the coming year. The Secretary is encouraged to pursue responsible opportunities for restoring appropriate levels of assistance for this nation, including opportunities for collaborative programs involving research, extension, micro-credit, and business development opportunities.

The Secretary is directed to require that any agreement be transparent, subject to monitoring, and to report to the Committees all steps taken to achieve these requirements before finalizing any agreement.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

PUBLIC LAW 480 TITLE I PROGRAM ACCOUNT

The conferees encourage the Department of Agriculture to provide concessional financing through the P.L. 480 title I program to private entities as authorized in P.L. 104–27, the Federal Agriculture Improvement and Reform Act of 1996.

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

The conference agreement adopts Senate bill language requiring prior notice to the

Committees on Appropriations for transfers of funds between title I agreements and title I ocean freight differential.

PUBLIC LAW 480—TITLE II GRANTS

The conference agreement provides $837,000,000 for Public Law 480 title II as proposed by the Senate instead of $770,000,000 as proposed by the House.

The conference agreement does not adopt House bill language providing for transfer of up to 15 percent of title II funds to title III. The conferees note that this provision exists in current law.

The conference agreement does not adopt House bill language providing $1,850,000 for use by the United States Agency for International Development for administrative expenses to carry out title II.

The conferees are aware that loss of commodities under the Public Law 480 food program often occurs as a result of package breakage. The conferees urge the Secretary to evaluate this problem, explore using alternative containers, and to meet regularly with members of private voluntary organizations, the industry, shippers, and millers, to continue to improve the quality of food aid, in terms of its packaging, nutritional content, and other quality aspects.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480 Program and Grant Accounts:	
Title I—Credit Sales:	
Program level	($180,000,000)
Direct loans	159,678,000
Ocean freight differential	20,322,000
Title II—Commodities for disposition abroad:	
Program level	(837,000,000)
Appropriation	837,000,000
Loan subsidies	114,186,000
Salaries and expenses:	
General Sales Manager (transfer to FAS)	1,035,000
Farm Service Agency (transfer to FSA)	815,000
Subtotal	1,850,000
Total, Public Law 480:	
Program level	(1,017,000,000)
Appropriation	973,358,000

TITLE VI—RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act collections, of $1,217,797,000 for the salaries and expenses of the Food and Drug Administration, instead of $1,240,178,000 as proposed by the House and $1,216,796,000 as proposed by the Senate, and provides specific amounts by FDA activity as proposed by the Senate.

The conference agreement does not include a rescission of $27,000,000 as proposed by the House. The conference agreement does not include the subheading ''(Including Rescission)'' as proposed by the House.

The conferees adopt the title VI subheading as proposed by the Senate. The House version differed technically.

The conference agreement does not include a proviso that $3,000,000 may be for activities carried out with regard to new animal drugs, as proposed by the House. However, the conference agreement provides an increase of $3,000,000 for work done within the Center for Veterinary Medicine on antimicrobial resistance. The Senate had no similar provision.

The conference agreement does not include a proviso that, in addition to amounts provided, $6,000,000 shall be made available for food safety activities, as proposed by the Senate. The conference agreement provides the full increase requested for the Food Safety Initiative, $30,000,000, as proposed by the House.

The conference agreement provides that fees derived from applications received during fiscal year 2001 shall be subject to the fiscal year 2001 limitation as proposed by the Senate. The House had no similar provision.

The conference agreement provides the full funding increases from the fiscal year 2000 levels requested in the President's fiscal year 2001 budget for the following activities: $30,000,000 for food safety initiatives; $22,879,000 for premarket review; and $4,783,000 for payments to the General Services Administration for rent and related activities. For other increases requested in the President's fiscal year 2001 budget, the conferees provide the following: $9,000,000 for inspections; $5,000,000 for enforcement of Internet drug sales; $5,000,000 for counter-bioterrorism activities; and $6,800,000 for improvements to FDA's current system of post-approval surveillance to identify adverse events associated with products on the market, subject to existing information confidentiality restrictions.

In addition, the conference agreement provides increases from the fiscal year 2000 levels of $1,000,000 for dietary supplements and $1,000,000 for orphan product grants, as recommended by the Senate; and $1,200,000 for the Office of Generic Drugs to reduce generic drug application review and approval times.

Fiscal year 2000 funds appropriated, but no longer required, for FDA tobacco activities have been made available to cover the $5,000,000 included in the fiscal year 2001 budget request for costs associated with the relocation of the Center for Food Safety and Applied Nutrition to College Park, MD; $21,800,000 included in the fiscal year 2001 budget request for one-time contracts and equipment purchases; and $1,500,000, as recommended by the House, for information technology upgrades for the Office of Generic Drugs. Funding for these one-time cost requirements is not included in the fiscal year 2001 level provided.

The conferees direct that FDA provide $1,500,000 from sums provided for food safety for a contract with New Mexico State University's Physical Science Laboratory to establish an agricultural products testing laboratory in Dona Ana County, New Mexico. The laboratory will conduct rapid screening analyses of fresh fruits and vegetables (imported and domestic) for microbiological contamination of products in the Texas, New Mexico, Arizona area. The laboratory will augment FDA's capabilities and facilitate rapid testing of these perishable products. The conference language replaces similar language in the House report. The Senate had no similar language.

The conferees expect FDA to make final the regulations regarding labeling of irradiated foods by March 1, 2002, and report to the House and Senate Committees on Appropriations on the status by November 15, 2000. This agreement changes the dates proposed for final regulations by the House of September 30, 2001, and by the Senate of October 30, 2001.

The conference agreement does not include House language on treatment of biologic drugs versus that of chemically-based drugs, as related to orphan drug alternatives. Recognizing that the House authorizing committee has recently resumed consideration of this issue, the conferees defer to that action in lieu of that recommended by the House. The Senate had no similar language.

It has been brought to the conferees' attention that makers of electronic facial toning appliances have been informed by the FDA that their products may be ''medical devices'' under the law. The conferees encourage the FDA to consider the companies' claims that products are purely cosmetic and not ''intended to affect the structure or any function of the body.'' Nothing in this conference report language should be taken to diminish or attempt to diminish the responsibility under law for the FDA to continue to protect American consumers. FDA will report to the Appropriations Committees of the House and Senate on their findings.

BUILDINGS AND FACILITIES

The conference agreement provides $31,350,000 for Food and Drug Administration Buildings and Facilities as proposed by the Senate instead of $11,350,000 as proposed by the House.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $68,000,000 for the Commodity Futures Trading Commission instead of $69,000,000 as proposed by the House and $67,100,000 as proposed by the Senate.

The conference agreement adopts Senate language providing not to exceed $1,000 for official reception and representation expenses instead of not to exceed $2,000 as proposed by the House.

The conference agreement does not adopt a House provision providing authority to charge reasonable fees to cover the costs of Commission-sponsored events and activities. The conferees note that this authority exists in permanent law.

TITLE VII—GENERAL PROVISIONS

House and Senate Section 701.—The conference agreement (Section 701) makes funds available for the purchase of passenger motor vehicles in fiscal year 2001 as proposed by the Senate instead of in the ''current fiscal year'' as proposed by the House.

House and Senate Section 704.—The conference agreement includes language (Section 704) that provides that the Secretary of Agriculture may transfer unobligated balances of the USDA to the Working Capital fund for the acquisition of plant and capital equipment of primary benefit to USDA with prior approval from the agency administrator and the Committees on Appropriations.

House and Senate Section 705.—The conference agreement includes language (Section 705) allowing certain funds to remain available until expended.

House Section 709.—The conference agreement does not include a provision as proposed by the House making commodities available to individuals in cases of hardship. The Secretary of Agriculture has this authority.

House Section 713 and Senate Section 712.—The conference agreement includes language (Section 712) that makes funds available for the cost of loans for fiscal year 2001 as proposed by the Senate instead of ''in the current fiscal year'' as proposed by the House.

House Section 714.—The conference agreement does not include a provision that sums

as may be necessary for current fiscal year pay raises shall be absorbed within levels appropriated by this Act as proposed by the House.

House Section 716 and Senate Section 714.—The conference agreement includes permanent language (Section 714) allowing the use of cooperative agreements.

House Section 718 and Senate Section 716.—The conference agreement includes language (Section 716) that provides $1,800,000 for expenses for advisory committees as proposed by the Senate instead of $1,500,000 as proposed by the House.

House Section 723 and Senate Section 721.—The conference agreement includes language (Section 721) that provides for reprogramming procedures in fiscal year 2001.

House Section 724 and Senate Section 722.—The conference agreement includes language (Section 722) regarding limitations on the Fund for Rural America.

House Section 726.—The conference agreement does not contain a limitation on AMTA contract payments for wild rice as proposed by the House. Public Law 106–78 made this provision permanent.

House Section 727 and Senate Section 724.—The conference agreement includes language (Section 724) regarding limitations on the Initiative for Future Agriculture and Food Systems.

House Section 728 and Senate Section 725.—The conference agreement makes permanent a provision (Section 725) regarding participation by farmer-owned cooperatives in commodity purchase programs.

Senate Section 727.—The conference agreement includes language (Section 727) that prohibits the use of funds to close or relocate certain FDA offices in St. Louis, Missouri.

Senate Section 728.—The conference agreement includes language (Section 728) prohibiting the use of funds to reduce staff levels at certain FDA offices in Detroit, Michigan.

House Section 730 and Senate Section 729.—The conference agreement includes language (Section 729) to permanently (1) allow the Agricultural Marketing Service to utilize advertising in conducting consumer education activities, and (2) prohibit the use of funds to carry out certain activities unless the Secretary of Agriculture inspects and certifies agricultural processing equipment and imposes a fee for those activities.

House Section 731 and Senate Section 730.—The conference agreement includes language (Section 730) regarding budget submission requirements related to user fees proposals prior to the date of conference for the fiscal year 2002 appropriations Act.

House Section 732 and Senate Section 731.—The conference agreement includes language (Section 731) that none of the funds appropriated by this Act shall be used to establish an Office of Community Food Security or any similar office within the USDA without prior approval of the Committees on Appropriations of the House and the Senate.

House Section 734.—The conference agreement (Section 733) prohibits the use of funds for certain activities implementing the Kyoto Protocol.

Senate Section 733.—The conference agreement (Section 734) prohibits the use of funds to transfer or convey federal lands and facilities at Fort Reno, OK, without the specific authorization of Congress.

Senate Section 734.—The conference agreement (Section 735) prohibits the use of funds for the implementation of a Support Services Bureau or similar organization.

House Section 735.—The conference agreement does not include language regarding karnal bunt.

Senate Section 735.—The conference agreement (Section 736) contains a provision that raises income eligibility levels for rural development programs.

House Section 736.—The conference agreement (Section 737) makes Lloyd, New York, and Thompson, New York, eligible for certain loans and grants.

Senate Section 736.—The conference agreement (Section 738) contains a permanent provision that disallows the sale or disposal of housing purchased in a foreign country for the agricultural attaché, without the approval of the FAS.

House Section 737.—The conference agreement includes language (Section 739) making permanent a provision that the fee collected by the Secretary of Agriculture for a guaranteed loan may be in an amount equal to not more than 2 percent of the principal obligation of the loan.

House Section 738 and Senate Section 737.—The conference agreement includes language (Section 740) that allows the Secretary to use funds to employ individuals to perform services outside the U.S. as determined to be necessary to carry out programs and activities abroad through the use of Personal Service Agreements.

Senate Section 738.—The conference agreement includes language (Section 741) that prohibits the use of funds to close or relocate a state rural development office until/unless cost effectiveness and enhanced program delivery has been determined.

House Section 739.—The conference agreement includes language (Section 742) that extends the dairy price support program and delays the dairy recourse loan program.

Senate Section 739.—The conference agreement includes language (Section 743) that directs that not more than $25,000,000 worth of commodities made available under the section 416(b) program shall be made available to foreign countries to assist in mitigating the effects of HIV/AIDS.

House Section 740.—The conference agreement (Section 744) provides $2,000,000 for hunger fellowships.

Senate Section 740.—The conference agreement (Section 745) includes the ''Medicine Equity and Drug Safety Act of 2000'' and the ''Prescription Drug Import Fairness Act of 2000'' (Section 746).

House Section 741.—The conference agreement provides language (Section 747) regarding loans in Arkansas.

Senate Section 741.—The conference agreement includes language (Section 748) that amends the Organic Act of 1990 to allow sulfites in the production of wine.

House Section 742.—The conference agreement includes language (Section 749) regarding the Friends of the National Arboretum.

Senate Section 742.—The conference agreement includes language (Section 750) that prohibits the use of funds to discontinue use of FINPACK in the Farm Service Agency (FSA) offices for six months from the date of enactment. The conferees expect the FSA to provide for a smooth and orderly transition to a common computing environment in USDA field service centers. The transition should provide the capability of FSA computer programs to interface with any commercial off-the-shelf software, including FINPACK, that may be used by clients or lending institutions.

House Section 743.—The conference agreement does not include language regarding compensation for the value of lost production due to citrus canker.

Senate Section 743.—The conference agreement (Section 751) makes permanent a provision that any borrower whose income does not exceed 115 percent of the median family income of the U.S. shall be eligible for section 502 housing.

House Section 744.—The conference agreement does not include language regarding alternative protein products.

Senate Section 744.—The conference agreement does not include Sense of the Senate language regarding victims of domestic violence. However, the conferees do agree that to the extent practicable, USDA's Rural Housing Service should work with other public agencies and organizations to provide transitional housing for individuals and families who are homeless as a result of domestic violence.

House Section 745.—The conference agreement includes language (Section 752) that makes ratites and squab slaughtered for human consumption subject to the Poultry Products Inspection Act.

Senate Section 745.—The conference agreement does not include language that prohibits the use of funds to change natural cheese standards. The conferees are aware of technological changes relating to cheese processing and the potential economic and structural changes that might result within the dairy industry. The conferees are also aware of a request recently submitted to the General Accounting Office for a report on this subject and concur that such a request is consistent with that part of Senate Section 745 which requires a study on this subject.

House Section 746.—The conference agreement does not include language regarding previously appropriated funds to compensate nursery stock producers for losses caused by Hurricane Irene.

Senate Section 746.—The conference agreement does not include language regarding the import of Argentine citrus.

House Section 747.—The conference agreement includes language (Section 753) providing guidance for developing the prevention standards for Salmonella Enteritidis.

The conferees share the commitment to egg safety evidenced by the Action Plan to Eliminate Salmonella Enteritidis Illnesses Due to Eggs published on December 10, 1999. The conferees support FDA's current thinking paper on national standards for egg safety dated July 31, 2000. In preparing the regulations to implement the plan, the conferees expect the government agencies to: (1) coordinate federal and state programs to efficiently and effectively implement the standards; (2) consider egg labeling which is consistent with the existing safe handling instructions associated with meat and poultry; (3) consider effective administrative and management practices to ensure consistent nationwide enforcement and implementation of the standards, including (a) cleaning and disinfection, (b) rodent and pest elimination, (c) proper egg washing, (d) biosecurity, (e) refrigeration, (f) testing and verification, and (g) vaccination; (4) consider the appropriate utilization of existing federal, state, or local government agencies currently charged with poultry or egg safety responsibilities (including such aspects of grading as are related to egg safety), in implementing the regulations; (5) conduct traceback procedures in a consistent manner and make such procedures accessible to the public, and employ appropriate inspectional and testing protocols to determine the source of contamination; and (6) consider, as appropriate, the provisions of existing national and state quality assurance programs in establishing regulations that are practical, achievable and cost-effective in accordance with the risk posed to U.S. consumers.

Senate Section 747.—The conference agreement does not include language regarding the Dairy Export Incentive Program. The conferees are concerned that awards for U.S. dairy products under the Dairy Export Incentive Program have not been shipped and the Department has been reluctant to reallocate these amounts for other awards. The conferees direct the Secretary to provide information to the Committees no later than November 1, 2000, relating to a justification for this reluctance, including supporting documentation.

House Section 748.—The conference agreement does not include language regarding loans to poultry farmers.

Senate Section 748.—The conference agreement does not include language that reauthorizes State agricultural mediation programs through 2005. The conference agreement provides annual funding for the program in the appropriate section of the bill.

House Section 749.—The conference agreement includes language (Section 754) extending the time to compensate cotton producers/ginners/others in Georgia.

Senate Section 749.—The conference agreement includes language (Section 755) that adds a section to the Food Security Act of 1985 to make provisions for Good Faith Reliance when the owner/operator is attempting to comply with terms of the contract and enrollment requirements.

House Section 750.—The conference agreement does not include language providing emergency funds for market/quality loss payments for apples and potatoes.

Senate Section 750.—The conference agreement does not include language regarding data collected on imported herbs. The conferees do expect the Secretary of Agriculture to cooperate with the Secretary of the Treasury to establish a framework within which the publication of data regarding herb imports (including through electronic media) may be made available to the public on a monthly basis.

House Section 751.—The conference agreement does not include language exempting oyster fishermen from repaying emergency payments issued erroneously in the State of Connecticut.

House Section 752.—The conference agreement does not include language urging the Secretary of Agriculture to use alternative fuels in meeting the fuel needs of the USDA. This matter is addressed under the Office of the Secretary.

House Section 753.—The conference agreement does not include language regarding reimportation of prescription drugs. This matter is addressed under Sections 745 and 746.

House Section 754.—The conference agreement does not include language regarding reimportation of prescription drugs. This matter is addressed under Sections 745 and 746.

Section 756.—The conference agreement includes language that amends Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act.

Section 757.—The conference agreement includes language that allows the USDA to retain refunds and rebates from credit card services.

Section 758.—The conference agreement includes a technical correction to the Act of August 19, 1958, to permit section 416(b) food aid programs to operate more efficiently.

Section 759.—The conference agreement includes language that allows Sea Island Health Clinic on Johns Island, South Carolina, to remain eligible for Rural Development community facilities programs.

Section 760.—The conference agreement includes language making certain areas of Dade County, Florida, eligible for business and industry loans.

Section 761.—The conference agreement includes language designating the City of Kewanee and the City of Jacksonville, Illinois, as meeting the requirements of a rural area contained in section 520 of the Housing Act of 1949 permanently.

Section 762.—The conference agreement includes language directing the Chief of the Natural Resources Conservation Service to settle claims associated with the Chuquatonchee Watershed Project in Mississippi from existing funds.

Section 763.—The conference agreement includes language making the Konocti Water District, California, eligible for grants and loans administered by the Rural Utilities Service during fiscal year 2001.

Section 764.—The conference agreement includes language designating Jefferson County, Kentucky, as a rural area for purposes of the business and industry direct and guaranteed loan program during fiscal year 2001.

Section 765.—The conference agreement includes language authorizing the conveyance of a small parcel of land associated with the Beltsville Agricultural Research Center within the Sunnyside Subdivision of Prince George's County, Maryland.

Section 766.—The conference agreement designates up to $500,000 of the funds provided to carry out section 211(a) of the Agricultural Risk Protection Act of 2000 to be used solely for the State of California.

Section 767.—The conference agreement provides for a wildlife services program for injurious animal species.

Section 768.—The conference agreement amends section 412 (d) of the Agricultural Trade Development and Assistance Act of 1954 for dairy value products.

Section 769.—The conference agreement makes the City of Coachella, California, eligible for grants and loans administered by the Rural Development mission areas of USDA for fiscal year 2001.

Section 770.—The conference agreement designates the City of Vicksburg, Mississippi, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949.

Section 771.—The conference agreement provides language instructing the Administrator of the Rural Utilities Service to use the authorities of the Rural Electrification Act of 1936 to finance the acquisition of electricity in predominantly rural areas.

Section 772.—The conference agreement includes language (Section 772) prohibiting the use of funds to promulgate a final rule to change the definition of ''animal'' pursuant to the Animal Welfare Act.

Section 773.—The conference agreement includes language (Section 773) adding ''Indian tribes'' to the Consolidated Farmers Home Administration Act of 1961.

Section 774.—The conference agreement includes language (Section 774) making technical corrections to P.L. 106–246.

Section 775.—The conference agreement includes language (Section 775) modifying the term ''agricultural commodity'' for the purposes of administering Title IX of this Act.

Section 776.—The conference agreement includes language (Section 776) regarding Hamilton Grange.

Section 777.—The conference agreement includes language (Section 777) regarding ''Fallen Timbers Battlefield and Fort Miamis National Historic Site.''

TITLE VIII

NATURAL DISASTER ASSISTANCE AND OTHER EMERGENCY APPROPRIATIONS, DEPARTMENT OF AGRICULTURE

The conference agreement includes a new title to provide emergency assistance for agricultural losses of crop production and quality related to natural disasters, conservation needs, market-related problems, relief to rural communities across America and certain USDA administrative requirements. Emergency agricultural assistance was previously included in H.R. 3908, as passed by the House of Representatives on March 30, 2000; H.R. 4461, as passed by the Senate on July 20, 2000; and Public Law 106–246, enacted on July 13, 2000. Items included in H.R. 3908 and H.R. 4461, not previously resolved in P.L. 106–246, were given consideration for inclusion in this conference report.

A number of accounts are included in this conference report which respond to the severe wildfires that have occurred in many states such as Montana and Idaho. The Emergency Conservation Program, Emergency Watershed Program, Livestock Assistance Program (including the American Indian Emergency Feed Assistance Program), Livestock Indemnity Program, and programs within the USDA rural development mission area receive funding in the conference report which will assist in the response and recovery of these affected lands, farming and ranching operations, and rural communities.

OFFICE OF THE SECRETARY OF AGRICULTURE

Bovine tuberculosis—The conferees expect the Secretary to use all existing authority for the implementation of a program that will prevent and eradicate bovine tuberculosis in Texas, Michigan, and other affected States, to reduce the monetary loss associated with bovine tuberculosis affecting cattle producers. The conferees recognize the importance of this program, and of the complete eradication of bovine tuberculosis. The conferees believe the program should include payments to producers who suffer livestock losses. The conferees direct the Secretary of Agriculture, in consultation with the affected States, to ensure the program shall be administered in such a manner that will reduce the Federal financial burden resulting from the payments made to the producers.

OFFICE OF THE CHIEF INFORMATION OFFICER

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $19,500,000, to remain available until expended, for information technology tools needed to develop and implement a common computing environment in USDA field office service centers.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $200,000 for activities related to rural business entities.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement does not include $7,140,000 to contain and control Pierce's disease as proposed by the House in H.R. 3908. The conferees note that USDA has received emergency funds from the Commodity Credit Corporation for applied research, eradication, and control of Pierce's Disease.

The conference agreement addresses funding for boll weevil eradication in title I of this Act.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement includes $50,000,000, to remain available until expended, for administrative expenses associated with administering provisions of this title.

EMERGENCY CONSERVATION PROGRAM

The conference agreement provides $80,000,000, to remain available until expended, for natural disasters. The conferees intend this funding to address damages incurred on crop lands as a result of the summer fires and drought conditions in certain regions of the country as well as other natural disasters. The conferees further intend for the funding to address the replacement of fences destroyed by the fires.

The conference agreement does not include language to allow the Secretary of Agriculture to use unobligated balances available in the ECP to repair farm buildings and equipment, as proposed by the House in H.R. 3908.

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an additional $13,000,000 to provide premium discounts to purchasers of crop insurance reinsured by the Corporation as proposed by the House in H.R. 3908 and the Senate.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides an additional $110,000,000, to remain available until expended, for watershed and flood prevention operations to reduce hazards to life and property in watersheds damaged by natural disasters. The Natural Resource Conservation Service will provide financial and technical assistance to help repair damage to rivers, streams, reservoirs, and other waterways including: $3,300,000 for the Kuhn Bayou Project in Arkansas; $10,000,000 for the Chino Dairy Preserve in California; $4,000,000 for the Snake River Project in Minnesota; $1,100,000 for DuPage County, Illinois; $8,000,000 for emergency dam rehabilitation projects in Mississippi, Wisconsin, Ohio, and New Mexico; $4,500,000 for Long Park Dam, Utah; $500,000 for floods in Wisconsin; $2,000,000 for the Lower James River in South Dakota; and $2,000,000 to replace, repair, and improve snow telemetry equipment impacted by fire, winds, and fire fighting efforts.

RURAL DEVELOPMENT

The conferees are aware of the efforts of the Coeur d'Alene tribe and private sector investors to operate a strawboard plant in Plummer, Idaho, that provides economic benefits to the community and achieves an environmentally safe method of disposing of blue grass straw. The conferees direct the Department to meet with the plant owners and operators to determine what assistance can be made available to keep the plant in operation.

The conferees urge the Department to consider forgiveness or restructuring for Rural Development loans issued to the Green County, Kentucky, Sanitation District No. 1.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement includes an additional $200,000,000 for the Rural Community Advancement Program, instead of $180,000,000 as proposed by the Senate, and $43,000,000 as proposed by the House in H.R. 3908.

The conference agreement includes a provision regarding the availability of grants for rural community facilities for areas with extreme unemployment and severe economic depression as proposed by the Senate.

The conference agreement includes a provision regarding the availability of funds to provide grants in rural communities with extremely high energy costs as proposed by the Senate.

The conference agreement includes a provision regarding assistance to areas in the state of North Carolina subject to a declaration of a major disaster as a result of Hurricanes Floyd, Dennis or Irene.

The conference agreement provides that of the amount appropriated for rural utilities loans and grants, $30,000,000 may be used only in counties which have received an emergency declaration by the President or Secretary of Agriculture after January 1, 2000, for applications responding to water shortages resulting from a designated emergency, including in the states of Texas, Georgia, Montana and Idaho.

The conference agreement includes an additional $50,000,000 for communities facilities loans and grants with a requirement that $25,000,000 of the total be directed to assist recovery efforts in North Carolina from natural disasters.

The conferees are aware of an ongoing wastewater treatment project in Huey, Illinois. The conferees encourage USDA Rural Development to provide adequate funding and technical assistance to complete the project.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement does not include any additional funding this account as proposed by the Senate.

GENERAL PROVISIONS—THIS TITLE

Senate Section 1101 and House Section 3101.—The conference agreement includes language (Section 801) that provides an additional $35,000,000 for conservation technical assistance, to remain available until expended.

Senate Section 1102.—The conference agreement includes language (section 802) that extends the period of eligibility for the Livestock Assistance Program.

Senate Section 1103.—The conference agreement includes language (section 803) that conforms the definition of ''livestock'' for the purposes of administering the Livestock Indemnity and Livestock Assistance Programs.

Senate Section 1104.—This matter is addressed in Section 805.

Senate Section 1105.—The conference agreement includes language (section 804) that allows the Secretary of Agriculture to utilize Commodity Credit Corporation funds to provide compensation to growers for losses due to Mexican fruit fly quarantines, plum pox virus, Pierce's disease, grasshopper/Mormon cricket infestations, and watermelon sudden wilt. The conferees note that this funding is in addition to the funding provided in section 203 of P.L. 106–224.

Senate Section 1106.—The conference agreement includes language (section 805) that provides supplemental payments to dairy producers.

Senate Section 1107.—The conference agreement includes language (section 806) that provides $490,000,000 to make and administer payments for livestock losses using criteria established to carry out the 1999 Livestock Assistance Program.

The conferees expect that up to $5,000,000 be provided under this section to the State of Alabama and that those funds shall be used in conjunction with the program administered by the Alabama Department of Agriculture and Industries.

The conferees expect the Department to provide up to $2,000,000 to individuals who raise poultry owned by other individuals for income losses sustained before April 30, 2001, to the extent that the Secretary finds that such losses are the result of Poult Enteritis Mortality Syndrome control programs.

The amount provided includes up to $300,000 for the Montana Department of Agriculture for transportation needs associated with emergency hay and feeding.

The conferees are aware of the extraordinarily bad weather during the past year. As a result of cold temperatures and record rainfall during the early growing season in New York and other parts of the Northeast, the hay crop is substandard in both quantity and quality. The conferees expect that the Secretary of Agriculture will use a portion of the funds available under this section to compensate dairy and livestock producers who suffered losses in their hay crop for purchases of supplemental feed.

Senate Section 1108.—The conference agreement includes language (section 807) that clarifies nursery crop loss eligibility.

Senate Section 1109.—The conference agreement includes language (section 808) that provides authority and technical assistance funding to enroll additional acres into the Wetlands Reserve Program.

Senate Section 1110.—The conference agreement includes language (section 809) that provides up to $2,400,000 in compensation for owners of sheep destroyed pursuant to the Secretary of Agriculture's declarations of July 14, 2000, instead of $4,000,000 as provided by the Senate.

Senate Section 1111 and House general provision 3103.—The conference agreement includes language (section 810) that directs the Secretary of Agriculture to use not more than $58,000,000 for replacement of citrus trees and for compensation for losses as a result of citrus canker, instead of $40,000,000 provided by the Senate and House in H.R. 3908.

Senate Section 1117 and House section 750.—The conference agreement includes language (section 811) regarding quality and market loss assistance for apples and potatoes.

The conference agreement includes language (section 812) that directs the Secretary of Agriculture to make non-recourse marketing assistance loans available to producers of honey.

The conference agreement includes language (section 813) that provides up to $10,000,000 from Commodity Credit Corporation funds for livestock indemnity payments to producers during calendar year 2000 due to disasters, including fires and anthrax.

The conference agreement includes language (section 814) that provides $20,000,000 from Commodity Credit Corporation funds for wool and mohair payments to producers for the 2000 marketing year.

Senate Sections 1114 and 1115.—The conference agreement includes language (section 815) which provides such sums as may be necessary to provide assistance to farmers for losses in production and quality sustained in 2000 due to natural disasters. The conferees expect the Department to administer this program within the general guidelines provided for similar programs enacted in recent years, with the exception of guidelines needed for adverse commodity quality losses.

In the case of grain and oilseed quality losses, the Department is expected to take

into consideration market value reductions experienced by farmers who may be unable to market their production for the end use intended. The conferees are aware that farmers of some commodities adversely impacted by quality factors have not received compensation commensurate with actual value of reduction in the marketplace as a result of past Departmental quality loss procedures. Guidelines are established in this section that direct the Department to calculate the production value reduction of a commodity in an area from the value assigned for such commodities as production loss under this section. The Department is further instructed by the conferees to take every precaution to avoid payment levels reached by artificial or manipulated price fluctuations and to ensure that payments to producers are not at levels in excess of reasonable expectations.

The conferees have provided a mechanism of determining payments that will reduce time of application processing from those periods experienced in recent years. Due to ongoing problems related to depressed prices and the fact that the rural economy has not kept pace with other sectors of the national economy, it is expected that payments made available under this section will be provided in the most efficient and timely manner possible. The conferees note that the separation of production loss calculations from an independent calculation for quality might result in an eligible threshold of loss not being met by separate calculations for the same crop, and that the Secretary may wish to consider an adjustment to the threshold of loss, in equity, to account for economic losses sustained by a combination of both quality and quantity.

Because cotton is stored identity-preserved and its overall quality cannot be improved through blending in warehouses, the Secretary, in carrying out the provisions of this act providing assistance to cotton producers for losses in production (or quantity), quality and other economic losses, should ensure that (1) loss thresholds for quantity losses are determined in a manner that is similar to that used by the Secretary for the 1998 and 1999 crops of cotton; (2) that quality losses are compensated in a manner that is appropriate for cotton; and (3) that market losses, increased expenses (including expenses related to fuel purchases), and other factors that detrimentally affect a cotton producer's net income are included in determining severe economic losses that are to be compensated under subsection (c)(3) of this Act. If there is a category of severe economic loss for which the Secretary did not establish a threshold for the 1998 and 1999 crops, no additional threshold should be established and any loss that qualifies as a severe economic loss under subsection (c)(3) should be compensated.

With respect to the determination of quality losses for the 2000 crop of upland cotton, the Secretary should: (1) determine the value of quality losses in a manner that is similar to that used in implementing weather related disaster losses for the 1998 and 1999 crops and reflected in 7 C.F.R. 1478.17(g); (2) consider that any bale produced in a county that is of a quality that is less than the 5-year county average historical quality premium or discount has suffered a quality loss; and (3) in determining the value of the crop affected by the quality loss that would have applied if the crop had suffered a quantity loss, as provided in subsection (c)(2) for cotton, compare the value of the cotton affected by the quality loss with the value of the cotton if it had not had a reduction in quality.

Finally, in determining whether a cotton producer is eligible to receive a payment for a quality loss under this section, the Secretary should compare the amount of a quality loss payment that the producer would qualify for under subsection (c)(2) (notwithstanding the eligibility requirement in subsection (d)(3)) to the value of those bales of cotton that are affected by quality losses.

Due to the fact that onion growers have experienced weather related disasters three out of the last four years, the Secretary of Agriculture is directed to develop a suitable onion crop loss disaster program for weather related crop and weather related market losses incurred by producers during the 2000 crop year. Further, the conferees expect the Secretary to take into consideration each qualifying producer's pre-1996 production of onions, based on the 5-year average market price for yellow onions when calculating payments under this program.

The conference agreement includes language (section 816) regarding market loss assistance for growers of cranberries. The conferees continue to be concerned about the economic losses sustained by cranberry growers around the country. Prices for fruit paid to growers have declined to historically depressed levels due to enormous surpluses caused by record harvests. Steps taken thus far by the Secretary towards stabilizing prices, including the purchase of agricultural products containing cranberry ingredients, have only marginally reduced existing surpluses and hold out little hope of stabilizing prices. The industry has sought, and the Secretary has approved, a marketing order to help reduce the surplus but the short-term impact on growers will be negative, unless and until prices for the fruit are restored.

Accordingly, the conferees have included $20,000,000 for a market loss assistance payment to cranberry growers. The payment is to be calculated on a per pound basis on each qualifying producer's 1999 production of cranberries subject to a limitation of 1.6 million pounds per separate farm unit as reported to the Cranberry Marketing Committee and would be subject to such other terms and conditions as may be established by the Secretary.

The conferees also have included language to direct the Secretary to use not less than $30,000,000 of additional funds available to the Secretary for commodity purchases, including amounts permanently appropriated under the Section 32 program and additional amounts appropriated for specialty crops pursuant to section 261(a)(2) of the Agricultural Risk Protection Act of 2000 (Pub. L. 106–224; 114 Stat. 427), for the purchase of cranberry juice concentrate and frozen cranberry fruit or their equivalent in removing fruit from current surplus.

In selecting fruit or fruit products for purchase, the Secretary shall consult with industry representatives and representatives of the recipients of Federal food purchase programs to select products which utilize the greatest quantity of fruit at the least cost while providing the maximum nutritional benefit for food purchase recipients.

The conference agreement includes language (section 817) prohibiting the Secretary of Agriculture from terminating contracts established under section 1232(a)(4) of the Food Security Act of 1985 for failure to establish vegetative or water cover under certain conditions.

The conference agreement includes language (section 818) regarding shared appreciation for loans established under section 353(e) of the Consolidated Farm and Rural Development Act.

Senate Section 1112.—The conference agreement includes language (section 819), which allows the Secretary to contribute Commodity Credit Corporation funds for the establishment of a grain dealers' indemnity fund in South Carolina, to be available only if such funding is matched by a grant from the State.

Senate Section 1113.—The conference agreement provides language (section 820) that amends section 211 of the Agricultural Risk Protection Act of 2000 to provide technical assistance to farmers and ranchers and funding for the Wildlife Habitat Incentives Program from funds provided.

The conference agreement includes language (section 821) that reauthorizes the Puerto Rico Food Stamp Block Grant through 2002.

Senate Section 1116.—The conference agreement includes language (section 822) regarding payments to the State of Hawaii from the Commodity Credit Corporation for transportation assistance.

Senate Section 2101.—The conferees have addressed the issue of business and industry loan guarantee eligibility elsewhere in the Act.

Senate Sections 2102, 2103, and 2104.—The conference agreement provides (sections 823, 824, 825, 826, 828, 831) that Emergency Watershed Program funds shall be available for conservation technical and financial assistance for the Long Park Dam, UT; Kuhn Bayou, AR; Snake River Watershed Project, MN; DuPage County, IL; Camp Lejeune project in NC; and Princeville, NC.

Senate Section 2105 and House section 751.—The conference agreement includes language (section 827) that allows oyster farmers to keep payments made to them by USDA.

Senate Section 2107.—The conferees have addressed the issue of Sea Island Health Clinic in Johns Island, South Carolina eligibility for assistance and funding from the Rural Development Community facilities elsewhere in the Act.

The conference agreement includes language (section 829) regarding technical changes to subtitle G, section 262 of P.L. 106–224, The Agricultural

Risk Protection Act of 2000. The technical changes require obligations by a date certain rather than ''expended by'' the same date.

The conference agreement includes language (section 830) regarding the use of emergency conservation funds provided previously for the Cerro Grande fires.

The conference agreement includes language (section 832) regarding funding transfers for the Agricultural Credit Insurance Fund.

Senate Section 2106 and House section 748.—The conference agreement includes language (section 833) regarding emergency loans to poultry producers to rebuild chicken houses.

The conference agreement includes language (section 834) providing $10,000,000 for value-added agricultural product development grants.

The conference agreement includes language (section 835) providing an additional $10,000,000 for the cost of business and industry guaranteed loans.

The conference agreement includes language (section 836) regarding sugar nonrecourse loans.

The conference agreement includes language (section 837) regarding Loan Deficiency Payment limitations for crop year 2000.

The conferees note the importance of the role of loan deficiency payments in helping

offset reductions in net farm income. The conferees direct the Secretary of Agriculture to take into account county production and prices of feed barley and malting barley in establishing county loan rates and loan repayment rates.

The conference agreement includes language (section 838) regarding date extention for marketing assistance loans and loan deficiency payments for rice.

The conference agreement includes a provision (section 839) that allows the Secretary to enter into agreements for the purpose of controlling the buildup of natural fuels that contribute to the threat of wildfires.

The conference agreement includes language (section 840) regarding publication of regulations for this title.

The conference agreement includes language (section 841) regarding tobacco.

The conference agreement includes language (section 842) regarding administrative offsets. The conferees note that the Secretary of Agriculture has in prior years used existing authorities to exempt farm payments from administrative offset, both within the Department of Agriculture and externally. In view of the significant economic hardships faced by farmers and ranchers this year, the third straight year of such hardships, the conferees urge the Secretary of Agriculture to exempt loan deficiency payments and marketing loan gains for year 2000 crops from internal and external administrative offset.

The conference agreement includes language (section 843) providing $20,000,000 to make payments to producers of tomatoes, pears, peaches, and apricots that were unable to market their crops because of agriculture cooperative losses in the state of California.

The conference agreement includes language (section 844) regarding burley tobacco.

The conference agreement includes language (section 845) regarding marketing assistance loans and deficiency loan payment eligibility.

The conference agreement includes language (section 846) regarding food stamp program excess shelter expenses.

The conference agreement includes language (section 847) regarding food stamp program vehicle allowances.

OFFSETS/RESCISSIONS

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement does not provide language that cancels funds in the Office of the Chief Information Officer account that were made available for Year 2000 conversion purposes.

TITLE IX—TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT

The conference agreement includes the ''Trade Sanctions Reform and Export Enhancement Act of 2000''.

TITLE X—CONTINUED DUMPING AND SUBSIDY OFFSET

The conference agreement includes the ''Continued Dumping and Subsidy Offset Act of 2000''.

TITLE XI—CONSERVATION OF FARMABLE WETLAND

The conference agreement includes language regarding a Conservation Reserve Program pilot in the prairie pothole region of the United States.

TITLE XII—HASS AVOCADO PROMOTION, RESEARCH, AND INFORMATION

The conference agreement includes language regarding avocado research and promotion program.

TITLE XIII—DEBT REDUCTION

The conference agreement includes language that reduces the public debt of the United States.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2000	$84,312,546
Budget estimates of new (obligational) authority, fiscal year 2001	76,785,597
House bill, fiscal year 2001	75,264,494
Senate bill, fiscal year 2001	75,356,809
Conference agreement, fiscal year 2001	78,139,809
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	−6,172,737
Budget estimates of new (obligational) authority, fiscal year 2001	+1,354,212
House bill, fiscal year 2001	+2,875,315
Senate bill, fiscal year 2001	+2,783,000

JOE SKEEN,
JAMES T. WALSH,
JAY DICKEY,
JACK KINGSTON,
GEORGE R. NETHERCUTT, Jr.,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
C.W. BILL YOUNG,
Managers on the Part of the House.

THAD COCHRAN,
ARLEN SPECTER,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
TOM HARKIN, (except for Cuba and drug reimportation),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

ADJOURNMENT TO TUESDAY, OCTOBER 10, 2000

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 10, 2000.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. WATERS (at the request of Mr. GEPHARDT) for today on account of business in the district.

Ms. CARSON (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. MEEKS of New York (at the request of Mr. GEPHARDT) for today on account of personal business.

Mr. PASCRELL (at the request of Mr. GEPHARDT) for today after 1:30 p.m. on account of official business.

Mr. REYES (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. STARK (at the request of Mr. GEPHARDT) for today after 12:30 p.m. on account of medical reasons.

Mr. DIAZ-BALART (at the request of Mr. ARMEY) for today on account of touring flood damage with the director of the Federal Emergency Management Agency.

Mrs. FOWLER (at the request of Mr. ARMEY) for today after 1:00 p.m. on account of official business.

Mr. HEFLEY (at the request of Mr. ARMEY) for today and October 3 on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. GEJDENSON, for 5 minutes, today.

(The following Members (at the request of Mr. SMITH of Michigan) to revise and extend their remarks and include extraneous material:)

Mr. PORTER, for 5 minutes, October 10.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 134. An act to direct the Secretary of the Interior to study whether the Apostle Islands National Lakeshore should be protected as a wilderness area; to the Committee on Resources.

S. 1367. An act to amend the Act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes; to the Committee on Resources.

S. 1534. An act to reauthorize the Coastal Zone Management Act, and for other purposes; to the Committee on Resources; in addition to the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 1670. An act to revise the boundary of Fort Matanzas National Monument, and for other purposes; to the Committee on Resources.

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park; to the Committee on Resources.

S. 2069. An act to permit the conveyance of certain land in Powell, Wyoming; to the Committee on Resources.

S. 2273. An act to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area, and for other purposes; to the Committee on Resources.

S. 2300. An act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for coal that may be held by an entity in any 1 State; to the Committee on Resources.

S. 2345. An act to direct the Secretary of the Interior to conduct a special resource study concerning the preservation and public use of sites associated with Harriet Tubman located in Auburn, New York, and for other purposes; to the Committee on Resources.

S. 2439. An act to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertic system, and for other purposes; to the Committee on Commerce.

S. 2478. An act to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes; to the Committee on Resources.

S. 2485. An act to direct the Secretary of the Interior to provide assistance in planning and constructing a regional heritage center in Calais, Maine; to the Committee on Resources.

S. 2499. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Pennsylvania; to the Committee on Commerce.

S. 2691. An act to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2749. An act to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States to the Committee on Resources.

S. 2865. An act to designate certain land of the National Forest System located in the State of Virginia as wilderness; to the Committee on Resources; in addition to the Committee on Agriculture for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2885. An act to establish the Jamestown 400th Commemoration Commission, and for other purposes; to the Committee on Government Reform.

S. 2942. An act to extend the deadline for commencement of construction of certain hydroelectric projects in the State of West Virginia; to the Committee on Commerce.

S. 2950. An act to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado; to the Committee on Resources.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1143. An act to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes.

H.R. 1162. An act to designate the bridge on United States Route 231 that crosses the Ohio river between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge''.

H.R. 1605. An act to designate the Federal building and United States courthouse located at 402 North Walnut Street in Harrison, Arkansas, as the ''J. Smith Henley Federal Building and United States Courthouse''.

H.R. 4318. An act to establish the Red River National Wildlife Refuge.

H.R. 4578. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

H.R. 4642. An act to make certain personnel flexibilities available with respect to the General Accounting Office, and for other purposes.

H.R. 4806. An act to designate the Federal building located at 1710 Alabama Avenue in Jasper, Alabama, as the ''Carl Elliott Federal Building''.

H.R. 5284. An act to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the ''Owen B. Pickett United States Customhouse.''.

ADJOURNMENT

Mr. YOUNG of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 01 minute p.m.), under its previous order, the House adjourned until Tuesday October 10, 2000, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10493. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of lieutentant general on the retired list of Lieutentant General Randolph W. House, United States Army; to the Committee on Armed Services.

10494. A letter from the Secretary of Defense, transmitting the approved retirement and advancement to the grade of Admiral on the retirement list of Admiral Charles S, Abbot, United States Navy; to the Committee on Armed Services.

10495. A letter from the Secretary, Department of Health and Human Services, transmitting the biennial report on activities and progress toward the prevention and treatment of addictive and mental disorders prepared by the Substance Abuse and Mental Health Services Administration (SAMHSA), pursuant to 42 U.S.C. 290gg(f)(2); to the Committee on Commerce.

10496. A letter from the Secretary, Department of the Treasury, transmitting an annual report to the President and to the Congress on the audit of the Telecommunications Development Fund, pursuant to 47 U.S.C. 614; to the Committee on Commerce.

10497. A letter from the Director, International Cooperation, Acquisition and Technology, Department of Defense, transmitting a copy of Transmittal No. 21–00 which constitutes a Request for Final Approval for the of Agreement concerning the Unmanned Aerial Vehicle (UAV) Airborne Communications Node Demonstration Project, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

10498. A letter from the Chief Executive Officer, Corporation For National Service, transmitting the Corporation's strategic plan for fiscal years 2000 to 2005; to the Committee on Government Reform.

10499. A letter from the Deputy Chief Financial Officer, Environmental Protection Agency, transmitting the Strategic Plan for FY 2000–2005; to the Committee on Government Reform.

10500. A letter from the Chairman, Federal Communications Commission, transmitting the Strategic Plan, entitled, ''A New FCC for the 21st Century''; to the Committee on Government Reform.

10501. A letter from the Executive Director, Federal Reserve Employee Benefits System, transmitting transmitting the annual report disclosing the financial condition of the Retirement Plan and Annual Report as required by Public Law 95–595, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

10502. A letter from the Director, National Gallery of Art, transmitting the Year 2000 Inventory's Annual Report On Agency Management of Commercial Activities; to the Committee on Government Reform.

10503. A letter from the Secretary of the Treasury, transmitting the strategic plan for fiscal years 2000 through 2005; to the Committee on Government Reform.

10504. A letter from the Chairman, Securities and Exchange Commission, transmitting the strategic plan for fiscal years 2000–2005; to the Committee on Government Reform.

10505. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30193;

Amdt. No. 2011] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10506. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30192] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10507. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class D Airspace; Gary, IN; and establishment of Class E Airspace; Gary, IN [Airspace Docket No. 00–AGL–16] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10508. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E airspace, Duchesne, UT [Airspace Docket No. 00–ANM–08] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10509. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Reference [Docket No. 29334; Amendment No. 71–32] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10510. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 832 Discount Factors for 2000 [Rev. Proc. 2000–45] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10511. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rabbi Trust Notice [Notice 2000–56] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10512. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 846 Discount Factors for 2000 [Rev. Proc. 2000–44] received October 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10513. A letter from the Director, Office of Thrift Supervision, transmitting the Annual Consumer Report to Congress; jointly to the Committees on Banking and Financial Services and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII; reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 828. A bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes; with an amendment (Rept. 106–943). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 964 An act to provide for equitable compensation for the Cheyenne River Sioux Tribe, and for other purposes (Rept. 106–944). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of Conference. Conference report on H.R. 4205. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2001, and for other purposes (Rept. 106–945). Ordered to be printed.

Mr. BLILEY: Committee on Commerce. H.R. 2592. A bill to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act: with an amendment (Rept. 106–946). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 1288. An act to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes (Rept. 106–947 Pt. 1). Ordered to be printed.

Mr. SKEEN: Committee of Conference. Conference report on H.R. 4461. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–948). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Ways and Means discharged. H.R. 3673 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1882. Referral to the Committee on Ways and Means extended for a period ending not later than October 13, 2000.

H.R. 2580. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 13, 2000.

H.R. 4585. Referral to the Committee on Commerce extended for a period ending not later than October 13, 2000.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SPENCE:

H.R. 5408. A bill to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Commerce, Education and the Workforce, Government Reform, International Relations, the Judiciary, Resources, Science, Transportation and Infrastructure, Veterans' Affairs, Ways and Means, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan:

H.R. 5409. A bill to extend for 9 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. HOYER, Mr. BOEHNER, Mr. EHLERS, Mr. NEY, Mr. MICA, Mr. LINDER, and Mr. FATTAH):

H.R. 5410. A bill to establish revolving funds for the operation of certain programs and activities of the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. COOK:

H.R. 5411. A bill to direct the Secretary of Transportation to permit the State of Utah to construct a hook ramp as part of the highway project to reconstruct the interchange at Interstate Route 15 and University Parkway in Orem, Utah; to the Committee on Transportation and Infrastructure.

By Mr. DEAL of Georgia:

H.R. 5412. A bill to amend the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5413. A bill to require the Secretary of Transportation to issue regulations addressing safety concerns in minimizing delay for automobile traffic at railroad grade crossings; to the Committee on Transportation and Infrastructure.

By Mr. FILNER:

H.R. 5414. A bill to promote global efforts to protect biological diversity by protecting the Tongass Rain Forest, the United States' largest temperate rain forest, and for other purposes; to the Committee on Resources.

By Mr. FILNER (for himself and Mr. KUCINICH):

H.R. 5415. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on wholesale electric energy sold in the Western System Coordinating Council; to the Committee on Ways and Means.

By Mr. HOUGHTON:

H.R. 5416. A bill to promote economic development and stability in Southeast Europe by providing countries in that region with additional trade benefits; to the Committee on Ways and Means.

By Mr. LAFALCE (for himself, Mr. GEPHARDT, Mr. FRANK of Massachusetts, Mr. LEACH, Mr. KANJORSKI, Ms. WATERS, Mr. SANDERS, Mrs. ROUKEMA, Mr. BAKER, Mr. LAZIO, Mrs. MALONEY of New York, Mr. GUTIERREZ, Ms. VELÁQUEZ, Mr. WATT of North Carolina, Mr. ACKERMAN, Mr. BENTSEN, Mr. MALONEY of Connecticut, Ms. HOOLEY of Oregon, Ms. CARSON, Mr. WEYGAND, Mr. SHERMAN, Mr. SANDLIN, Mr. MEEKS of New York, Ms. LEE, Mr. MASCARA, Mr. INSLEE, Ms. SCHAKOWSKY, Mr. MOORE, Mr. GONZALEZ, Mrs. JONES of Ohio, Mr. CAPUANO, Mr. FORBES, Mr. CASTLE, Mr. CAMPBELL, Mr. NEY, Mrs. KELLY, Mr. PAUL, Mr. LATOURETTE, Mrs. BIGGERT, Mr. TOOMEY, Mr. OBERSTAR, Mr. SABO, Mr. MINGE, Mr. WISE, Mr. NADLER, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. WAXMAN, Mrs. TAUSCHER, Mr. GREEN of Texas, Mr. EVANS, Mrs. MINK of Hawaii, Mr. SPRATT, Ms. BALDWIN, Mr. NEAL of Massachusetts, Mr. MEEHAN, Ms. ROYBAL-ALLARD, Ms. DANNER, Mr. DIXON, Mr. BROWN of Ohio, Mr. BOSWELL, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. MILLENDER-MCDONALD, and Mr. LUCAS of Oklahoma):

H.R. 5417. A bill to rename the Stewart B. McKinney Homeless Assistance Act as the ''McKinney-Vento Homeless Assistance Act''; to the Committee on Banking and Financial Services.

By Mr. PITTS (for himself, Mr. SHUSTER, Mr. MURTHA, Mr. GEKAS, Mr. GOODLING, Mr. PETERSON of Pennsylvania, Mr. TOOMEY, Mr. GREENWOOD, Mr. BORSKI, Mr. SHERWOOD, Mr. FATTAH, Mr. HOLDEN, Mr. ENGLISH, Mr. KANJORSKI, Mr. KLINK, Mr. BRADY of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. HOEFFEL, and Mr. MASCARA):

H.R. 5418. A bill to designate the facility of the United States Postal Service located at 431 North George Street in Millersville, Pennsylvania, as the ''Robert S. Walker Post Office''; to the Committee on Government Reform.

By Ms. PRYCE of Ohio (for herself and Mrs. CAPPS):

H.R. 5419. A bill to amend the Public Health Service Act to establish a demonstration project at the National Cancer Institute to provide funding for research concerning the prevention, diagnosis, treatment, and cure for cancer; to the Committee on Commerce.

By Mr. ROYCE:

H.R. 5420. A bill to establish a National Commission to Eliminate Waste in Government; to the Committee on Government Reform.

By Mr. SHAW (for himself and Mr. STARK):

H.R. 5421. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who acquire structured settlement payments in factoring transactions, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. STUPAK, Mr. BOEHLERT, and Mr. METCALF):

H.R. 5422. A bill to require the Administrator of the Environmental Protection Agency to establish an integrated environmental reporting program; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON (for himself, Mr. ABERCROMBIE, Mr. BAKER, Mr. BARCIA, Mr. BARRETT of Nebraska, Mrs. CHENOWETH-HAGE, Mr. COMBEST, Mrs. CUBIN, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. JEFFERSON, Mr. JOHN, Ms. KAPTUR, Mr. MINGE, Mrs. MINK of Hawaii, Mr. NETHERCUTT, Mr. POMEROY, Mr. SCHAFFER, Mr. TAUZIN, and Mrs. THURMAN):

H.R. 5423. A bill to amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas; to the Committee on Ways and Means.

By Mr. WELDON of Pennsylvania:

H.R. 5424. A bill to amend the Housing and Community Development Act of 1974 to authorize communities receiving community development block grants to use grant amounts to provide assistance to local firefighting, emergency medical, and rescue services; to the Committee on Banking and Financial Services.

By Mr. WELDON of Pennsylvania:

H.R. 5425. A bill to amend the National and Community Service Act of 1990 to include participation in a volunteer firefighting agency as one of the national service programs specifically authorized to receive assistance under the AmeriCorps program; to the Committee on Education and the Workforce.

By Mr. SKEEN:

H.R. 5426. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Programs for the fiscal year ending September 30, 2001, and for other purposes; to the Committee on Appropriations.

By Mr. STUMP (for himself and Mr. HYDE):

H. Con. Res. 419. Concurrent resolution expressing the sense of Congress on the propriety and need for expeditious construction of the National World War II Memorial at the Rainbow Pool on the National Mall in the Nation's Capitol; to the Committee on Resources.

By Mr. ACKERMAN (for himself and Mr. GEJDENSON):

H. Res. 614. A resolution condemning the Government of Iran for the continued imprisonment of 10 Jews and 2 Muslims on false charges of espionage and urging the President to sustain United States sanctions against Iran, including opposition to assistance provided by international institutions, and for other purposes; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Mr. CUMMINGS.

H.R. 352: Mr. WALDEN of Oregon.

H.R. 453: Ms. SCHAKOWSKY and Mr. GALLEGLY.

H.R. 455: Mr. BACA.

H.R. 531: Mr. LEACH.

H.R. 762: Mr. LOBIONDO.

H.R. 1194: Mr. MINGE.

H.R. 1228: Mr. CONYERS, Mrs. CLAYTON, Mr. KUCINICH, and Mr. PRICE of North Carolina.

H.R. 1640: Mr. KENNEDY of Rhode Island.

H.R. 1870: Mr. GEJDENSON.

H.R. 2341: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Washington, Mr. SMITH of Michigan, Mr. WALDEN of Oregon, and Mr. BASS.

H.R. 2457: Mr. CRAMER, Mr. WEXLER, Mr. COOK, Mr. HASTINGS of Florida, Mr. LARSON, Mr. LAMPSON, Mr. BURTON of Indiana, Mrs. JONES of Ohio, Mr. BLUMENAUER, Mr. LOBIONDO, Mr. DEFAZIO, Mr. JACKSON of Illinois, Mr. MCDERMOTT, Mrs. NAPOLITANO, Mr. SCOTT, Mr. LAZIO, Mr. KLECZKA, and Mr. TIERNEY.

H.R. 2505: Mr. KLINK.

H.R. 2738: Mr. BLAGOJEVICH.

H.R. 2774: Ms. NORTON.

H.R. 2907: Mr. CAPUANO, Mr. BONIOR, Mr. BERMAN, and Ms. CARSON.

H.R. 3004: Mr. LEWIS of Georgia and Mr. INSLEE.

H.R. 3249: Mr. UDALL of Colorado and Mr. HYDE.

H.R. 3377: Mr. GEJDENSON.

H.R. 3700: Ms. DELAURO, Mr. WU, and Mr. SNYDER.

H.R. 3905: Mr. HOBSON.

H.R. 4025: Mr. BOEHLERT.

H.R. 4178: Mr. SISISKY.

H.R. 4257: Mr. JONES of North Carolina.

H.R. 4390: Mr. WEXLER.

H.R. 4415: Mr. BONIOR.

H.R. 4434: Mr. WALSH.

H.R. 4453: Mrs. TAUSCHER.

H.R. 4467: Mr. THUNE.

H.R. 4493: Mr. HINCHEY.

H.R. 4501: Mr. LEWIS of California, Mr. COX, and Mr. CAMPBELL.

H.R. 4506: Mr. MCHUGH, Ms. DANNER, and Mr. WEYGAND.

H.R. 4570: Mr. LATHAM and Mr. ISAKSON.

H.R. 4571: Mr. WAMP, Mrs. MORELLA, Mr. BILBRAY, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. BENTSEN, Mr. BOEHNER, Ms. CARSON, Mr. MCINTYRE, Mr. WELLER, and Mr. BLAGOJEVICH.

H.R. 4614: Mr. HOEFFEL.

H.R. 4707: Ms. MILLENDER-MCDONALD, Mr. PAYNE, and Mr. MCCOLLUM.

H.R. 4715: Mr. KLECZKA.

H.R. 4728: Mr. LUCAS of Kentucky, Mr. TANNER, Mr. CANNON, Mr. DAVIS of Illinois, Mr. WEINER, Mr. OWENS, Mr. DAVIS of Virginia, Mr. ISAKSON, and Mr. ALLEN.

H.R. 4740: Ms. NORTON, Mrs. CAPPS, and Mr. PRICE of North Carolina.

H.R. 4792: Mr. DEFAZIO.

H.R. 4794: Ms. DELAURO.

H.R. 4802: Mr. GREEN of Texas, Mr. BUYER, and Mr. BONILLA.

H.R. 4857: Mr. BILBRAY.

H.R. 4927: Mr. HOEFFEL.

H.R. 5027: Mr. KOLBE.

H.R. 5099: Mr. MINGE.

H.R. 5110: Mr. GARY MILLER of California.

H.R. 5121: Mr. WEXLER and Mr. BLAGOJEVICH.

H.R. 5132: Mr. PRICE of North Carolina, Mr. WELDON of Pennsylvania, and Mr. BERMAN.

H.R. 5137: Mr. BILBRAY, Mr. BACHUS, and Mr. LEVIN.

H.R. 5151: Mr. BONIOR.

H.R. 5152: Mr. DICKS.

H.R. 5163: Mr. ANDREWS, Mr. MORAN of Kansas, and Ms. WOOLSEY.

H.R. 5164: Mr. GILLMOR.

H.R. 5172: Mr. DEUTSCH, Mr. MCINTYRE, Ms. DANNER, Mr. DOOLEY of California, Mr. WELLER, Ms. STABENOW and Ms. CARSON.

H.R. 5232: Ms. SCHAKOWSKY.

H.R. 5247: Mr. DEFAZIO.

H.R. 5265: Mr. GOODE, Mr. GILLMOR, and Mr. STUMP.

H.R. 5275: Ms. RIVERS, Mr. THORNBERRY, and Mr. ISAKSON.

H.R. 5277: Mr. BALDACCI, Mr. SABO, Mr. TURNER, Mr. SISISKY, Ms. LOFGREN, Ms. RIVERS, and Mr. WEXLER.

H.R. 5314: Mr. POMBO, Mr. KOLBE, Mrs. NORTHUP, Mr. GOODE, Mr. BILBRAY, Mr. NADLER, Mr. ROYCE, Mr. SHAYS, Mr. GILCHREST, Mr. WELDON of Pennsylvania, Mr. EHRLICH, Mr. FROST, Mr. SMITH of Washington, Mr. NETHERCUTT, Mr. TAYLOR of Mississippi, Mr. BLILEY, Mr. KUCINICH, Mr. SANDERS, Mr. CONYERS, Mr. JACKSON of Illinois, Mr. ABERCROMBIE, Mr. LOBIONDO, Mr. CLEMENT, Mr. MEEHAN, Mr. STUMP, Mr. WICKER, Mr. COBURN, Mr. DOOLITTLE, Mr. REYES, Mr. GIBBONS, Mr. PITTS, Mr. KINGSTON, Mr. JONES of North Carolina, Mr. CHABOT, Mr. YOUNG of Florida, Mr. HYDE, Mr. TRAFICANT, and Mr. BACA.

H.R. 5345: Mrs. CAPPS, Mr. THOMPSON of California, Ms. PELOSI, Mrs. BONO, Mr. WYNN, and Mr. OSE.

H.R. 5356: Mr. SHERWOOD and Mr. KANJORSKI.

H.R. 5371: Mr. UDALL of Colorado.

H.R. 5375: Ms. SLAUGHTER and Mrs. KELLY.

H.R. 5392: Mr. ENGLISH.

H.R. 5397: Mr. BERMAN, Mr. HINOJOSA, Mr. PASTOR, Mr. BISHOP, Mr. BOYD, Mr. MARKEY, Mr. LANTOS, and Mr. RAMSTAD.

H. J. Res. 107: Mr. TIERNEY and Ms. CARSON.

H. Con. Res. 337: Mr. ISAKSON, Mr. HOLT, and Mr. POMBO.

H. Res. 146: Mr. INSLEE.

H. Res. 187: Ms. SLAUGHTER.
H. Res. 420: Mr. ORTIZ.
H. Res. 461: Mr. PETERSON of Pennsylvania, Mr. MEEHAN, Ms. LEE, and Mr. WEYGAND.
H. Res. 605: Mr. OSE and Mrs. FOWLER.

EXTENSIONS OF REMARKS

HONORING JUDGE ROMAN S. GRIBBS ON HIS RETIREMENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. DINGELL. Mr. Speaker, today I recognize, honor and salute my dear friend Judge Roman S. Gribbs on his retirement from the Michigan Court of Appeals and for his many years of dedicated public service.

Beginnings do not come much more humble than Roman's. He attended grammar school in a one-room schoolhouse in the Thumb area of Michigan, and in 1944 graduated, as salutatorian, from Capac High School. After serving in the United States Army, Roman graduated Magna Cum Laude from the University of Detroit in 1952, with a degree in Economics and Accounting. In 1954, he earned his Juris Doctor from the same school.

Roman began his professional career as an instructor at his alma mater, the University of Detroit. He later served as Assistant Wayne County Prosecutor, Presiding Traffic Court Referee for the City of Detroit and Wayne County Sheriff. From 1970 through 1974, Judge Gribbs served as Mayor of Detroit, during which time he also was President of the National League of Cities. While working as a partner at the law firm Fenton, Nederlander, Dodge, Barris and Gribbs, P.C., Roman was also an Adjunct Professor at the University of Michigan. As though these many accomplishments were not enough, Mr. Speaker, my good friend has spent the last 23 years serving as a judge, first on the Third Judicial Circuit Court of Michigan, then on the Michigan Court of Appeals.

In addition to his vast professional accomplishments, Roman is an active member of many fine organizations including: the Detroit Institute of Arts, the Economic Club of Detroit, American Academy of Political and Social Sciences, the League of Women Voters of Michigan, National Association for the Advancement of Colored People and Michigan Youth Commission to name only a few.

Mr. Speaker, as Roman leaves the public limelight to spend time with his lovely wife, Lee, and his five children, I would ask that all of my colleagues salute Roman and his leadership, hard work and caring heart.

HONORING DR. LINDA ROSENSTOCK

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. OBEY. Mr. Speaker, The National Institute of Occupational Safety and Health (NIOSH) and the Centers for Disease Control and Prevention (CDC) are extremely fortunate to have recruited and retained one of the top occupational health physicians in the country to lead NIOSH over the past six years. As an internationally known authority in the field of occupational safety and health, Dr. Linda Rosenstock's steadfast devotion and visionary leadership have contributed significantly in establishing NIOSH as the model agency for occupational safety and health research. With this in mind, it comes as no surprise that she was recently selected as the new Dean of the School of Public Health at the University of California, Los Angeles, and while the CDC and NIOSH will miss her insightful leadership; young professionals and the public health environment as a whole will benefit in yet another way from her knowledge, hard work, and dedication to the field of occupational safety and health.

In her role as Director of NIOSH, Dr. Rosenstock relied greatly upon input from industry, labor unions, academia, government and other occupational health and safety professionals to help guide the Institute in a new direction that would explore the changing nature of our nation's workforce and work environment. Much of this involvement came about through the introduction of the National Occupational Research Agenda (NORA), a framework for guiding occupational safety and health research that was developed in collaboration with 500 external partners. This along with the strategic relocation of the health and safety functions of the former Bureau of Mines, and the completion of a new state-of-the-art research facility in Morgantown, West Virginia has brought an annual appropriation increase of $85 million to NIOSH since Dr. Rosenstock's arrival in 1994.

Dr. Rosenstock's hard work and dedication to occupational safety and health will long be remembered by this Congress and by the workers in this country who have benefitted from her efforts.

UP THE ANTE ON PAKISTAN

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. HILLIARD. Mr. Speaker, I submit the following articles for the Record.

[From the Washington Post, Sept. 11, 2000]

UP THE ANTE ON PAKISTAN

(By Arthur H. Davis)

While bitter enemies form Ireland to Israel are bowing to the dictates of peace and economic development, the threat of war in South Asia continues to loom large. The economy of Pakistan is sinking, yet the focus of the military leadership remains stronger than ever on Kashmir. Pakistan's junta continues to concentrate all of its resources on funding and fueling terrorism in Kashmir on the one hand, while on the other dashing domestic hopes for a return to a democratic and secular society.

Gen. Pervez Musharraf, the self-appointed chief executive of Pakistan, who also has the dubious distinction of being the coup leader and saboteur of the Lahore peace process, went on record saying that however the people of Kashmir decide their fate will be acceptable to Pakistan. The general also has reiterated his willingness to conduct his own talks with India at any place and any time on all issues, if Kashmir is included. Yet recent events clearly belie hopes that he intends to honor his words.

In late July the world welcomed the announcement of a three-month cease-fire and the offer of unconditional talks with the central government of India by the Hizbul Mujaheddin, the largest militant group in Indian Kashmir. Majir Dar, the Hizbul commander operating in Indian Kashmir, reportedly made this unexpected announcement after secret meetings with Hizbul followers and presumably with the group's leader, Sayed Salahuddin, who resides in Pakistan.

To this, the Indian government exhibited a new and welcome flexibility by responding positively to the offer. Lt. Gen. John Mukherjee, commander of Indian forces in Kashmir, announced the cessation of all operations against the Hizbul, while senior officials from Delhi proceeded to Kashmir to discuss the modalities of talks with the Hizbul. Unfortunately, the prospect for peace was not met with similar alacrity by Pakistan's military and fundamentalist religious leaders, who were clearly caught off guard by this show of militant independence. Pakistani security agents reportedly picked up Salahuddin shortly after the cease fire agreement, while his Hizbul Mujaheddin was ejected from the United Jehad Council, the umbrella alliance of Kashmiri militant outfits. And while official Pakistani responses initially were muted, wholesale attempts since have been underway by the junta to employ its influence over the regional militants to derail the incipient peace talks.

On the night of Aug. 1, more than a hundred Hindus, many of them pilgrims, were massacred by Pakistani-backed terrorists. The massacre has been followed by the attachment of two deal-breaking caveats to Hizbul's offer of ''unconditional'' talks. In a move the State Department has since termed ''not helpful,'' Hizbul has demanded a seat for Pakistan at any talks and also that those talks be conducted outside the scope of India's constitution, thus allowing for a deal on Kashmiri independence. Indian leaders long have resisted both conditions.

It has been widely stated in Washington and other Western capitals that India must negotiate with the Pakistani military for a definitive peace to be achieved. But the question remains whether the army really wants peace. All three wars between India and Pakistan have been fought when there were military governments in Pakistan. A fourth, under the present military leadership, remains a possibility—this time with a nuclear shadow cast upon it.

The Pakistani military regime is exhibiting an almost pathological determination to keep South Asia in turmoil, doing little to curb Islamic fundamentalism and terrorism breeding within its borders, while scuttling others' steps toward peace.

During his visit to the region earlier this year, President Clinton threaded a needle of admonishing Pakistan for its support of violence in Kashmir while keeping the door open for engagement if it abated such activities. Unfortunately, his stern warnings have yet to exact much change. Pakistan's intended destruction of the nascent Kashmir peace process requires a firmer response from the U.S. administration. Declaring Pakistan a terrorist state, and thus putting it on par with the terrorist group it harbors and supports, would encourage the people of Pakistan to remove the military warmongers who have deprived them of sustainable development.

It is clear who wants peace in the region and who does not. Only by challenging Pakistan's duplicatous ways will peace have a hope of winning.

[From the Los Angeles Times, Sept. 12, 2000]

ARMED INDIA CAN HELP STABILIZE ASIA

(By Selig S. Harrison)

In May, 1998, India conducted five nuclear tests. More than two years later, the United States, with a record of 949 nuclear tests during the five decades since Hiroshima, is still enforcing punitive economic sanctions against New Delhi, poisoning the entire relationship between the world's two largest democracies.

President Clinton should quietly bury this self-defeating policy when he meets with Prime Minister Atul Behari Vejpayee at the White House this week. Pressuring India to reverse its commitment to develop nuclear weapons merely strengthens Indian hawks who oppose closer relations with Washington and favor an all-out nuclear buildup that would stimulate nuclear arms races with China and Pakistan.

The United States should accept the reality of a nuclear armed India as part of a broader recognition of its emergence as a major economic and military power. Such a shift would remove the last major barrier blocking a rapid improvement in Indo-U.S. relations. President Clinton has kept up the pressure on India to forswear nuclear weapons despite the fact that all sections of Indian opinion strongly favor a nuclear deterrent.

Instead of persisting in a futile effort to roll back the Indian nuclear weapons program, the United States should seek to influence the current debate in New Delhi over the size and character of the nuclear buildup. A more relaxed relationship with New Delhi would facilitate U.S. cooperation with moderate elements in the Indian leadership who favor nuclear restraint.

A U.S. policy focused on nuclear restraint rather than nuclear rollback should not only seek to minimize the number of warheads but also to keep them under civilian control and to limit the frequency of missile tests. Other key U.S. goals should be to get India to sign the Comprehensive Nuclear Test Ban Treaty and to formalize de facto Indian restrictions on the export of nuclear technology.

Moderate elements in New Delhi are sympathetic to many of these objectives but need U.S. quid pro quos to make them politically attainable. For example, the continuation of sanctions makes it impossible for the Indian government to sign the test ban without appearing to surrender to foreign pressure. Equally important, the sanctions have blocked $3 billion in multilateral aid credits for power projects and other economic development priorities.

Together with the removal of sanctions, the U.S. should greatly reduce the blanket restrictions on the transfer of dual-use technology that were imposed after the 1998 tests. These restrictions cover many items with little relevance to nuclear weapons.

The most important U.S. quid pro quo would be the relaxation of the existing U.S. ban on the sale of civilian nuclear reactors badly needed by India to help meet its growing energy needs. Indians find it galling that China is permitted to buy U.S. reactors, while India is not.

The reason for this blatantly discriminatory policy lies in legalistic hair-splitting in the 1968 Nuclear Non-Proliferation Treaty (NPT). Since China had tested nuclear weapons in 1964, it was classified as a ''nuclear weapons state'' under the treaty. As such, Beijing was eligible to sign the NPT, along with the other powers then possessing nuclear weapons, the United States, Russia, Britain and France.

All other states were barred in perpetuity from the nuclear club and asked to forswear nuclear weapons formally by signing the treaty. India branded the NPT as discriminatory and refused to sign. Now it would like to sign as a nuclear weapon state but the U.S. will not permit it.

The NPT itself does not bar its signatories from providing nuclear technology to non-signatories such as India. However, the U.S. Congress went beyond the NPT with a law stipulating that non-signatories cannot receive U.S. nuclear technology even if they accept International Atomic Energy Agency, or IAEA, safeguards on its use, which India is willing to do. This legislation even bars the U.S. from helping India to make its nuclear reactors safer.

Significantly, Hans Blix, the respected former IAEA director who now heads the U.N. arms inspection mission to Iraq, has urged that the ban on civilian nuclear sales to both India and Pakistan be lifted if they are willing to make two major concessions: signing the test ban and agreeing to freeze their stockpiles of weapons-grade fissile material at present levels.

''There is nothing in the NPT that would stand in the way of such an arrangement,'' Blix noted at a Stockholm seminar, and as matters stand, ''India and Pakistan are most unlikely to discard whatever nuclear weapons capacity they possess. There is even a clear risk of a race between them to increase fissile material stocks.''

The United States has been pushing India to join in a multilateral moratorium on fissile material production but without offering clear incentives. Blix has proposed a more realistic approach. U.S. policy should be based on a tactic recognition that a multipolar Asian balance of power in which India possesses a minimum nuclear deterrent will be more stable than one in which China enjoys a nuclear monopoly.

HONORING BETTE BELLE SMITH

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. CONDIT. Mr. Speaker, today I honor a very special lady. When I think of Bette Belle Smith I am truly amazed. This remarkable woman is the epitome of the word inspiration. I am proud to report to my colleagues Bette Belle has been named as California's Outstanding Older Worker for 2000 by Green Thumb, Inc.

Her story is truly one of extraordinary accomplishment. Consider that she didn't enter the workforce until she was 57 years old. Now, 22 years later she's still holding the same job as a bank vice president. As amazing as that may seem, what makes this lady so special is that she is truly the queen of volunteerism.

In fact, Bette Belle has been volunteering most of her life. She began her career as a volunteer during the Second World War with the American Red Cross. Among the organizations she is involved with since then include the Girl Scouts, Boy Scouts, California Women for Agriculture and the 4-H Sponsor Committee, the American Field Service International Scholarship Program and AFS Committee, United Way and Special Events Committee, the McHenry Museum Society and Museum Guild and the Modesto Symphony Orchestra board.

When she walks into a room, Mr. Speaker, it's nearly impossible to say no to her. Is it any wonder why The United Way of Stanislaus County named its annual volunteerism award, the "Bette Belle Smith Community Award?" I am proud to call this incredible woman my friend. She is tireless and a fantastic role model for us all.

I ask my colleagues in the House of Representatives to rise and join me in honoring Bette Belle Smith.

QUALITY, NOT QUANTITY; RESULTS, NOT PROCESS

SPEECH OF

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 2000

Mr. SENSENBRENNER. Mr. Speaker, I rise today to pay tribute to our distinguished colleague from Seven Valleys, Pennsylvania, the Honorable WILLIAM GOODLING. BILL GOODLING has served his constituents and the nation in this body for more than a quarter century. In that time, he has proven himself a dedicated public servant, one who recognizes the importance of, as he says, quality over quantity and results over process.

That philosophy has been most apparent during his tenure as Chairman of the Education and the Workforce Committee. Over the past six years, BILL GOODLING has worked tirelessly for fair and comprehensive education and labor policy. He has advocated returning control over our children's education to parents, teachers, principals, and local school districts because BILL knows that no one is better qualified to meet their educational needs than the people who interact with them every day.

In fact, very few among us are as well suited as BILL GOODLING to championing the improvement of this nation's educational system. Prior to coming to Washington, he served his community as a teacher, principal, and coach.

He even served as school superintendent, so he knows first-hand the educational needs of children.

From his development of the Even Start Program to aid parents in supporting this children's learning process and his support of the Ed Flex bill, to his push to increase the percentage of American children receiving quality education from the current 50 percent to 100 percent, we know that BILL GOODLING has recognized the need to work today to create a better tomorrow.

I know I speak for many of our colleagues when I say that BILL GOODLING's insight and experience will be missed. Thank you, BILL, for your many years of service, and good luck in your future endeavors.

TRIBUTE TO MILDRED MILLIE JEFFREY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. LEVIN. Mr. Speaker, it is with high honor and deep admiration that I share the words of President William Jefferson Clinton as he bestowed the Presidential Medal of Freedom to a national treasure from the State of Michigan, Mildred ''Millie'' Jeffrey.

As a Catholic schoolgirl, Millie Jeffrey dodged the stones of neighborhood bigots and watched Klansmen march through town with a burning cross. As a union organizer in Mississippi, she stood bravely as company men snapped bullwhips at her feet. Clearly, they didn't know whom they were up against.

She may be small in stature and humble in manner, but she is very strong. She worked for Walter Reuther and counseled the Kennedys, influencing all with her courage and unflagging commitment to social justice. To meet the need for more women in public office, she started the National Women's Political Caucus, and sparked the effort to nominate Geraldine Ferraro 16 years ago.

For countless women around the world, she remains an inspiration. Her impact will be felt for generations, and her example never forgotten.

It has been my personal privilege to work side by side with Millie Jeffrey over these years on many vital issues ranging from the world of politics including the campaign of Robert Kennedy to the world of civil rights and the rights of women. It is hard to convey through the written word Millie's enthusiasm and dogged devotion to her causes. She not only continues to ''light up'' a room, but she remains committed to action and results.

In closing, let me share a bit of Millie Jeffrey herself from an upcoming documentary film of her life, ''You never win freedom permanently. You have to win it time after time after time—whether it's union rights, civil rights, equality in education or for women in any aspect of our lives. We have to keep at it, and at it.''

TRIBUTE TO J.R. CURTIS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. HALL of Texas. Mr. Speaker, I rise today in memory of an exceptional man, an outstanding community leader and beloved citizen of Longview, Texas, the late J.R. Curtis, whose life was cut short at the age of 55 following a motorcycle accident on September 2 in Durango, Colorado. J.R. lived life with enthusiasm—and with a tremendous devotion to his family, his community, his friends and his faith. He leaves a remarkable legacy of professional and civic accomplishments—as well as a legacy of loving relationships with his family and many friends.

J.R. was born on August 18, 1945, to James R. Curtis, Sr., and Sarah DeRue Armstrong Curtis of Longview. He graduated from Longview High School in 1963 and graduated from Texas Christian University in Forth Worth in 1967. He also attended the American Institute of Foreign Trade in Glendale, Ariz., from 1967–68.

J.R. was a successful and popular radio broadcaster in Longview. He purchased KFRO AM/FM radio station from his father in 1986 and was the owner and manager until 1998. He also became owner of KLSQ–FM and operated KNYN in Santa Fe, N.M. He began his broadcasting career in high school, working for his father's station as sportscaster for KFRO's Wednesday night Teen Time Program. He learned all aspects of the radio business, from engineering to news and sales, at an early age.

J.R. was active in the Texas Association of Broadcasters, serving as a medium market director for TAB and as president of TAB. He was named Texas Broadcaster of the Year in 1990. He also was active at the national level, serving as a member of the National Association of Broadcasters Blitz Committee and as a director of NAB in Washington, DC, from 1996–99.

In addition to broadcasting, J.R. served as president of the Curtis Foundation, president of Workmans Oil Co., and a director of First Federal Savings Bank of Longview from 1982–1997. At the time of his death, he was employed as a consultant with Longview Economic Development Corp.

J.R. served nine years on the Longview City Council, from 1975–1984. In 1977 he became the youngest mayor in Texas when he was appointed by the council at age 33 to the city's top job. His recent community involvement included serving as president and vice president of Longview 20/20 Forum; finance chairman of Longview Museum Fine Arts, 1997; director of Longview Partnership, 1995–98; and a member of the administrative board of First United Methodist Church, 1996–98. He had a 19-year perfect attendance record in the Longview Rotary Club, where for many years he kept the membership informed of local and national news.

Other involvements included serving as president of Gregg County Housing Finance Corp., executive committee member for the East Texas Council of Governments, director of Little Cypress Utility District, director of the Longview Chamber of Commerce, foundation board member of Good Shepherd Medical Center, foundation board member of LeTourneau University, board member of Crisman Preparatory School and a volunteer for many other organizations. He was a member of the Collier Sunday School Class at First United Methodist Church and an usher at the church.

J.R. is survived by his loving wife of 33 years, Sue Skaggs Curtis; his son and daughter-in-law, Jason Skaggs Curtis and Janey of Forth Worth; his daughter, Elizabeth Ann Curtis of Longview; granddaughter, Margaret Lynn of Forth Worth; his aunt, Ruth Elizabeth Curtis Gray of Longview; mother-in-law, Fredna Skaggs of Longview; brother-in-law Bill Hodges of Longview and brother-in-law and sister-in-law, Dr. and Mrs. Richard Lucas of Longview; two nephews and a niece, and other relatives. He was preceded in death by his parents and one sister, Elizabeth DeRue Curtis Hodges.

J.R. had biked to Durango with five friends for an annual getaway vacation. He died as he had lived—with enthusiasm for life and for friendship. He will long be remembered for the significant contributions he made to his beloved city of Longview. As his wife and high school sweetheart, Sue Curtis, noted, ''He loved Longview. He believed in Longview. He was born here and went to school here and wanted to make it a better place.''

And he did. J.R.'s influence can be found everywhere in Longview—and will be felt for years to come. Mr. Speaker, as we adjourn today, let us do so in celebration of the life of this wonderful man and citizen of Longview, Texas—J.R. Curtis, whose memory will be cherished in the hearts and minds of those who knew him and loved him.

CONGRATULATIONS TO THE PEOPLE OF TAIWAN ON THE OCCASION OF THE REPUBLIC OF CHINA'S 89TH NATIONAL DAY

HON. EVA M. CLAYTON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mrs. CLAYTON. Mr. Speaker, on the eve of the Republic of China's 89th National Day, I ask my colleagues to join me in wishing our friends in Taiwan a most happy and enjoyable National Day.

Mr. Speaker, like many of my colleagues and me, there are countless people across this nation who applaud the economic and political accomplishments of our friends in Taiwan.

Mr. Speaker, I truly wish there were more nations in the world following Taiwan's example of unprecedented economic success and rapid democratization; Taiwan is indeed the shining model that all developing nations in the world should seek to emulate. I am certain, Mr. Speaker, that many of my colleagues, given the opportunity, would express the same sentiment.

I am pleased for this opportunity to extend every good wish to the people of Taiwan and its leaders.

TAIWAN CELEBRATES ITS BIRTHDAY

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. HILL of Montana. Mr. Speaker, Taiwan will celebrate its birthday on October 10, 2000. Taiwan is a modern country led by President Chen Shui-bian, who believes that Taiwan's future lies in a strong democracy and a free enterprise system. Taiwan is an excellent model of democracy, as was demonstrated in its March presidential election. Since his inauguration as president on May 20, President Chen has convincingly demonstrated his leadership. Economically, in addition to its well-known industrial prowess, in recent years Taiwan leads most Asian nations in its production of computers, chips and telecommunications equipment.

Taiwan is Montana's 5th largest trade partner, purchasing millions of dollars of Montana exports of agricultural products, chemicals and machinery. I want to thank our friends in Taiwan for their continued importation of Montana goods.

Taiwan's citizens enjoy one of the highest living standards in the world. On the occasion of Republic of China's National Day, it is important to remember that Taiwan has a strong relationship with the United States and we hope that this relationship will continue to flourish in the years to come. Happy birthday Taiwan.

IN MEMORIAL OF THOMAS J. LASSITER

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. ETHERIDGE. Mr. Speaker, today I celebrate the life and memory of Mr. Thomas J. Lassiter of Smithfield, NC. Mr. Lassiter was a talented and influential journalist, a respected community figure, and a dedicated family man. As a journalist and editor of the Smithfield herald, Mr. Lassiter was widely known for his bold and careful thought and for taking sometimes umpopular, yet morally correct positions on issues of the day. History has proven that Thomas Lassiter was truly a man before his time.

Thomas James Lassiter, Jr. was born on August 21, 1911, to Thomas and Rena Lassiter, and graduated from Duke University in 1932. After taking a year to play jazz trombone with the Jelly Leftwich orchestra, Mr. Lassiter returned to Smithfield to join his mother at the herald, where she was serving as editor. He remained at the paper for not quite half a century until his retirement in 1980. During the 1940's, 50's, and 60's. Lassiter gained fame for his strong editorials on racial justice and his opinions on local and international issues. He also served as president of the North Carolina Press Association in 1951–52, and in 1982 was elected to the North Carolina Journalism Hall of Fame. Mr. Lassiter also taught journalism at the University of North Carolina from 1948 to 1953.

By virtue of the words he wrote in the Smithfield herald, Mr. Lassiter was already a public figure, but he also was motivated to serve his community through action. Over the years, he served as chairman or president of the Smithfield Library Board of Trustees, the Smithfield Chamber of Commerce, the local chapter of the North Carolina Symphony Society, and the Smithfield Kiwanis Club. He was also a leader at Smithfield First Baptist Church, as superintendent of Sunday school and church history. Mr. Lassiter was also committed to his family. Together he and Elizabeth, his wife of 61 years, raised two children who gave him four grandchildren, and two great grandchildren.

Mr Speaker, before I close I want to read a quote form one of Mr. Lassiter's editorials. I believe it summarizes the greatness and vision of his work and gives us an idea of the intellect Mr. Lassiter possessed. This excerpt taken from an article titled "A Regrettable Rift" was written after some African American citizens were denied the right to register to vote in the 1945 Smithfield primary election.

> All the Negroes who presented themselves for registration—more than 75 of them—were turned down, while only two whites were denied the privilege of getting their names in the book.
>
> Racial discrimination is on the way out in America and the sooner the people generally recognizing that fact the better it will be for whites as well as Negroes. Racial discrimination is on the way out because it is fundamentally wrong. It is contrary to the very heart of the teachings of Jesus Christ. It is contrary to the highest concept of democracy. It is specially forbidden by the Constitution of the United States.
>
> Negroes pay taxes; they are subject to the same laws that govern whites; they are drafted into the armed forces; they shed their blood on the battlefields alongside of white soldiers. If they are asked to spill their blood for democracy, can we honorably deny them the right to share in the democracy for which they fight?
>
> How long will the Negroes refrain from militancy or belligerency in their struggle for basic rights? That depends upon how soon the majority race frees itself from deep-rooted prejudices and refrains from denying Negroes fundamental democratic privileges which are guaranteed them by the highest law in the land.

Twenty years before the Voting Rights Act, the extraordinary editorial was bold, visionary and courageous. Mr. Speaker, Thomas J. Lassiter left us a legacy of words and actions that inspire us to improve our society, serve our local community, and uphold the honor of our families. I am honored to share his story and celebrate his legacy with this House today.

IN MEMORY OF BETTY BANKS

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. HALL. Mr. Speaker, I rise today in memory of a beloved citizen of the Fourth Congressional District and a dear friend, the later Betty Jean Henderson Banks of Ivanhoe, Texas, who passed away earlier this year. Betty was a wonderful woman whose kindness and dedication to her family, friends and community will be long remembered.

Born in Louisiana to the late Lafayette Victor Henderson and Ida Butler Starke Henderson, Betty married James Walter Banks in 1938 in Bonham, Texas. Throughout her years in Bonham, Betty raised a family and worked tirelessly on behalf of her community. Betty was known by many of her work at the Sam Rayburn Memorial Veterans Center in Bonham, where she worked in food service. She also was known throughout Bonham for her volunteer efforts on numerous causes, for making uniforms for the Missionettes (Girls Club) to helping find and fight for a liver transplant for a baby in need. Betty was an integral part of a women's prayer group that met monthly for a prayer breakfast at the First National Bank in Bonham, and she was a member of the First Pentecostal Church of God in Bonham.

In the local paper, this was written about Betty by Mrs. Paul Keahey: "Over the years she stood up for truth and honesty at all levels of society and government and what she believed to be right." These sentiments were echoed by her many friends and fellow citizens who knew her and loved her.

Betty is survived by her son and daughter-in-law, James V. "Butch" Banks and Carol of Baytown; two daughters and sons-in-law, Kathy and Mike Stockton of Ravenna and Becky and Victor Santiago of West Haven, Conn.; and a brother, Robert H. Henderson of Colville, Wash.. She is also survived by seven grandchildren and three great-grandchildren. She was preceded in death by her loving husband, James Walter Banks, who passed away in 1996; a granddaughter, Amanda Stockton; brother, L. Victor Henderson, and a sister, Yvonne Henderson.

Betty was an honest and loyal friend to many and a role model in her community. We will miss her—but her legacy will live on in the lives of all those whom she touched with her generosity and kindness. Mr. Speaker, as we adjourn today, may we do so in memory of this beloved citizen of Fannin County, Betty Banks.

DR. JAMES BILLINGTON, LIBRARIAN OF CONGRESS, HONORED FOR BICENTENNIAL AND LOCAL LEGACIES PROGRAM

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. KANJORSKI. Mr. Speaker, today I pay tribute to Dr. James H. Billington, the Librarian of Congress, and to thank him for the fine job that he and the staff of the Library have done with the Local Legacies program, which has served as the focal point of this year's bicentennial celebration for the Library.

As the members may be aware, the Library of Congress, the nation's oldest federal cultural institution, was established by an act of

Congress in 1800, when President John Adams signed a bill transferring the seat of government from Philadelphia to the new capital city of Washington. In addition to the Local Legacies program, which is the focus of my remarks today, the bicentennial of this great institution has been observed with ceremonies, exhibitions, the issuance of a commemorative stamp and coins, as well as the launch of a new, easy-to-use and entertaining Web site, americaslibrary.gov.

In light of Dr. Billington's accomplishments and the tremendous success of the Local Legacies project, I would like to point out his ties to the Keystone State and to Northeastern Pennsylvania in particular. He is a native of Pennsylvania and holds an honorary degree from the University of Scranton. He has made great stride toward his goal of making the Library truly the ''people's library,'' and the Local Legacies project is an excellent example of this.

Last year, each Member of Congress was asked to submit audio, visual, or textual documentation for at least one significant cultural heritage that has been important to his or her district or state to serve as a record for future generations, who might otherwise have lost this important knowledge forever. This documentation is now permanently housed in the collections of the Library's American Folklife Center. In May, Members of Congress and Local Legacies project participants from across the country came together in the Great Hall of the Thomas Jefferson building to celebrate the completion of this magnificent collection of historical material.

I was pleased to register several important cornerstones of community life in my district for posterity as Local Legacies: the Hazleton Funfest, the Bloomsburg Fair, the West End Fair, the Wyoming Commemorative Association, the Anthracite Heritage Parade, the Pittston Tomato Festival and the Saint Mary's Annual Homecoming Picnic in Mocanaqua.

Led by Father Thomas Skotek, the pastor of Saint Mary's, Our Lady of Perpetual Help Church, the Mocanaqua community sent the largest delegation of anywhere in the country—more than 80 people—to Washington for the Local Legacies completion ceremony. I was pleased to introduce them to Dr. Billington at the ceremony.

Mr. Speaker, the visit of the Mocanaqua delegation for the Local Legacies celebration was a particularly special occasion for Frank Evina, a native of Mocanaqua and 30-year employee of the Library of Congress, whose accomplishments are noteworthy in their own right. Mr. Evina was co-coordinator of the Local Legacies project and has helped organize numerous exhibits at the Library, including The Thomas Jefferson Building: Book Palace of the America People,'' an exhibition marking the centennial of the opening of the Jefferson Building, and ''The Wizard of Oz: An American Fairy Tale,'' an exhibition marking this year's 100th anniversary of one of America's most beloved stories, The Wonderful Wizard of Oz.

The Library is holding a gala celebration tonight as part of the year-long observation of its bicentennial. I send my congratulations to Dr. Billington, Mr. Evina and the staff of the Library of Congress for their tremendous work on the Local Legacies project and all of the bicentennial commemorations, and I also send my best wishes to the people of Saint Mary's and Mocanaqua for the continued success of the Homecoming Picnic.

FIGURE SKATING: A GLIMPSE OF FREEDOM

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. MANZULLO. Mr. Speaker, Janet Lynn fascinated the nation several years ago, when, as a 14-year-old figure skater, she participated in the 1968 Olympics. Four years later, she won a Bronze Medal. Her faith and perseverance captured the Nation. She spoke during the Independence Day celebration in her home town of Rockford, IL, where the people named the ice arena after her. Her remarks on family, faith, and freedom are so compelling that I want her testimony to affect other Americans.

I would like to submit the following remarks into the CONGRESSIONAL RECORD.

FIGURE SKATING; A GLIMPSE OF FREEDOM

(By Janet Lynn)

I am honored to be asked to speak with you. What a privilege that the City of Rockford remembers me with such respect. I realized recently that the honor I feel is even stronger because I have been at home as a wife and mother longer than I was a skater. The fact that I am still remembered, yet alone having an ice rink named after me, is very humbling. I will try to reflect what is in my heart and tell you what it means to me.

Speaking is not my favorite past time and preparing to speak is more difficult for me than you can imagine. You may not know this, but my parents introduced me to skating hoping it would help cure my extreme shyness and timidity around people. But I liked to skate because I could express myself without talking to anyone! Somehow I think the joke was on me when I find myself invited to speak.

I grew up in Rockford from the age of 8. My memories of growing up here include my time at home, at the Wagon Wheel, at church and school, and my many opportunities to travel. It is here that foundations were built into my life. Skating was such an incredible vehicle to learn about many areas of life. I would like to share with you what I learned from the foundations of my skating, and relate them to the foundations of our nation; specifically, family, faith and freedom.

Since this is the eve of our country's birthday in a new millenium, I thought this would be entirely appropriate. The ability to live in a free and civilized nation has become a great passion for me. Over the years, even the many years that I have been raising my family, I have given deep thought to our freedom; where it comes from and why it is important. The skills and priorities I have developed from my job as wife, mother of 5 sons, and homemaker have strengthened my belief in the power and importance of strong foundations. The foundations historically provided by family and faith were the inspiration for our nation's beginning. I strongly believe that in order to continue to enjoy freedom in a civilized nation, we must rebuild our foundations.

God has placed in each and every human spirit the desire to be free. I think that skating is a very powerful metaphor of that hope of freedom.

It is my belief that one of the things that makes skating so very popular is that it looks so free. The people who skate well seem to fly. There is great exhileration in watching skaters fly across the ice and then into the air with such beauty and grace! It touches something deep in the soul of many who watch.

I can tell you that when I was skating well, it did indeed seem like I was soaring; and I felt very free to attempt anything I wanted to on the ice. It was so much fun to let God and beautiful music inspire my spirit on the ice, to the point that I could express what in my soul, without talking. That freedom that I had to skate was built upon foundations.

I not only learned about freedom from learning to be free on the ice, but also from my experience of visiting nations that were not free.

Perhaps my travels when I was young have given me a perspective of which many are unaware. I had the rare opportunity to visit nations that were not free at the time and to experience in a small way the oppression and fear of expression so many wonderful people had to live under. I have seen people so afraid of being caught socializing with people from other nations that they hid in a closet. I was sobered when suspicions were confirmed that some ''officials'' who closely monitored and traveled with my skating peers from unfree nations were actually secret police.

On one occasion in an unfree nation we were assigned an interpreter for our entire stay with whom I innocently spoke to about God. He must have been immediately reassigned because we never saw him again. I didn't realize how serious that kind of conversation was in unfree nations.

I have vivid memories of being a young lady who saw the Stars and Stripes with an emotional and grateful heart upon returning to the United States. I had a new awareness of what that flag meant and what it has meant to many millions who have sought the privilege to live under its freedom and protection. I remember wanting to kiss the ground of my country, the most free country on the face of the earth.

Even at a young age I knew there was an important difference between what I experienced in nations that were not free, and the freedom I knew in our great nation. I have thought long and hard to determine what the difference is between freedom and a lack of freedom and I believe the difference is found in the substance of foundations.

I learned about foundations from my skating. My brilliant coach, Miss Kohout, as I respectfully called her, constantly emphasized the foundational skills of my skating. How I executed a single jump was as important as how I executed a double or triple. I once had a three hour lesson on just one simple turn. Our challenging weekly Saturday night workout sessions mostly emphasized the foundations of skating. Plain stroking to music, as our muscles burned, was something I think we all dreaded. As Miss Kohout's students, we were especially challenged the day we had to stroke to music in rental hockey skates on very bad and chewed up ice. In the face of these challenges, our skills had to be strong and the technique proper. If the simple skills were not perfected, the advanced skills would become difficult, if not impossible and certainly much more dangerous.

As with the techniques and skills of skating, I learned that in order to have civilized

freedom, our country must remain on its solid foundations. In skating, mastering those foundations required 4–10 hours a day, six days a week, of training, teaching and practicing. The discipline of school figures was an essential part of my training. Only when the foundational skills were mastered did I have the freedom to use those skills to express myself without fear of getting hurt. The training in those foundations of my skating continued for all the years that I skated. If I started having trouble with a jump, spin, turn, or edge, it could always be traced back to the loss or incorrect execution of foundational skills.

For 17 years I did not skate at all while I have tried to build and raise my family. When I began to skate again for physical fitness purposes, it became immediately clear that I had lost most of my freedom to express myself on the ice without fear of getting hurt. The foundations of my freedom on the ice were still somewhere in my memory, but I had to start reteaching myself and fighting with my body, which did not want to do those foundational skills in a way that gave me the freedom I once had. I could no longer enjoy the fun part of flying across the ice and doing jumps, spins, and footwork. To regain that freedom, I need to pay the price of rebuilding the foundations on the ice. When those foundations become second nature and I have the self-government of each muscle, then I will have earned the freedom to express myself without fear of getting hurt.

With all my heart I believe that these thoughts about my skating are a metaphor to what is happening in our nation. Our nation's freedom cost a great price. It was built upon certain foundations including the natural family and personal faith in the God Almighty. Today we have altered, or ignored, or perhaps forgotten the foundations of our nation's freedom, and I believe we are in great danger of losing our freedom to express ourselves without fear, as I have lost my freedom to skate.

There is a price to relearn the foundations of our freedom. But we can do it—and we must! I am concerned about the direction of our country. What kind of nation will my children, and yours, inherit? A lack of self control is omnipresent. Our culture seems to exist to satisfy the senses, and we have forgotten or deadened our souls. It is true that if we are not governed from within ourselves, that we will have to be controlled with excessive regulation or restrictions and force. If we relearn our self-government, there will be no need for excessive restrictions.

Peter Marshall put it best: ''James Madison, chief architect of the Constitution of the United States, once explained the nature of the American Republic in these words: 'We have staked the whole of all our political institutions upon the capacity of mankind for self-government, upon the capacity of each and all of us to govern ourselves, to control ourselves, to sustain ourselves according to the Ten Commandments of God'.'' (This quote comes from ''The Glory of America'' by Peter Marshall and David Manuel.)

I do not want the next generation to inherit a nation where children are killing children as we have seen this past year in shock and horror, and where mothers and fathers are neglecting, abandoning or killing their own children. I want my children to inherit a nation that is relearning and applying the foundations of self-government, civility, and freedom. This work is hard, especially because parents have a hard time finding healthy opportunities for their children's growth that are not influenced by our degrading culture. That is why it is so important to make available in Rockford wholesome activities like ice skating which preserve the innocence of childhood.

I agree with William Bennett [as quoted in the Washington Times on October 12, 1999] as he spoke about ''The Leading Cultural Indicators''. He said, ''the last 3½ decades . . . have 'fractured' many of the pillars American civilization stands on, and the nation remains 'more violent and vulgar, coarse and cynical, rude and remorseless, deviant and depressed,' than the one we once inhabited''. He went on to say, ''America's 'capacity for self-renewal is rare and real. We have relied on it in the past. . . . We must call on it again.' ''

The foundations of my skating were supported by the foundations of our free nation. This profoundly impacted my ability to learn to skate and share my skill with others. In the United States of America I was free to express on the ice, without fear, what God put in my soul. The foundations of our free nation are within reach of every person in this land. They include family, faith and the great gift of living in a free country.

The important foundation of my family was essential as my skating developed and started to grow beyond anyone's expectations. I mentioned earlier that there is a price to learning and sustaining foundations. In my case my family often found themselves sacrificing for my success. They always did so with great grace, love and encouragement to me. It is hard to adequately express my thoughts and gratitude for the big and little things they did. I could not have accomplished what I did in skating without my father and mother, my brothers and sister, and my grandpa. They, all of them, gave me an honorable place to belong and a strong assurance that I was loved whether I won or lost (my worth did not come from skating). They taught me how to laugh at myself and they let me know I was a part of my natural family no matter what part of the world I was in, or how many hours I spent training. They gave me a perspective on life that went far beyond what I did on the ice. They are part of the reason that I know that what I have been doing as a homemaker is the most important job in the world.

The natural family is committed to one another and draws lessons, knowledge, love and a place of belonging from one another. It is a part of the foundation of our freedom. We need mothers who are devoted to their children and who are willing to spend quantity time loving and teaching them right and wrong. They must be willing to forgo immediate personal fulfillment for long term family rewards. We need faithful fathers who work with all their might to take moral responsibility for their families and provide for them. Fathers and mothers need to grow in the ability to give strong, loving guidance. We need parents who are willing to make their children and homes a priority each day, providing them with security and safety; protecting the innocence of childhood.

Though material wealth may have to be sacrificed, the wealth of spirit can hold the family foundation steady. Taking the time to learn, and then to teach our children the morals and virtues that sustain freedom only costs our time, effort, and a healthy balance of love and discipline. These foundations of our freedom are available to anyone.

Faith, which is available to everyone, was another deep foundation of my skating. Even now, as I look back on my skating, it is continually apparent to me—even more than when I skated—that God had a plan for me to skate. I made that statement in an interview as a shy 14 year old girl right after I made the Olympic Team in 1968. The next day the headlines in the Rockford paper read something like: ''God has plan for Janet to Skate''. I have wondered if that sincere statement would make a headline today?

I did not choose the circumstances that surrounded my ability to skate. Nor did I choose my ability, nor the love that I developed for skating. It had to be a Providential plan.

My skating gave me so many incredible, enriching opportunities and joyful experiences for which I am deeply thankful. But in life, the bitter often comes with the sweet. There were hard parts: getting up early every day, being so cold so often, having muscles aches and being away from family. It was difficult to have motion sickness since age 8 and to travel very uncomfortably. I had an obstacle to overcome when I had strep throat during the 1968 Olympics and was not able to take medicine because of the drug testing, but I was determined to be in the Olympics. I ended up very sick and delerious with fever after the Olympics. It was hard skating on intense exhibition tours with what was thought to be severe bronchitis, though I wanted so much to skate and was not about to go home. The emotional lows that corresponded to the extreme emotional highs were a part of training and competition. I didn't enjoy developing exercise-induced asthma at the height of my career after suffering from strep throat, pneumonia and pleurisy. I felt crushed when I realized that the medical treatment for my exercise-induced asthma caused more of a negative reaction from my body than the condition itself. When I had come home from Ice Follies to get my condition fixed so I could skate, I had no idea my body would not respond as I wanted. One of my favorite posters says: ''When life gives you lemons, make lemonade.''

Through the joys and difficulties, Jesus Christ has been my stability. He has a plan for my life and it certainly included skating. The faith that my family introduced me to through regular church attendance has been what ultimately enabled me to focus on the good and persevere through the unpleasant things. My faith in Christ, knowing that the loving God can take even broken dreams and make something beautiful in His time, has been the hope of my life. This faith was a foundation of my skating.

Let me tell you a story. A few weeks before I competed in the 1972 Olympics, I appeared on the cover of Newsweek Magazine as a Gold medal hopeful. My life to this point, including all the effort and sacrifice of my family and coach, as well as my personal dreams and ambitions for self, country and God, were wrapped up in this competition. I was devastated when I found myself in 4th place after the school figures with no possibility to win the gold medal. That day I argued with God as I lay weeping in my Olympic village apartment.

Somehow, through my broken dreams, a thought came into my mind, that if I couldn't win, then all I could do was to finish the competition and decide to dedicate my free-skating to show God's love to all who watched. A medal no longer mattered. Somehow, God heard my cries and answered a girl's prayers in ways I could not have imagined.

I fell on a flying sit spin, which I had never missed before, even in practice. Because of

the way I had been trained, and the purpose that was in my heart, I was still smiling when I was sitting on the ice. That performance did earn me the bronze medal, but even more, that night I began an incredible relationship with the nation of Japan that has lasted 27 years. I was able to go back to Japan to talk about my faith soon after the Olympics. ''How could I keep smiling when I fell in the Olympics?'', is a question that has always been asked of me in Japan. Fifteen years after I spoke in Japan of my faith, I went back to Japan to skate. A young woman approached me and gave me a note. In the note she told me that when I had spoken of my faith 15 years earlier, she had wanted to take her own life. After hearing about the hope in Christ that I had when I fell in the Olympics, she decided to take that hope for her own and continue her life. That reward is one that is eternal; a reward that was given by a very powerful God.

One of the foundations of our free nation is faith in this Almighty God, Who is bigger than ourselves, or any situation. He is the One Who put the yearning for freedom into the human spirit, and it is He Who directs us towards the loving path of discipline and self-control—or self-government—that allows us to live in that freedom.

I had the gift of being born a free citizen in the United States of America. My success in skating was built upon the foundational element of being born in this country. I didn't have to flee my country to gain freedom of artistic expression, as some had to do during the era in which I skated. I didn't have to fear because I spoke to God.

I had the opportunity to visit some nations which did not allow their people to believe in God or to express that publicly. As a young lady I was amazed, and even depressed, when I was taken on tours of old and beautiful churches which were empty, unused, and explained a way as only great architectural works. God had been shut out, unwelcome; even unspeakable. I was even more depressed when we were taken on an Easter Sunday tour of a place where a bloody revolution had been started. One of the results of that revolution was the expulsion of God from a people rich in heart.

Because of that perspective, it disturbs me greatly to see instances in our nation become more and more frequent where people try to exclude God or create fear of talking about God in public. He has blessed this nation so richly. Why would anyone want to shut Him out? It is upon the principles of this God that this nation's foundation rests.

One of those principles of God is charity. I believe perhaps our nation has been the most charitable nation in the history of the world, and I believe that is because of our foundation of faith and freedom. We have been able to choose how we will earn a living with honor and honesty. And we have been able to freely choose, according to our conscience, how to spend what we earn.

I was not beholden to a government or its ideals that provided my training. My family did not believe that freedom was having everything provided. We all worked very hard and my family was very frugal. But at a point in my skating when I was going to have to quit, the charity of Mr. Walter Williamson as the sponsor of my skating allowed me to continue working to become the best I could be. This kind of charity one can never repay, nor did Mr. Williamson ever expect me to repay his charity to me, though I can pass on what I learned from it. He never exploited me or my name nor did he keep me beholden to him. His charity remained a quiet, unassuming foundation of my ability to learn to be free in my skating.

In this great nation, hard work and charity have been the often unnamed foundation that has helped develop hopes and dreams.

The freedom of our nation allowed my parents to choose a coach who valued discipline and hard work. And Miss Kohout, with incredible charity, freely chose to stop sending bills for lessons as my skating started to blossom.

By God's grace I was the benefactor of the free and charitable spirit of my coach and sponsor. Besides the generosity of Mr. Williamson and Miss Kohout, there was a man and wife, who we had never met, who freely offered to pay for my skates. And some generous people in New York helped me with costumes, as well as street clothes and hair cuts, in order to present myself properly. Professional secretaries freely gave of their time and energy to help with my mail when it became too overwhelming, and my mom tells of her friends and neighbors who would each take a part of my costumes to bead. Friends, family and neighbors often traveled to my competitions for quiet moral support. My ballet teacher, Helen Olson, patiently worked with me for many years, though I had no flexibility and had no promise of dancing. There was a woman from Rockford who donated cowboy hats to go with my choreography to the music of Rodeo. An American soldier on leave in Davos, Switzerland volunteered to shovel snow from the ice a few hours a day so I could practice school figures while training for a World Championship, though the snow did not stop for three weeks. The stories of help and charity are endless—all made possible by freedom.

The freedom to give and receive and to work hard and have the choice of how to use what we earn through our hard work—this freedom, based on self-control and self-government, was a foundation of my skating. Without this freedom and charitable spirit I would not have had the opportunity to develop my skating talent for God and for all those that took part. Ultimately it was God Who gave me this freedom. It was His plan for my life.

Family, faith and freedom—The three deep foundations that supported my skating. The foundational skills of skating allowed me to gain freedom to express the joy God put in my soul. And my desire to express God's love on the ice changed the destiny of one young woman in Japan. God's power and love is all about changed lives, and nations that are renewed, free and civilized.

The foundations of these United States of America have, and can again allow the greatest nation on earth to continue to express what God has put into our national soul and spread that freedom for others to enjoy.

As I learn again the foundations of my skating. I hope you will join me in learning again the foundations of family, faith, and freedom, starting in our own minds, hearts and homes. I want all of our children to inherit a nation where God is not shut out, a strong nation that is free and civilized. I hope we can rise above the desire to just do things that appeal to our senses, and rebuild a nation that fulfills the yearning of the soul.

May God grant us the will to do so.

To end, I would like to dedicate the ice arena that will carry my name, to all those who have sacrificed so I could learn to be free on the ice; to all those who have sacrificed so our nation can be free, and to God Who has given us the foundations in the Ten commandments and teaches us how to be free without fear of getting hurt. It is these unsung heros who deserve the honor, and God Who deserves the glory.

Thank you for your kind attention as I have tried to share what the honor you have given me means to me.

IN HONOR OF MR. JOE A. GUERRA

HON. HENRY BONILLA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. BONILLA. Mr. Speaker, I would like to take this opportunity to recognize Mr. Joe A. Guerra for his excellence in public service. Mr. Guerra currently serves as the dean of the Laredo City Council and is mayor pro-tempore. Mr. Guerra has been a member of the Laredo City Council for 18 years with his last, and final term ending in 2002. He has served under four distinct administrations, J. C. Martin, Aldo Tatangelo, Saul N. Ramirez, and Elizabeth G. Flores. A true representative of the people, Mr. Guerra was instrumental in the inception of Laredo's citywide paving program, and is a strong supporter for the disadvantaged and elderly.

Jose Antonio Guerra was born on July 9, 1934 in Laredo, TX, to Jose M. and Josefina Valls Guerra. His lineage traces all the way back to the first Guerra who came to the New World from Montaña de Castilla, Spain, Jose Guerra Cañamar. He is the oldest of nine children, carrying on the legacy of the Guerra family raising and educating eight children, and enjoying the blessing of six grandchildren with his wife of 39 years, Josie Guerra. Joe attended local schools and graduated from Martin High School in 1953, following high school he received his Bachelor of Science degree from Saint Mary's University in San Antonio, TX, in 1957.

Following his college experience, Mr. Guerra returned to Laredo to join his family in the automotive replacement part business. Since 1969, he has been involved in the commercial oil and gas business, and is the owner/operator of a local service station. Not only is he involved in the city council and the local business community, he is also a member of the City/County Government Consolidation Committee which was created to study and establish a metropolitan government, the City of Laredo Water Issues Committee, and the Ad Hoc Insurance Committee.

A member of the Republican Party since 1964, Mr. Guerra attributes his success to the party's ideals and values. He served as Webb County Chairman to the campaign for Governor William P. Clements. He served on the committee working to promote George Bush for President in 1988, and 1992. He also worked diligently to ensure my election as Representative of the 23rd District of Texas. Currently he is working hard for the George W. Bush for President campaign efforts.

Mr. Guerra was asked to lead the ''Pledge of Allegiance'' at the fourth session of the 2000 Republican National Convention in Philadelphia, which he proudly accepted with honor and dignity.

Mr. Guerra has made great contributions to society as a public servant. His commitment

and dedication to his community are evident in the dynamic growth and development the city of Laredo has recently experienced. I want to send sincere thanks and best wishes to him, his wife Josie and the entire family for exceptional service.

SPEECH OF DEPUTY SECRETARY OF DEFENSE, RUDY DE LEON

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mrs. TAUSCHER. Mr. Speaker, I wish to submit into the record a speech by Deputy Secretary of Defense Rudy de Leon. This speech takes a look at the state of America's military, its accomplishments over the last decade, its challenges in recruiting and retaining the best people, and the realities we face in building the next generation of our fighting force.

Perhaps most importantly, Secretary de Leon does a superb job of illustrating the success that can come from Congress and the Administration working together. In the areas of defense and foreign policy, we must never divert from our traditional approach: that politics must stop at the water's edge.

Mr. Speaker, I hope that we will never deviate from that wisdom. Over the last eight years, the President and the Congress have come together in the area of defense policy, and the results have been stupendous. I know from my own experiences on the Armed Services Committee how valuable a bipartisan approach is, and I thank Secretary de Leon for articulating the concepts so well.

REMARKS BY DEPUTY SECRETARY OF DEFENSE RUDY DE LEON, DEFENSE ORIENTATION CONFERENCE ASSOCIATION

OCTOBER 4, 2000

Donald Bickle [DOCA President], John Olsen [DOCA Vice President], thank you both for the opportunity to join you today, for your leadership of this outstanding organization and for your service to this nation. John was in the Air Force and Donald was in the Navy during both the Second World War and Korea. We are grateful to you both. Members of the Board, members of DOCA and spouses, ladies and gentlemen.

First, allow me to begin with two simple words to every one of you. Thank you. Most of you will recall a time not so long ago when virtually every American had a family member or a friend in uniform and when what Tom Brokaw calls the Greatest Generation shared the lessons of their lives with the generations that followed.

Today, in an era when the military is smaller and less visible in our society, you—the members of that Greatest Generation—have been a bridge like no other. As informed observers with experience and insights into the military, and as respected and powerful voices within your communities, you have been in a unique position to help the nation understand the sacrifices and needs of our sons and daughters in uniform. And that is why I wanted to speak to you today.

I thought I might begin this morning by painting two pictures, pulled directly from recent headlines and world events, that capture a fundamental truth of our time.

The first picture is of the Former Republic of Yugoslavia. It is a picture of an entire people standing up and speaking out, of workers putting down their tools and walking out of their factories, of truckers and taxi drivers blockading roads, and of tens of thousands of average citizens taking to the streets to demand that their votes be counted and that the dictator who brought such misery and death to an entire region be ousted. And as this drama unfolds, the world hopes that a long, bloody chapter in the history of Europe might perhaps be coming to an end.

The second picture is from a world away on the Korean Peninsula. It is a picture of the leaders of North and South meeting for the first time and of a historic ceremony to cut through the DMZ—the world's most fortified border—with a reopened railway and a historic highway along which trade will travel. It is a picture of families reuniting in tearful embraces after a half-century of separation and of North and South Korean athletes marching into the Olympic stadium in Sydney under a common flag for the first time. And as this drama unfolds, the world hopes that a long, sad chapter of division in Asia might perhaps be coming to an end.

As different as these two pictures are, as distinct as the histories that have propelled these two nations to this epic moment, they share a common thread. Both would have been impossible without the presence, the persistence, and the determination of the United States Armed Forces and our allies. Both remind us of the powerful forces of freedom that can be unleashed by the stabilizing presence of the American military around the world.

So there's no more fitting time than now to consider how we reached this moment and to consider the great questions that will continue to face our nation in the future. What should our role be in the 21st Century? Is America's military ready? And how can we ensure that our forces can meet the immediate crises of today while at the same time, modernizing to meet the emerging threats of tomorrow?

These are valid and profound questions for our nation. They demand thoughtful and honest answers. When it comes to America's Armed Forces, we need a candid and comprehensive portrait of the state of our military. And that is what I want to discuss with you this afternoon.

Military readiness is a function of many factors, including the overall level of defense spending; the quality and quantity of those we recruit and retain; the capabilities of their equipment; and, finally, their ability to fulfill the missions we ask of them. To understand each of these is to understand the state of America's military at the dawn of the 21st Century.

First, there is the spending this nation devotes to our men and women in uniform. I think if we look over our shoulders at the past decade, we see that there have been several great revolutions that have had a tremendous impact on our country and the world at large.

There is the revolution in global affairs, most notably the collapse of the Soviet Union. With all the benefits of the Cold War's end came the burdens of being the world's sole superpower. As General [Hugh] Shelton [Chairman, Joint Chiefs of Staff] outlined to you this morning, soon we had fewer military personnel facing more missions, combining to levy unprecedented demands on our military men and women.

Then there is the revolution in technology with its daily digital leaps that are transforming everything from how we communicate, to how we learn, to how we understand our universe. As Secretary [of Defense William] Cohen has said, information can indeed be the great equalizer, placing enormous power in the hands of the common citizen or consumer. At the same time, information can also be the great destabilizer, placing enormous and deadly power in the hands of those who wish us harm. And so we now also face the prospect of hackers launching daily assaults on our defense systems and our critical infrastructure.

At the same time, there has been a revolution in demographics. Those born between 1965 and 1979—the so-called ''Generation X''—comprise one of the smallest groups of 18–22 year olds, and, therefore, the smallest pool of potential recruits, since we started the All Volunteer Force in the 1970s. While the next wave—so-called ''Generation Y''—is considerably larger, it won't start having a major impact on recruiting until at least 2003.

And then there is the revolution in our domestic financial affairs. We have balanced the budget and have eliminated deficits as a drain on our national security. Contrary to conventional wisdom, the decline in military spending did not start with the end of the Cold War. Rather, it started several years before with efforts to reduce the deficit—specifically the Gramm-Rudman Deficit Reduction Act—in the late 1980s.

Ten years ago when I was staff director of the House Armed Service Committee, and eight years ago when I entered the Pentagon, the overwhelming reality was the enormous budget deficit that hung over our heads. Few dared even think about real growth in spending or investment.

Today, we have achieved a sea-change in our financial affairs. Because of hard economic decisions and deficit reduction, and because of the roaring economy, these decisions helped to unleash, those record deficits have now turned into record surpluses.

That surplus has now allowed us to do something many through unlikely, if not impossible, even only a few years ago. With the President and Secretary of Defense working with the Congress, we are now making new investments in our military men and women totaling some $180 billion in just the last two years—the largest sustained increase in defense spending in fifteen years.

Consider the second measure by which to measure readiness—the quality and quantity of those we recruit and retain. The dynamic economy is pulling away many potential recruits and many of our highly skilled people. So we faced the twin challenges of too many people leaving the force and too few people entering the force.

That's why a significant part of that $180 billion increase in defense spending is going toward dramatic improvements in quality of life. With respect to pay, all our men and women have now received the largest pay raise since the early 1980s. Others with special skills and many in their mid-careers have received additional raises and bonuses on top of that, some as much as 5 percent more.

With respect to benefits, we have made dramatic changes. We have fixed and improved military retirement, restoring benefits so our people can once again retire with 50 percent of their pay after 20 years of service and have a powerful incentive to stay in the force longer.

With respect to housing, we're making progress as well. I know that some of you visited Travis Air Force Base in August, where you saw substandard housing in an

area where the basic housing allowance we provide our forces sometimes isn't enough to match the high cost of living. Well, we've modified the allowance to better reflect the actual cost of off-base housing. And now we're making a truly historic change. This year, we are going to reduce from 19 percent to 15 percent what many of our people pay out of pocket for off-base housing. Within five years, we plan to eliminate those expenses entirely and we're going to devote $3 billion to do it.

With respect to health care, we have made, and will continue to make, improvements in an area that consistently ranks among the top concerns of our forces and their families. I know that in March some of you visited Fort Sam Houston in Texas, home to the U.S. Army Medical Command. Our TRICARE health system is now fully operational in the continental United States, and our service members and their families rate the quality of care they receive as very high. Our next major challenge is ensuring we provide care that is accessible and hassle-free. That's why we will soon be implementing important changes to lower the health care costs for active duty service members and their families, and to expand coverage for family members.

But just like the nation as a whole, we're grappling with sky-rocketing health care costs and a growing population of older Americans—our retired veterans. So Congress is about to pass—with the Administration's support—an expansion of a pharmacy benefit so that our military retirees can afford the cost of their prescription drugs. Health care will continue to be a hard issue, but we will continue to work hard with Congress in keep faith with our retired veterans who served their country so nobly. And Secretary Cohen and particularly General Shelton, continue to work with Congress in this area.

In many ways our force is only as strong as the families behind it. And because so many of our personnel are also parents, we've also devoted tremendous time and attention to ensuring strong military families. As a result, our schools recently led the nation in a national survey on writing, with our overseas schools coming in second to only one state, and our stateside schools coming in year. In recent years, students in our schools have scored well above the national average at all grade levels and in all subjects.

At the same time, by adding $190 million to child care programs over the past six years, we now have a child care system that has been described by many, including the New York Times, as ''a model for the nation.''

Thanks to all these efforts to improve quality life, we're now witnessing some important improvements in retention. However, it's not only the fundamental rewards that keep our people in uniform, it's the personal reward of doing the job they were trained to do. In fact, those soldiers serving in places like the Balkans have some of the highest re-enlistment rates in our armed forces. The services have already worked to relieve the stress of current operations. In the future, our challenge will be to ensure that the stress on our forces and their families doesn't turn that motivation to serve into a motivation to leave.

We want our forces to stay because they by almost every measure, the quality of our men and women is higher than it's ever been. With more of the force staying in the service for longer than 10 years, they are more experienced than ever. With more high school diplomas and more advanced degrees to their name, they are more educated than ever. So while very real challenges remain in keeping quality people, America needs to know what General Shelton told the U.S. Senate last week and perhaps again to you today. He said, ''In my 37 years in uniform, I have never been around better soldiers, sailors, airmen and marines.''

Our efforts to improve quality of life have also improved recruiting. In addition to the demographic revolution and lure of the private sector I mentioned, the causes [of our recruiting challenge] are many. They include the ever-increasing value of a college education and the ever-increasing availability of tuition assistance that has now made college available to virtually every high school graduate who wants to attend.

So what did we do when we wanted to recruit more young people? We put more recruiters on the streets. We created higher bonuses for enlistment. We increased educational incentives. And we tailored advertising and more spending to reach out to young people.

As a result, we're now seeing a real turnaround in recruitment. Just last week, the Army enlisted its 80,000th soldier for the fiscal year ending September. Shortfalls indeed remain in some areas like naval flight officers and computer specialists. But for the first time in three years, every service not only met their active duty recruiting goal, they exceeded them, and not only in terms of quantity, but in terms of quality as well. For example, over 90% of our recruits hold high school diplomas, much higher than the national average. So while challenges remain, America needs to know that we're still recruiting the best and brightest this nation has to offer.

Of course, just as important as the quality of our men and women, is the third measure of readiness—the quality of their equipment. The end of the Cold War was a time of transition for our force. But by 1997 we knew that a 13-year decline in procurement spending would have to end. So we ended it. As General Shelton noted to you this morning, this year we achieved our $60 billion in annual funding for the new weapons, tools and technologies our warriors need. Over the next five years we plan to increase that to $70 billion. And in the years beyond, building the advanced force of the future means that procurement will have to remain a national priority.

That's why we are investing in the next generation of aircraft. We're investing $38 billion for the revolutionary V–22 Osprey that takes off and lands like a helicopter but flies like an airplane, allowing our forces to be more mobile. We're investing $45 billion for the massive C–17 transport that carries more cargo to less accessible places, like those airfields in Albania during the air war over Kosovo. We're investing $62 billion for the F–22 that will ensure our supremacy of the skies for decades to come. And over the long-term, we're investing in our largest acquisition program, the Joint Strike Fighter.

America needs to know that all this investment is fueling an unprecedented Revolution in Military Affairs. Indeed, it's not enough to spend more, we also have to spend smarter. And we're doing both.

The Navy is improving the capabilities of its ships and aircraft, increasing their striking power by tying them together with the most sophisticated technologies.

The Air Force is transforming itself into an expeditionary force and—as the world saw in Kosovo—making greater use of Unmanned Aerial Vehicles that reduce the risk to pilots and increase our intelligence and reconnaissance capabilities.

The Marines are revolutionizing their capabilities by honing their skills in urban warfare.

And, of course, the Army has embarked on a historic transformation to dramatically enhance the speed, mobility, and firepower of our soldiers. That's why we worked with Congress to secure more than $7 billion for the next four years to propel that transformation, including more than $4 billion for Interim Armored Vehicles that will be more agile and lethal on the battlefield than anything our soldiers have today. We're also investing $48 billion in the lighter and more lethal Comanche helicopter.

America needs to know that we're also transforming the Defense Department to better support this new military. We created the Joint Forces command in Norfolk to improve the ability of the services to operate together and to experiment with the most advanced technologies and tactics. We created a Defense Threat Reduction Agency to pull together our counter-proliferation efforts. We created a special task force to advise and assist communities should a chemical or biological weapon ever be used on American soil. And we created another task force to defend our computer systems as part of our normal warfighting mission. As different as all these efforts may be, the result is the same—our men and women will be safer and our military will be stronger.

I've mentioned many of the investments we're making in our military. But I would suggest that just as important as what we should be spending is what we should not be spending. Consider the money lost to inefficiencies within the Defense Department itself. That's why we began a Defense Reform Initiative that is now saving us tens of billions of dollars.

Consider the money wasted on excess infrastructure. As a result of the four rounds of base realignment and closure to date, we expect to save more than $25 billion by the year 2003. Those of you who visited Kelly Air Force Base in March know how base closure, if done right, can mean the opening of new prosperity. The country and the Congress need to know that we can't build a lean, agile 21st Century military if it's dragged down by an oversized, outdated 20th Century infrastructure. The country and the Congress need to know that two more rounds of BRAC would save us $3 billion a year, billions that could be better spent on our forces and their families.

Which brings me to the fourth and final measure of readiness I want to address—and perhaps the most important of all—the ability of our men and women to complete the missions we ask of them. As you know from your visits to bases and installations around the country, and as the Joint Chiefs told Congress last week, and which I believe General Shelton reiterated to you this morning, our front-line units—the first to fight in the event of a conflict on the Korean Peninsula or in the Persian Gulf and the Balkans—are capable. Our forces can fulfill our strategy of fighting two major theater wars. And in the future, we should experience an increasing trend in readiness.

And so if the question is asked, ''Is America's military ready if we call?'' We need only look to the times when we have called them.

Those of you who went to Guatemala last year know that when Hurricane Mitch ripped across Central America, America's military was ready. As General [Charlie] Wilhelm

[then Commander-in-Chief, U.S. Southern Command] told you, the millions of tons of food and supplies that U.S. forces flew in and gave out saved countless lives and helped to literally rebuild entire regions from the ground up.

When Slobodan Milosevic unleashed a wave of terror in Kosovo last year, America's military was ready. We had soldiers in neighboring countries preventing a wider war and airlifting tons of food and supplies to save thousands of Kosovar refugees. We had sailors and marines on ships and submarines in the Adriatic, and naval aviators flying into those dangerous Balkans skies. And we had airmen engaging in the most precise campaign in the history of air power. They conducted the vast majority of those 38,000 NATO sorties. They took to the skies for 78 days with only two planes lost and not a single combat casualty. And while that record was not achieved without stress on certain assets, that is a historic achievement of which our forces and the American people should be enormously proud.

Indeed, the true measure of America's military is the job they do every day. In short, America needs to know that the U.S. Armed Forces are the best trained, best educated, best led, most respected and finest fighting force the world has ever seen.

So in closing, I want to recite a page from America's past that I believe points the way to ensuring our military strength in the future. Half a century ago, this nation stood at the hinge of history, an unprecedented time of both promise and peril. There was the promise, our victory in the Second World War. But there was also the peril, a dawning Cold War. And America's very survival demanded that we think anew and act anew. And so to navigate the shoals of the century that lay ahead, Arthur Vanderberg, a Republican Senator from Michigan, joined with Harry Truman, a Democratic President from Missouri, and the nation came together around a common foreign and defense policy to defend freedom and to create a Marshall Plan and an alliance called NATO that would eventually win the Cold War.

Today, in the long wake of our triumph in that long struggle, America again stands at the hinge of history. Again there is the promise, of the world's sole economic and military superpower. Again there is the peril, the new threats of this new century. And to chart the nation's course in our time, William Cohen, a Republican Senator from Maine, joined with Bill Clinton, a Democratic President from Arkansas, to help restore a spirit of bi-partisanship to defense policy and to ensure that when it comes to our men and women in uniform, politics does indeed stop at the water's edge.

Ladies and gentlemen, in recent years we have recognized that truth. We have worked with Congress to support and strengthen our military. We have upheld our sacred pledge to care for America's sons and daughters who wear this nation's uniform. That is the message I wanted to bring to you today. That is the message I hope you carry back to your communities and the country. Thank you very much.

HONORING THE GRAND OLE OPRY IN NASHVILLE, TENNESSEE ON THE 75TH ANNIVERSARY CELEBRATION

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. CLEMENT. Mr. Speaker, today I honor a sacred historic institution, the Grand Ole Opry in Nashville, Tennessee, on the occasion of its 75th Anniversary as the longest continuously running live radio show in the world. The Opry and its colorful cast of characters are known and loved by individuals across the globe.

As a native Nashvillian, born and reared in Music City USA, I truly appreciate the significance of country music and its influence on so many people. Country music and its cousins, bluegrass, folk, gospel, blues and rockabilly, truly have captured the heart and soul of our great nation, offering songs that spring from the fabric of America. Country lyrics espouse our history, our faith in God, our love of family, and our appreciation for the value of freedom and hard work. With these melodies and themes, country music appeals to listeners of all ages and from all walks of life.

To honor and highlight the significance of country music, in 1990, I sponsored and passed legislation designating October as Country Music Month. Now Country Music Month and Country Music Week are nationally recognized events each year, celebrated by millions of individuals.

The Opry has inspired a country music fan fair phenomenon; been the focus of a theme park, hotel complex, television networks, magazines, and movies; infused the tourism industry in Tennessee; and given us an incredible amount of memorable music. Yet, the Opry's beginnings were humble.

In 1925, the "solemn old judge" George D. Hay moved from Chicago's WLS Barn Dance to Nashville, where he began broadcasting and hosting the show that would later become the Grand Ole Opry. Hay eventually would coin the phrase, "Grand Ole Opry" about the program, instantly giving it a name that would endure forever. With WSM's strong 100,000-watt clear channel signal, the Opry could be heard for hundreds of miles across the United States by thousands of people. As the show brought performers of traditional music to the stage, a new genre of music was officially born—country music.

Those early 1920s Opry performers included mainly instrumental talents such as banjo player Uncle Dave Macon and harmonica player Deford Bailey. In the 1930s and 40s, vocalists such as the "King of Country Music" Roy Acuff, Ernest Tubb, Hank Williams, and Bill Monroe all took the stage, as did comedienne Minnie Pearl.

As the years passed, the talent pool grew and the NBC Network picked up the show. Such big names as Patsy Cline, Flatt and Scruggs, Hank Snow, Hawkshaw Hawkins, Jim Reeves, Red Foley, Marty Robbins, Martha Carson, Kitty Wells, Johnny Wright, Bill Anderson, Connie Smith, Dolly Parton, Porter Wagoner, Garth Brooks, Pam Tillis, Trisha Yearwood, and Alison Krauss all have called the Opry stage home. These artists represent just a fraction of the bright and talented performers to grace the stage since its inception, whether at the War Memorial Auditorium, the Ryman Auditorium, or the Grand Ole Opry House of today.

My family has enjoyed an ongoing relationship with the Grand Ole Opry over the years. In fact my father, Governor Frank Clement, enjoyed strong friendships with many Opry members, often enlisting their talents for political rallies across the state. In addition, Governor Clement traveled to Washington and testified on behalf of country music when its lyrics were under fire by Congress in the 1950s.

Like any sacred institution, the Opry has endured sorrow, grief, and loss. It has faced adversity and strain. There have been joyous times and laughter. But the Opry has endured throughout each season. In the 1980s, George Jones touched our hearts as he sang, "Who's Gonna Fill Their Shoes" about the legacy of country music and its legendary artists. Jones singled out performers such as Lefty Frizzell, Merle Haggard, Elvis Presley, Carl Perkins, Willie Nelson, and Roy Acuff in the tune. He also mentioned the Opry in the song lyrics, inspiring a new generation of country artists to carry the torch. I'd particularly like to recognize the contributions of Ricky Skaggs, Marty Stuart, and WSM announcer Eddie Stubbs for promoting the cause of traditional music and educating the next generation about our rich heritage in this new millennium.

Throughout the years the Opry and its cast of performers, announcers, advertisers, and musicians have inspired and entertained us each Friday and Saturday night. For these valued contributions and cherished memories we are forever grateful to the Opry and those who have called it "home." We salute the Grand Ole Opry for 75 wonderful years and offer our sincerest wishes for continuous success in the years to come.

Thank you and God bless you.

HONORING OLYMPIC GOLD MEDAL WINNER STACY DRAGILA

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. DOOLITTLE. Mr. Speaker, today I recognize a native of my congressional district who has brought glory and honor to herself, her family, and her fellow Americans. I wish to congratulate Stacy Dragila on recently winning the gold medal in the first-ever Olympic Women's Pole Vault Competition.

Dragila grew up in Auburn, California, where she competed in goat roping as a child. As a heptathlete during her years on Placer High School's track and field team, she had little idea that she would one day stand atop the Olympic medals podium as a pole vault champion. You see, when she was in high school, the pole vault was an event in which only male competitors took part.

As the women's pole vault has finally taken root in the United States, Stacy has quickly

established herself as the premier athlete in her field. Each time she reaches a new personal best mark, she rewrites the world record. In fact, while competing on her home turf at this summer's U.S. Olympic Trials in Sacramento, she set the current world record 15′2¼″. By continually raising the bar, Stacy has forced her competitors to push their own limits as well. This resulted in an exciting duel at this month's Olympic Games in Sydney, Australia. In the end, Dragila brought home the gold with a vault of 15′1″.

At the age of 29, Stacy Dragila stands as an Olympic champion and as an American hero. Furthermore, as a pioneer in a new sport, she stands as a role model for those young women who will strive to match her achievements on the field. Perhaps most importantly, however, she is, by all accounts, a world-class person as well as a world-class athlete. Today, I proudly join with Americans everywhere in saluting gold medalist Stacy Dragila.

INDIAN GOVERNMENT SHOULD STOP ITS STATE TERRORISM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. TOWNS. Mr. Speaker, on September 27, a letter from the Council of Khalistan was published in the Washington Times. It details the propaganda spread by the Indian government to discredit its opponents.

That propaganda is necessary for the Indian government to cover up the atrocities and state terrorism against Christians, Sikhs, and other minorities. Former Indian cabinet minister R.L. Bhatia admitted in 1995 that the Indian government is spending ''large sums of money'' to spread this propaganda and influence affairs in the United States.

Earlier this month, militant Hindu fundamentalists attacked the home of a priest. They beat him and his servant. The servant was beaten so badly that he died. Unfortunately, this kind of thing is not unusual. It is just the latest in a series of atrocities carried out by organizations under the umbrella of the Rashtriya Swayamsewak Sangh (RSS), the parent organization of the ruling BJP. While Prime Minister Vajpayee was in New York during his recent visit to the U.S., he said, ''I will always be a Swayamsewak.''

Last week, former Prime Minister Chandra Shekhar said that there is no difference between the ruling BJP and the supposedly secular Congress Party. Unfortunately, from the point of view of the minorities in India, it is true. There is no difference. Whoever is in power, the repression continues. India has murdered over 250,000 Sikhs since 1984, over 200,000 Christians in Nagaland since 1947, over 70,000 Kashmiri Muslims since 1988, and tens of thousands of Dalit ''untouchables'' and other minorities. Thousands of Sikhs and other minorities are in illegal detention without charge or trial simply because they are opposed to the government, or because they are members of a minority.

Mr. Speaker, it is time for India to stop its state terrorism against the minorities within its borders. We must stop American aid to India and declare our support for self-determination for the people of Khalistan, Kashmir, Nagalim, and the other nations seeking their freedom, in the form of a free and fair democratic plebiscite. These measures are the only ones we can take that will help to bring real freedom and democracy to the people of South Asia. I submit the following article into the CONGRESSIONAL RECORD.

[From the Washington Times, Sept. 27, 2000]

NO MILITANTS IN THE COUNCIL OF KHALISTAN

Manpreet Singh Nibber's Sept. 16 letter, ''India human rights criticism from unreliable source?'' is so full of disinformation that he must be fronting for the Indian Embassy in its effort to confuse the American people.

Mr. Nibber, who is a member of the Punjab Welfare Council of the USA, does not address any of the facts we brought up in our last letter. Instead, he spreads Indian disinformation about the Council of Khalistan and its origins. He knows there are no ''militants'' involved in the council. We consistently support the liberation of Khalistan, the Sikh homeland that declared its independence from India on Oct. 7, 1987, by democratic, nonviolent means, through the Sikh tradition of ''Shantmai morcha,'' or peaceful agitation.

The Indian Embassy has interfered in American elections, calling for the re-election of former Sen. Larry Pressler and attempting to damage the re-election campaign of Sen. Robert Torricelli. A few years ago, the Indian Embassy was caught giving illegal campaign donations to members of Congress through an immigration lawyer named Lalit Gadhia, who pleaded guilty to the scheme in federal court.

There are many other Gadhias throughout this country. Former Indian cabinet minister R.L. Bhatia admitted in a 1995 news conference that the Indian government is spending ''large sums of money'' through the embassy to influence American politics. But what is that money defending?

On Sept. 8, militant Hindus attacked the home of a priest and beat the priest and his servant. The servant was so severely beaten that he died of the injuries. On Aug. 25, News stories reported that militatnt Hindu nationalists kidnapped and tortured a priest in Gujarat, then paraded him naked through town. This attack was part of a wave of terror against Christians since Christmas 1998.

Incidents have included the murder of priests, the rape of nuns and the burning to death of nuns and the burning to death of a missionary and his two sons in their van by members of the Rashtriya Swayamsevak Sang (RSS), the parent organization of the ruling Bharatiya Janata Party. Schools and prayer halls have been attacked and destroyed. The individuals who raped the nuns were described by the Vishwa Hindu Parishad, a militant organization within the RSS, as ''patriotic youth.'' The RSS was founded in support of fascism.

In March, 35 Sikhs were murdered in the village of Chithi Singh-pora in Kashmir. Two extensive independent investigations, one conducted by the Movement Against State Repression and the Punjab Human Rights Organization and another conducted by the Ludhiana-based International Human Rights Organization, proved that the Indian government was responsible for this massacre.

The Indian government has murdered more than 250,000 Sikhs since 1984, according to figures published in Inderjit Singh Jaijee's ''The Politics of Genocide.'' India also has killed more than 200,000 Christians in Nagaland since 1947, more than 70,000 Kashmiri Muslims since 1988 and tens of thousands of other minorities. Amnesty International reports that thousands of political prisoners are being held without charge or trial in ''the world's largest democracy.''

India is hostile to the United States. It votes against America at the United Nations more often than any country except Cuba.

In May 1999, the Indian Express reported that Indian Defense Minister George Fernandes led a meeting with Cuba, China, Iraq, Serbia, Russia and Libya to construct a security alliance ''to stop the U.S.''

India openly supported the Soviet Union's invasion of Afghanistan. Its nuclear weapons test started the nuclear arms race in South Asia. It refuses to allow the Sikhs, Kashmiris, Christians and other minority nations seeking their freedom to decide their political future in a free and fair vote, the democratic way.

America must not accept this kind of brutality and tyranny from a government that claims to be democratic. We must cut off aid and trade to India and support a free and fair plebiscite to ensure human rights and self-determination for Khalistan, Christian Nagalim, Kashmir and all the minority nations and peoples living under Indian rule.

PERSONAL EXPLANATION

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. SPENCE. Mr. Speaker, on rollcall Nos. 503, 504 and 505, I was not present as I was unavoidably detained. Had I been present, I would have voted ''yea'' on all three.

A LETTER TO MY SONS

HON. MARSHALL ''MARK'' SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. SANFORD. Mr. Speaker, in the final days of the 106th Congress and my time here in the House, I rise today to pass these words on to my sons.

October 5, 2000.

DEAR MARSHALL, LANDON, BOLTON AND BLAKE: I wanted to write this letter so that maybe in twenty years or maybe after I have died you could look it up and think about how much your Dad loves you. I write this letter as much as anything because I feel the need to pause and praise each of you and to say how proud I am of you and how much, again, I love you.

That's needed because over the last seven years all you have known is a world tied to politics. For each of the words I spoke into the record on the House floor, or in Committee, I couldn't expand time and also fill those minutes and hours with words to each of you. Each of the days I spent in Washington were days I couldn't spend with you. Each of the evenings I spent at political events were evenings I couldn't spend with you. I apologize for our time apart. Each of you as young men will one day discover your calling—why God put you here—and in turn

have to struggle in balancing the different responsibilities each of you will embrace.

I have felt that my job over these last seven years was getting to—and being in—Congress. Since I came here I have tried as best I could do what I thought was right, but in all that doing I always thought of each one of you. Here in Washington I never went to bed once without saying prayers with each of you in them.

In the early years it was just Marshall and Landon, and you guys, as little guys, put in far more than your share of parades and political events.

As if yesterday I remember the Hell hole swamp parade and pulling the wagon with Marshall and Landon. In the Summerville parade in the first campaign, to this day I remember Marshall's wild white curls and his little light blue V-neck sweater. I am amazed to look at pictures and see how small Landon was at the start of this process.

I think the last parade with just Marshall and Landon was at the Loris Bog-off. It was cool and I remember your mom and I buying you both swords at a booth alongside the railroad track afterward. I doubt I was that big on the swords, but I am sure your mom well made the point that you earned them, and in case you don't remember the spot—there were men and women in bright blue clothes dancing to country music on a flatbed trailer just to the left.

Marshall, you have always been great help with your younger brothers, thank you. The way you have carried yourself also makes me proud. Do you remember going with then Governor Beasley and several security men in a Department of Natural Resources speedboat out to a Navy destroyer in Charleston Harbor? During the commissioning ceremony it was hot and you were not wild about being there, but you put up with it and behaved well. In the same vein do you remember sitting under my chair at the Hwy 61 connector opening. It was hardly a grand event, but you found shade and stayed still and quiet which was no small feat given your age. In these and many other events like them, you showed a maturity well beyond your years. It will carry you far in life.

In the political context of my note, Landon made me proud most recently at the St. Patricks day parade in North Myrtle Beach. I was pulling a wagon along side you while you walked straight up the yellow line in the middle of the street. In your young man's march you were waving at the several thousand people who lined both sides of the road. In most waves your arm was held at a forty-five degree angle and your palm and hand were straight up as if the tip of a small spear. The whole thing was not easy for you. In fact it was incredibly brave. Blake was in my arms and your two brothers were riding in the wagon and there you were, a reserved boy by nature walking up a street surrounded by strangers—waving to both sides. On the long drive home you started singing some silly song and next thing you know three boys are laughing hysterically in the back of the Suburban. You have the ability to defuse things with laughter.

Bolton—you are a natural born performer. Of all the family members you are the most gifted in surprising people, and not infrequently, making them laugh. You were doing just that winter before last at the Conway parade when you rode in the wagon and chose to throw bags of candy—not the candies! In the same light I remember the words Mary Crixmas, Mary Crixmas, Happy Santa Claus. Last winter I was the Grand Marshall of the Mount Pleasant Christmas parade. Marshall sat to my left, Landon on my right, you were on my lap and with outstretched arms you yelled these words with such enthusiasm that half-way through the parade you couldn't say another word. John McCain asks regularly about you and still talks about your enthusiasm for fishing. I think you are the only four year old to have given the President of the United States a froggy kiss. These days you are into catching butterflies with your hands, but thank you for wearing politics as well as you have.

Blake—you haven't said a whole lot in parades yet, but you haven't had to because with your blonde curls and cute smiles everyone adores you! You are specific in what you want thought, you like to be carried—not to ride on my shoulders like some of your brothers.

The point in these memories, and a thousand others like them, is that we have been through some interesting times together. Your peers have not had to go through what you have. At your young ages you have been exposed to a wide range of people and settings—medicade nursing home visits, trips to the White House, the House that Congress built with Habitat for Humanity, watching the sun rise from a boat moored feet from where the Hunley would rise hours later, feeding special Olympic kids at the Citadel, getting up hours earlier than you would have to go to an event in Myrtle Beach, beach sweeps, and more. In the end I think you will be better for having seen a wide swath of life, but since it involved wear and tear on your bodies this note is here simply to say thank you. Thank you for behaving well, and thank you for putting with it. I am proud of you. You are each unique young men. I love you and look forward to spending more time with each of you over the years ahead.

Love,

DAD.

P.S. After reading this, one day do an extra something special for your mom. In my absence over the last six years she has changed a lot of diapers and fixed more than her share of dinners for you.

RECOGNIZING THE ACCOMPLISHMENTS OF HERBERT S. BECKER

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. THOMAS. Mr. Speaker, it is with great pride that we recognize the accomplishments of a visionary who is set to retire from service to the Congress at the end of this year. Herbert S. Becker has been the Director of the Office of Information Technology Services at the Library of Congress. During his 15 years of leadership, he helped bring about new programs in support of the Congress, the Library, and the nation.

In collaboration with the Congressional Research Service, Mr. Becker created a Capitol-Hill-wide Legislative Information System for better and faster access to legislative resources. He oversaw the successful transition to new technology that made the Library's online card catalog easier for patrons to use. He initiated the development and implementation of new technology to improve archiving at the Congressional Research Service and the U.S. Copyright Office. And he helped create a new financial management system.

But perhaps Mr. Becker's most significant accomplishment was his role in the development of the popular THOMAS website for public access to legislative information. With the advent of THOMAS, any citizen can access detailed and recently updated information about the business of Congress and gain insight into the legislative process.

His vision and the strength of his commitment have clearly facilitated the work of the people's representatives. I know I speak for the entire House when I wish him well in his future endeavors and thank him for his years of service to the American people.

MISSING JOURNALIST IN THE UKRAINE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. SMITH of New Jersey. Mr. Speaker, it has been almost three weeks since the highly disturbing disappearance of Heorhii Gongadze, a journalist known for his articles exposing corruption in the Ukraine and for playing a prominent role in defending media freedoms. Mr. Gongadze, whose visit to the United States last December included meetings with the Helsinki Commission staff, was publisher of a new Internet newspaper called Ukrainska Pravda (meaning Ukrainian Truth), a publication often critical of senior Ukrainian officials and their associates. In fact, shortly before he vanished, Mr. Gongadze had apparently been facing pressure and threats and had complained that police were harassing him and his colleagues at Ukrainska Pravda.

Unfortunately, Mr. Gongadze's disappearance takes place in an increasingly unhealthy media environment. According to the Committee to Protect Journalists, his disappearance follows several suspect or inconclusive investigations into the suspicious deaths of several Ukrainian journalists over the last few years and the beatings of two journalists following their articles about official corruption this year. This disappearance has occurred within an environment which has made it increasingly difficult for professional journalists to operate, including harassment by tax police, criminal libel prosecutions, the denial of access to state-controlled newsprint and printing presses, and phone calls to editors suggesting that they censure certain stories. Such an atmosphere clearly has a chilling effect on press freedom.

Mr. Speaker, I am encouraged that the Verkhovna Rada—the Ukraine's parliament—has formed a special ad hoc committee to investigate Mr. Gongadze's disappearance. I am also hopeful that the Ukraine's Ministry of Internal Affairs and other law enforcement agencies will conduct a serious, vigorous investigation to solve the case of this missing journalist.

As Chairman of the Helsinki Commission and as someone who has a longstanding interest in the Ukraine, I am deeply disappointed that the Ukraine's relatively positive human rights record has been tarnished by an environment not conducive to the development of a free media. I remain hopeful that the Ukrainian authorities will make every effort to reverse this situation.

HONORING TAIWAN'S NATIONAL DAY, OCTOBER 10, 2000

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Ms. DUNN. Mr. Speaker, as President Chen Shui-bian, Vice President Annette Lu, and the people of the Republic of China prepare to celebrate their National Day on October 10, 2000, I wish to extend my sincere congratulations on their progress.

Since its founding 89 years ago, the Republic of China on Taiwan has attained many remarkable achievements. Their progress ought to be recognized by the United States and emulated by the entire world community. For instance, Taiwan's economy is robust. In June of this year, exports and imports grew nearly 25 percent from the previous year. This growth is due in large part to Taiwan's embrace of the new economy, specifically information and high technologies.

Not only has Taiwan experienced strong economic growth, but Taiwan is also a democracy in the truest sense of the word. Taiwan upholds the freedoms we, as Americans, hold dear, including free elections, free media, and free expression.

Mr. Speaker, Taiwan is truly a model of success for many countries in the world. Taiwan deserves our congratulations and our support.

GOVERNOR RIDGE HONORS CONGRESSMAN WILLIAM GOODLING

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. SHUSTER. Mr. Speaker, I submit the following remarks to the CONGRESSIONAL RECORD on behalf of my good friend and former Member of this body, the current Governor of the Commonwealth of Pennsylvania, Tom Ridge, in honor of the outstanding contributions and dedicated service that Congressman BILL GOODLING has provided to the United States Congress, the Commonwealth of Pennsylvania, and the people of the 19th Congressional District.

HONORING CONGRESSMAN WILLIAM GOODLING

DEAR MR. SPEAKER: It gives me great pleasure to join the Pennsylvania delegation to honor Congressman Bill Goodling for his outstanding contributions and dedicated service to the United States Congress, the Commonwealth of Pennsylvania and the people of the 19th Congressional District.

Pennsylvania possesses a rich heritage of great civic and business leaders who have made significant contributions to their communities and the Commonwealth as a whole. Bill's attention and unwavering devotion to the needs and best interests of the constituents and our Commonwealth community aligns him with those who exemplify the founding principles of this great nation.

Adequately serving the needs of Pennsylvania citizens, families and communities relies upon the practical knowledge and personal integrity of those committed to the highest measures of citizenship. As Chairman of the Committee on Education and the Workforce Bill Goodling has consistently demonstrated outstanding leadership that directly reflects his unyielding devotion to ensuring a better quality of life for Pennsylvanians. As a devotee to both family and community, his tireless efforts have ensured south central Pennsylvania's economic stability and leadership as we enter the 21st century. It has been my honor to work with him as both a colleague and as Governor and I have personally witnessed his consistent diligence to the highest levels of personal, professional and civic distinction.

Michele and I extend our best wishes to Bill for much happiness and fulfillment in the future.

TOM RIDGE,
Governor, Commonwealth of Pennsylvania.

REMEMBERING THE LIFE OF IDALOU FIREFIGHTER DAVID BUTLER

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. COMBEST. Mr. Speaker, today I remember the life of Mr. David Butler, an individual who understood the meaning of dedication and service to his neighbors and his community. On September 19, Mr. Butler was doing what he did best—helping people—when he collapsed and later passed away.

A firefighter with the Idalou, Texas, Volunteer Fire Department for 23 years and Assistant Chief for 10 of those, David gave the ultimate gift of life to save that of another. David, along with other members of the Idalou and Lorenzo Volunteer Fire Departments, arrived at the scene of a one-vehicle roll-over to find the driver trapped beneath a water truck. In an effort to free the driver, Assistant Chief Butler helped set up air bags to lift the truck off the pavement. Once the bags were inflated, he operated the controls to raise the truck, and the man was soon freed from the wreckage and transported to a local hospital. As firefighters were loading their equipment for the return home, David collapsed never to regain consciousness.

The fire department was an extension of David's family, and he acted as a father to his colleagues just as he did to his own three children. He was the epitome of a family man; an ever-dedicated servant to his family, friends and community. David is a true hero, and through his service, he has made Idalou and our society a better place to live. I would like to extend my most sincere condolences to his wife and children and to all who had the pleasure of working with and knowing him. You are all in my thoughts and prayers.

H.R. 2392

HON. JAMES M. TALENT

OF MISSOURI

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. TALENT. Mr. Speaker, on behalf of myself and Ms. Velázquez, I submit the following Joint Statement of Managers relating to The Small Business Innovation Research Program Reauthorization Act of 2000 (H.R. 2392).

JOINT STATEMENT OF MANAGERS FROM THE COMMITTEE ON SMALL BUSINESS REGARDING H.R. 2392, AS CONSIDERED PURSUANT TO H. RES. 590

TITLE I

The Small Business Innovation Research Program Reauthorization Act of 2000 (H.R. 2392) was introduced on June 30, 1999, and referred to the House Committees on Small Business and Science. Both Committees held hearings and the House Committee on Small Business reported H.R. 2392 on September 23, 1999 (H. Rept. 106–329). In the interest of moving the bill to the floor of the House of Representatives promptly, the Committee on Science agreed not to exercise its right to report the legislation, provided that the House Committee on Small Business agreed to add the selected portions of the Science Committee version of the legislation, as Sections 8 through 11 of the House floor text of H.R. 2392. H.R. 2392 passed the House without further amendment on September 27. The Science Committee provisions were explained in floor statements by Congressmen Sensenbrenner, Morella, and Mark Udall.

On March 21, 2000, the Senate Committee marked-up H.R. 2392 and on May 10, 2000, reported the bill (S. Rept. 106–289). The Senate Committee struck several of the sections originating from the House Committee on Science and added sections not in the House-passed legislation, including a requirement that Federal agencies with Small Business Innovation Research (SBIR) programs report their methodology for calculating their SBIR budgets to the Small Business Administration (SBA) and a program to assist states in the development of small high-technology businesses. Negotiations then began among the leadership of the Senate and House committees on Small Business and the House Committee on Science (hereinafter referred to as the three committees). The resultant compromise text contains all major House and Senate provisions, some of which have been amended to reflect a compromise position. A section-by-section explanation of the revised text follows. For purposes of this statement, the bill passed by the House of Representatives is referred to as the ''House version'' and the bill reported by the Senate Committee on Small Business is referred to as the ''Senate version.''

Section 101. Short Title; Table of Contents. The compromise text uses the Senate short title: ''Small Business Innovation Research Program Reauthorization Act of 2000.'' The table of contents lists the sections in the compromise text.

Section 102. Findings. The House and Senate versions of the findings are very similar. The compromise text uses the House version of the findings.

Section 103. Extension of the SBIR Program. The House version extend the SBIR program for seven years through September

30, 2007. The Senate version extend the program for ten years through September 30, 2010. The compromise text extends the program for eight years through September 30, 2008.

Section 104. Annual Report. The House version provides for the annual report on the SBIR program prepared by the SBA to be sent to the Committee on Science, as well as to the House and Senate Committees on Small Business that currently receive it. The Senate version did not include this section. The compromise text adopts the House language.

Section 105. Third Phase Assistance. The compromise text of this technical amendment is identical to both the House and Senate versions.

Section 106. Report on Programs for Annual Performance Plan. This section requires each agency that participates in the SBIR program to submit to Congress a performance plan consistent with the Government Performance and Results Act. The House and Senate versions have the same intent. The compromise text uses the House version.

Section 107. Output and Outcome Data. Both the House and Senate versions contain sections enabling the collection and maintenance of information from awardees as is necessary to assess the SBIR program. Both the House and Senate versions require the SBA to maintain a public database at SBA containing information on awardees from all SBIR agencies. The Senate version adds paragraphs to the public database section dealing with database identification of businesses or subsidiaries established for the commercial application of SBIR products or services and the inclusion of information regarding mentors and mentoring networks. The House version further requires the SBA to establish and maintain a government database, which is exempt from the Freedom of Information Act and is to be used solely for program evaluation. Outside individuals must sign a non-disclosure agreement before gaining access to the database. The compromise text contains each of these provisions, with certain modifications and clarifications, which are addressed below.

With respect to the public database, the compromise text makes clear that proprietary information, so identified by a small business concern, will not be included in the public database. With respect to the government database, the compromise text clarifies that the inclusion of information in the government database is not to be considered publication for purposes of patent law. The compromise text further permits the SBA to include in the government database any information received in connection with an SBIR award the SBA Administrator, in conjunction with the SBIR agency program managers, consider to be relevant and appropriate or that the Federal agency considers to be useful to SBIR program evaluation.

With respect to small business reporting for the government database, the compromise text directs that when a small business applies for a second phase award it is required to update information in the government database. If an applicant for a second phase award receives the award, it shall update information in the database concerning the award at the termination of the award period and will be requested to voluntarily update the information annually for an additional period of five years. This reporting procedure is similar to current Department of Defense requirements for the reporting of such information. When sales or additional investment information is related to more than one second phase award is involved, the compromise text permits a small business to apportion the information among the awards in any way it chooses, provided the apportionment is noted on all awards so apportioned.

The three committees understand that receiving complete commercialization data on the SBIR program is difficult, regardless of any reasonable time frame that could be established for the reporting of such data. Commercialization may occur many years following the receipt of a research grant and research from an award, while not directly resulting in a marketable product, may set the groundwork for additional research that leads to such a product. Nevertheless, the three committees believe that the government database will provide useful information for program evaluation.

Section 108. National Research Council Reports. The House version requires the four largest SBIR program agencies to enter into an agreement with the National Research Council (NRC) to conduct a comprehensive study of how the SBIR program has stimulated technological innovation and used small businesses to meet Federal research and development needs and to make recommendations on potential improvements to the program. The Senate version contains no similar provision. The study was designed to answer questions remaining from the House Committees' reviews of these programs and to make sure that a current evaluation of the program is available when the program next comes up for reauthorization.

The compromise text makes several changes to the House text. The compromise text adds the National Science Foundation to the agencies entering the agreement with the NRC and requires the agencies to consult with the SBA in entering such agreement. It also expands on the House version, which requires a review of the quality of SBIR research, to require a comparison of the value of projects conducted under SBIR with those funded by other Federal research and development expenditures. The compromise text further broadens the House version's review of the economic rate of return of the SBIR program to require an evaluation of the economic benefits of the SBIR program, including economic rate of return, and a comparison of the economic benefits of the SBIR program with that of other Federal research and development expenditures. The compromise text allows the NRC to chose an appropriate time-frame for such analysis that results in a fair comparison.

The three committees believe that a comprehensive report on the SBIR program and its relation to other Federal research expenditures will be useful in program oversight and will provide Congress with an understanding of the effects of extramural Federal research and development funding provided to large and small businesses and universities. The three committees understand, however, that measuring the direct benefits to the nation's economy from the SBIR program and other Federal research expenditures may be difficult to calculate and may not provide a complete portrayal of the benefits achieved by the SBIR program. Accordingly, the legislation requires the NRC also to review the non-economic benefits of the SBIR program, which may include, among other matters, the increase in scientific knowledge that has resulted from the program. The paragraph in the compromise text calling for recommendations remains the same as the House version, except that the bill now asks the NRC to make recommendations, should there be any.

While the study is to be carried out within National Research Council study guidelines and procedures, the compromise text requires the NRC to take the steps necessary to ensure that individuals from the small business community with expertise in the SBIR program are well-represented in the panel established for performing the study and among the peer reviewers of the study. The NRC is to consult with and consider the views of the SBA's Office of Technology and the SBA's Office of Advocacy and to conduct the study in an open manner that makes sure that the views and experiences of small businesses involved in the program are carefully considered in the design and execution of the study. Extension of the SBIR program for eight years rather than the five being contemplated when the House study provision was initially written has necessitated some adjustments in the study. The report is now required three years rather than four years after the date of enactment of the Act and the NRC is to update the report within six years of enactment. The update is intended to bring current, any information from the study relevant to the reauthorization of the SBIR program. It is not intended to be a second full-fledged study. In addition, semiannual progress reports by NRC to the three committees are required.

Section 109. Federal Agency Expenditures for the SBIR Program. The Senate version requires each Federal agency with an SBIR program to provide the SBA with a report describing its methodology for calculating its extramural budget for purposes of SBIR program set-aside and requires the Administrator of the SBA to include an analysis of the methodology from each agency in its annual report to the Congress. The House version has no similar provision. The compromise text follows the Senate text except that it specifies that each agency, rather than the agency's comptroller, shall submit the agency's report to the Administrator. The three committees intend that each agency's methodology include an itemization of each research program that is excluded from the calculation of its extramural budget for SBIR purposes as well as a brief explanation of why the agency feels each excluded program meets a particular exemption.

Section 110. Policy Directive Modifications. The House version includes policy directive modifications in Section 9 and the requirement of a second phase commercial plan in Section 10. The Senate version includes policy directive modifications in Section 6. The Senate version and now the compromise text require the Administrator to make modifications to SBA's policy directives 120 days after the date of enactment rather than the 30 days contained in the House version. The compromise text drops the House policy directive dealing with awards exceeding statutory dollar amounts and time limits because this flexibility is already being provided administratively. Addressed below is a description of the policy directive modifications contained in the compromise text that were not included in both the Senate version and the House version.

Section 10 of the House version requires the SBA to modify its policy directives to require the small businesses provide a commercial plan with each application for a second-phase award. The Senate version does not contain a similar provision. The compromise text requires the SBA to modify its policy directives to require that a small businesses provide a ''succinct commercialization plan for each second phase award

moving towards commercialization.'' The three committees acknowledge that commercialization is a current element of the SBIR program. The statutory definition of SBIR, which is not amended by H.R. 2392, includes ''a second phase, to further develop proposals which meet particular program needs, in which awards shall be made based on the scientific and technical merit and feasibility of the proposals, as evidenced by the first phase, considering among other things the proposal's commercial potential * * *'', and lists evidence of commercial potential as the small business's commercialization record, private sector funding commitments, SBIR Phase III commitments, and the presence of other indicators of the commercial potential. The three committees do not intend that the addition of a commercialization plan either increase or decrease the emphasis an agency places on the commercialization when reviewing second-phase proposals. Rather, the commercialization plan will give SBIR agencies a means of determining the seriousness with which individual applicants approach commercialization.

The commercialization plan, while concise, should show that the business has thought through both the steps it must take to prepare for the fruits of the SBIR award to enter the commercial marketplace or government procurement and the steps to build business expertise as needed during the SBIR second phase time period. The three committees intend that agencies take into consideration the stage of development of the product or process in deciding whether an appropriate commercialization plan has been submitted. In those instances when at the time of the SBIR Phase II proposal, the grantee cannot identify either a product or process with the potential eventually to enter either the commercial or the government marketplace, no commercialization plan is required.

The compromise text also adds new provisions that were not contained in either the Senate version or the House version. Current law (Section 9(j)(3)(C) of the Small Business Act) requires that the Administrator put in place procedures to ensure, to the extent practicable, that an agency which intends to pursue research, development or production of a technology developed by a small business concern under an SBIR program enter into follow-on, non-SBIR funding agreements with the small business concern for such research, development, or production.

The three committees are concerned that agencies sometimes provide these follow-on activities to large companies who are in incumbent positions or through contract bundling without written justification or without the statutory required documentation of the impracticability of using the small business for the work. So that the SBA and the Congress can track the extent of this problem, the compromise text requires agencies to record and report each such occurrence and to describe in writing why it is impractical to provide the research project to the original SBIR company. Additionally, the compromise text directs the SBA to develop policy directives to implement the new subsection (v), Simplified Reporting Requirements. This subsection requires that the directives regarding collection of data be designated to minimize the burden on small businesses; to permit the updating the database by electronic means; and to use standardized procedures for the collection and reporting of data.

Section 103(a)(2) of P.L. 102–564, which reauthorized the SBIR program in 1992, added language to the description of a third phase award which made it clear that the third phase is intended to be a logical conclusion of research projects selected through competitive procedures in phases one and two. The Report of the House Committee on Small Business (H. Rpt. 102–554, Pt. I) provides that the purpose of that clarification was to indicate the Committee's intent that an agency which wishes to fund an SBIR project in phase three (with non-SBIR monies) or enter into a follow-on procurement contract with an SBIR company, need not conduct another competition in order to satisfy the Federal Competition in Contracting Act (CICA). Rather by phase three the project has survived two competitions and thus has already satisfied the requirements of CICA, set forth in section 2302(2)(E) of that Act, as they apply to the SBIR program. As there has been confusion among SBIR agencies regarding the intent of this change, the three committees reemphasized the intent initially set forth in H. Rpt. 102–554, Pt. 1, including the clarification that follow-on phase III procurement contracts with an SBIR company may include procurement of products, services, research, or any combination intended for use by the Federal government.

Section 111. Federal and State Technology Partnership Program. This section establishes the FAST program from the Senate version, which is a competitive matching grant program to encourage states to assist in the development of high-technology businesses. The House version does not contain a similar provision. The most significant changes from the Senate version is the compromise text that are an extension of the maximum duration of awards from three years to five years and the lowering of the matching requirement for funds assisting businesses in low income areas to 50 cents per federal dollar, as advocated by Ranking Member Velazquez of the House Small Business Committee. The compromise text combines the definitions found in the Senate version of this section and the mentoring networks section.

Section 112. Mentoring Networks. The Senate version sets forth criteria for mentoring networks that organizations are encouraged to establish with matching funds from the FAST program and creates a database of small businesses willing to act as mentors. The compromise text, except for relocating the program definitions to Section 111, is the same as the Senate text. The House version did not contain a similar provision.

Section 113. Simplified Reporting Requirements. This section is not in either the House or the Senate versions. It requires the SBA Administrator to work with SBIR program agencies on standardizing SBIR reporting requirements with the ultimate goal of making the SBA;s SBIR database more user friendly. This provision requires the SBA to consider the needs of each agency when establishing and maintaining the database. Additionally, it requires the SBA to take measures to reduce the administrative burden on SBIR program participants whenever possible including, for example, permitting updating by electronic means.

Section 114. Rural Outreach Program Extension. This provision, which was not in either House or Senate versions, extends the life and authorization for appropriations for the Rural Outreach Program of the Small Business Administration for four additional years through fiscal year 2005. It is the intent of the three committees that this program be evaluated on the same schedule and in the same manner as the FAST program. Among other things, the evaluation should examine the extent to which the programs complement or duplicate each other. The evaluation should also include recommendations for improvement to the program, if any.

TITLE II

The purpose of Title II is to amend the general business loan program at the Small Business Administration, commonly known as the 7(a) loan program. Title II of H.R. 2392 contains a variety of technical and substantive changes to improve the program and correct problems brought to the Committee's attention through the oversight process and originally passed by the House as H.R. 2616.

Title II will increase the maximum guarantee amount of a 7(a) loan to $1 million from the current limit of $750,000 in order to keep pace with inflation. The guarantee amount was last increased in 1988. It also maintains a cap prohibiting loans with a gross amount in excess of $2 million.

The bill will also remove a provision which reduced SBA's liability for accrued interest on defaulted loans since the provision's intended savings failed to materialize.

Title II also includes three changes designed to encourage the making of smaller loans. The guarantee rate will be expanded to 85 percent from loans under $100,000 to loans under $150,000. Likewise, the two percent guarantee fee will now apply to loans up to $150,000, which represent a significant savings for these small borrowers.

Finally, for small loans, Title II of H.R. 2392 includes a provision allowing lenders to retain one quarter of the guarantee fee on loans under $150,000 as an incentive to make these loans.

The last part of Title II modifies an SBA regulatory restriction which prohibit loans for passive investment. Title II will permit the financing of projects where no more than 20 percent of a business location will be rented out provided the small business borrower in question occupies at least 60 percent of the business space.

Section 201. Short Title.

Section 202. Levels of Participation. Increases the guarantee percentage on loans of $150,000 or less to 85 percent. The current guarantee level of 80 percent extends only to loans of $100,000 or less. This guarantee increase is one of the changes proposed to encourage the availability of smaller loans.

Section 203. Loan Amounts. This provision will increase the maximum guarantee amount of $1 million. The maximum gross loan amount will be capped at $2 million. The language would prohibit SBA from placing a guarantee on any loan over $2 million regardless of the guaranteed amount. Consequently, the largest loan available would be a $2 million loan with a 50 percent guarantee.

The largest loan available at the maximum guarantee rate of 75 percent would be $1,333,333. The cap on loans over $2 million will effectively remove a number of large loans that have been made with only a minimal guarantee, loans which use up loan authority at a disproportionate rate. In 1998, roughly thirty loans over $2 million were made.

Section 204. Interest on defaulteld loans. This will remove the provision that reduced SBA's liability for accrued interest on defaulted loans. This provision was added to the program in 1996 as a method of reducing the subsidy cost of the program. It has come to the Committee's attention that the expected savings have not materialized.

Section 205. Prepayment of loans. This provision will reduce the incentive for early prepayment of 7(a) loans. It will assess a fee to the borrower for early prepayment of any loan with a term in excess of 15 years. Early prepayment will be defined as any prepayment within the first three years after disbursement. The prepayment fee will be determined by the date of the prepayment—5 percent in the first year, 3 percent in the second year, 1 percent in the third year. The fee will be based on ''excess prepayment'' which is defined as prepayment of more than 25 percent of the outstanding loan amount. In the event of an excess prepayment the fee would be assessed on the entire outstanding loan amount.

Section 206. Guarantee fees. This section changes the guarantee fee for loans of $150,000 or less to 2 percent. Currently, the guarantee fee of 2 percent is only for loans under $100,000. Loans over $100,000 currently have a guarantee fee of 3 percent. The section also provides for an incentive for lenders to make smaller loans (under $150,000) by allowing them to retain ¼ of the guarantee fee.

Section 207. Lease Terms. Under existing 7(a) rules, loan proceeds may not be used for investment purposes. This includes purchase or construction of property to be leased to others. Currently, 7(a) loans may be used to construct property which will be used solely by the borrower.

In 1997, Congress modified this rule for the 504 program to allow for projects where a small portion of a property might be rented out permanently, but the borrower's main focus was the construction of a permanent location. This provision would allow the same authority for 7(a) loans. Borrowers would be allowed to lease up to 20 percent of a property in which they will occupy at least 60 percent of the business space.

TITLE III

The purpose of Title III of H.R. 2392 is to amend the Small Business Investment Act to make changes in the Certified Development Company (CDC) loan program at the Small Business Administration (SBA), commonly known as the 504 loan program. Title III is the substance of H.R. 2614 which passed the House earlier this Congress and contains a variety of technical and substantive changes to improve the program and correct problems brought to the Committee's attention through the oversight process.

Title III will increase the maximum amount of a 504 loan, and its underlying debenture, to $1 million from the current limit of $750,000 in order to keep pace with inflation. The maximum amount for loans with specific public policy purposes (low-income, rural, and minority owned businesses) is increased to $1,300,000. The loan amount was last increased in 1988. Title III will also reauthorize the fees which support the 504 program.

Title III will also add women-owned businesses as a specific public policy goal for the 504 program. Title III will make permanent two pilot programs begun by SBA in 1997 in response to a Congressional mandate. The first pilot program, the Liquidation Pilot Program, enables certain qualified Certified Development Companies to liquidate their own loans rather enduring the usual process of SBA controlled liquidation. The second, the Premier Certified Lenders Program, enables experienced CDCs to use streamlined procedures for loan making and liquidation.

Sec. 302. Women-Owned Businesses. Women-owned businesses are added to the list of concerns eligible for the higher debentures available for public policy purposes. Current policy goals include lending to low-income and rural areas, and loans to businesses owned by minorities.

Sec. 303. Maximum Debenture Size. Maximum loan/debenture size is increased from $750,000 to $1,000,000 for regular debentures. Public policy loan/debentures are increased from $1,000,000 to $1,300,000 for public policy debentures. This increase is commensurate with inflation since the current debenture levels were established.

Sec. 304. Fees. Currently, the 504 program levies fees on the borrower, CDC, and the participating bank. The bank pays a one-time fee whereas the borrower and CDC pay a percentage of the outstanding balance annually in order to provide operational funding for the 504 program. Currently these fees sunset on October 1, 2000. This legislation would continue the fees through October 1, 2003.

Sec. 305. Premier Certified Lenders Program. The Premier Certified Lenders Program (PCLP) is granted permanent status. The current demonstration program terminates at the end of FY 2000.

Sec. 306. Sale of Certain Defaulted Loans. SBA is required to give any certified lender with contingent liability 90 days notice prior to including a defaulted loan in a bulk sale of loans. No loan may be sold without permitting prospective purchasers to examine SBA records on the loan.

Sec. 307. Loan Liquidation. Section 510 is added to the Small Business Investment Act of 1958 in order to create a program permitting CDCs to handle the liquidation of defaulted loans. This program replaces the pilot program authorized by PL 105–135, the Small Business Reauthorization Act of 1997. A permanent program would permit OMB to score savings achieved by the program when computing the subsidy rate for the 504 program.

In order to participate in the liquidation program, a CDC must have made at least 10 loans per year for the past three years and have at least one employee with 2 years of liquidation experience or be a member of the Accredited Lenders Program with at least one employee with 2 years of liquidation experience. Both groups are required to receive training. PCLP participants and current participants in the pilot program automatically qualify.

CDCs have the authority to litigate as necessary to foreclose and liquidate, but SBA could assume control of the litigation if the outcome might adversely affect SBA's management of the program or if SBA has additional legal remedies not available to the CDC.

All Section 510 participants are required to submit a liquidation plan to SBA for approval, and SBA has 15 days to approve, deny, or express concern with the plan. Further SBA approval of routine liquidation activities is not required.

CDCs are able to purchase indebtedness with SBA approval, and SBA is required to respond to such a request within 15 days. Likewise, CDCs are required to seek SBA approval of any workout plan, and SBA must respond to that request within 15 days. With SBA approval, a CDC may compromise indebtedness. Such approval must be granted, denied, or explained within 15 days of receipt of SBA.

TITLE IV

The purpose of Title IV is to amend the Small Business Investment Act (the Act) to make changes in the Small Business Investment Company (SBIC) program at the SBA. Title IV contains the language from H.R. 3845 which passed the House earlier this Congress and contains four technical changes to improve the program and correct problems brought to the Committee's attention through the oversight process.

H.R. 3845 modifies the definition of control for SBIC investment in small businesses, eliminating a cumbersome five prong test and setting a clear statutory standard. H.R. 3845 will also modify the definition of long term investment under the Act, changing it from five years to one year, in order to harmonize that definition with accepted business practice and the tax and banking laws. Third, the bill allows the Administration to adjust the subsidy fee for the SBIC program to maintain the subsidy rate of the program at zero. Finally, the bill makes a change to the distribution language in the Act, allowing SBICs more flexibility in making distributions to their investors and will simplify the accounting and tax procedures at SBICs.

Sec. 401. Short Title.

Sec. 402. Definitions. (a) Small Business Concern. Inserts the following language in section 103(5)(A)(i) of the Small Business Investment Act—''regardless of the allocation of control during the investment period under any investment agreement between the business concern and the entity making the investment''. This phrase clarifies that a venture capital investment agreement from an SBIC may cause a change in control of a small business, but that such a change with not affect the eligibility of the small business concern. The Committee does not intend that SBICs become holding companies hence the language references the period of the investment agreement. Further, the Committee retains the authority for SBA examinations to inquire into ''illegal control'' by SBICs, though the committee expects such control to be that exercised outside an investment agreement.

(b) Long term. Inserts the following paragraph in section 103 of the Small Business Investment Act,

''(17) the term long term, when used in connection with equity capital or loan funds invested in any small business concern or smaller enterprise, means any period of time not less than 1 year.'' The language changes the definition of a long term investment to harmonize it with the tax and banking laws.

Sec. 403. Investment in SBICs. This provision allows federal savings associations to invest in SBICs.

Sec. 404. Subsidy Fees. This provision amends sections 303(b) and 303(g)(2) of the Small Business Investment Act to allow the Administration to adjust the fee assessed on debentures and participating securities up to a maximum of one percent. The fee will be adjusted to keep the subsidy cost of the programs at zero or as close as possible to zero.

Sec. 405. Distributions. This section amends section 303(g)(8) of the Small Business Investment Act in order to allow SBICs to make distributions at any time during a calendar quarter based on the maximum estimated tax liability.

Sec. 406. Conforming Amendment.

TITLE V

The purpose of Title V is to reauthorize the programs and operations of the SBA. Title V contains the language from H.R. 3843 which contained the authorization levels for SBA for fiscal years 2001, 2002, and 2003. It contains no technical or substantive changes to any of the programs. The SBA provides a variety of services for small businesses—financial assistance, technical assistance, and disaster assistance.

Financial Assistance. The SBA provides approximately $11 billion in financing to small businesses annually. This financing is made available through a variety of programs.

SBA's largest financial program is the Section 7(a) general business loan program. The 7(a) program offers loans to small businesses through local lending institutions. These loans are provided with an SBA guarantee of up to 80 percent and are limited to a maximum of $750,000. The 7(a) program has a subsidy rate of 1.16 percent for fiscal year 2000 and an appropriation of $107 million, permitting $9.8 billion in lending.

The Section 504 loan program provides construction, renovation and capital investment financing to small businesses through CDCs. These CDCs are SBA licensed, local business development organizations which provide loans of up to $750,000 for small businesses, in cooperation with local banks. CDCs provide 40 percent of the financing package, while the bank provides 50 percent, and the small business provides a 10 percent down payment. CDC funding is obtained through issuance of an SBA guaranteed debenture. The 504 program currently operates at no cost to the taxpayer but does require authorization.

The microloan program provides small loans of up to $25,000 to borrowers in low-income areas. In fiscal year 1999 the program provided $29 million in loans. In addition, the program has a technical assistance aspect that provides managerial and business expertise to microloan borrowers. Microloans are made by intermediary organizations that specialize in local business development. The program has a subsidy rate of 8.54 percent.

The Small Business Investment Company (SBIC) program provides over $1.5 billion in long term and venture capital financing for small businesses annually. SBICs are venture capital firms that leverage private investment dollars with SBA guaranteed debentures or participating securities. The SBIC debenture program currently operates at a zero subsidy rate and requires no taxpayer subsidy. The participating securities program has a 1.8 percent subsidy rate.

Technical Assistance. The SBA provides technical and managerial assistance to small businesses through four primary programs—Small Business Development Centers (SBDCs), the Service Corps of Retired Executives (SCORE), the 7(j) technical assistance program, and the Women's Business Center program.

SBDCs are located primarily at colleges and universities and provide assistance through 51 center sites and approximately 970 satellite offices. Through a formula of matching grants and donations SBDCs offer small businesses guidance on marketing, financing, start-up, and other areas. The program currently receives $84 million in appropriations.

SCORE provides small business assistance on-site through the volunteer efforts of its members. SCORE volunteers are retired business men and women who offer their expertise to small businesses. SCORE volunteers are reimbursed for their travel expenses and SCORE receives funding as well for a website and offices in Washington, DC.

The 7(j) program provides financing for technical assistance to the minority contracting community primarily through courses and direct assistance from management consultants. In addition, the program provides assistance participants to attend business administration classes offered through several colleges and universities.

The Women's Business Center program provides five year grants matched by non-federal funds to private sector organizations to establish business training centers for women. Depending on the needs of the community, centers teach women the principles of finance, management and marketing as well as specialized topics such as government contracting or starting home-based businesses. There are currently 81 centers in 47 states in rural, urban and suburban locations.

Disaster Assistance. The Small Business Administration also provides disaster loan assistance to homeowners and small businesses nationwide. This program is a key component of the overall Federal recovery effort for communities struck by natural disasters. This assistance is authorized by section 7(b) of the Small Business Act which provides authority for reduced interest rate loans. Currently the interest rates fluctuate according to the statutory formula—a lower rate, not to exceed four percent is offered to applicants with no credit available elsewhere, while a rate of a maximum of eight percent is available for other borrowers.

SECTION-BY-SECTION ANALYSIS

Section 501. Short Title.

Section 502. Reauthorization of Small Business Programs. This section provides the authorized appropriation levels for the following programs: Section 7(a) general business loans, Section 504 Certified Development Company loans, direct microloans, guaranteed microloans, microloan technical assistance, Defense Transition (DELTA) loans, Small Business Investment Company debentures, Small Business Investment Company participating securities, Surety Bonds guarantees, SCORE, disaster loans, and salaries and expenses.

The following are the authorizations levels for the financial programs:

(in millions)	2001	2002	2003
7(a)	$14,500	$15,000	$16,000
504	4,000	4,500	5,000
Microloan	60	80	100
Microloan TA	45	60	70
Microloan gty	50	50	50
SBIC debentures	1,500	2,500	3,000
SBIC part. Securities	2,500	3,500	4,000
Surety bonds	4,000	5,000	6,000

This Title also authorizes the Service Corps of Retired Executives (SCORE). SCORE will be authorized at 5, 6, and 7 million dollars for fiscal years 2001, 2002, and 2003, respectively.

Title V also contains provisions authorizing funding for salaries and expenses at the Small Business Administration. These authorizations are established as ''such sums as may be necessary''.

Section 503. Additional Reauthorizations.

This section reauthorizes five programs:

(a) SBDC funding—Increases the authorization from $95,000,000 to $125,000,000.

(b) Drug Free Workplace—Extends authorization through fiscal year 2003 at $5,000,000 per year.

(c) HUBZones—Authorizes appropriations of $10,000,000 per year through fiscal year 2003.

(d) National Women's Business Council—Increases authorization to $1,000,000 per year and extends authorization through fiscal year 2003.

(e) Very Small Business Concerns—Extends authorization through September 30, 2003.

(f) SDB Certification—Extends authorization through September 30, 2003.

TITLE VI

Title VI contains several miscellaneous authorizations and programs.

Section 601. Loan Application Processing. This section requires a study of the time required for SBA to process loan applications.

Section 602. Application of eligibility requirements. This section clarifies that women-owned business, socially and economically disadvantaged business, and veteran owned business status is to be determined without regard for the possible application of state community property laws. Certain SBA offices have been denying loan applications based upon the possibility that qualified individuals may divorce resulting in joint ownership of the small business.

Section 603. HUBZone Eligibility. This section includes a provision extending eligibility for HUBZone Small Business Concerns for an additional year if they are located in areas that recently were removed from HUBZone status.

Section 604. Subcontracting Preference for Veterans. This clarifies that the language included in subcontracting plans for small business concerns owned and controlled by veterans and used for the purpose of data collection also includes small business concerns owned and controlled by service disabled veterans. Apparently, there is confusion over the fact that the group of veteran owned businesses also includes service disabled veteran owned businesses.

Section 605. Small Business Development Center funding. This section reforms the formula for funding Small Business Development Centers.

Section 606. Surety Bond program. Reauthorizes the Surety Bond financing program.

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY IRRIGATION WORKS OWNERSHIP

SPEECH OF

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 2000

Mr. HAYWORTH. Mr. Speaker, during House floor consideration and passage of H.R. 2820, a draft resolution was inserted into the RECORD that was to have been a signed version of the resolution from the Salt River Pima-Maricopa Indian Community approving certain amendments to the Community's water code, as contemplated, and, indeed, as required by the bill. To correct this admission, I ask unanimous consent that the attached signed copy of the Community's resolution approving the requisite amendments to its water code be inserted into the RECORD and be included in the RECORD of the proceedings of the House with regard to H.R. 2820.

SALT RIVER PIMA-
MARICOPA INDIAN COMMUNITY,
Scottsdale, AZ.

RESOLUTION NO. SR–2031–2000

Whereas, the Salt River Pima-Maricopa Indian Community (''SRP–MIC'') Council has the authority pursuant to Article VII, Section 1(d)(5) of the Constitution of the SRP–MIC to provide for the proper use and development and prevent the misuse of the lands, natural resources and other public property of the SRP–MIC; and

Whereas, the Congress of the United States has under consideration the passage of H.R. 2820 to convey to the SRP–MIC the irrigation works formerly owned and operated by the

Bureau of Indian Affairs and located on SRP–MIC tribal and allottee land; and

Whereas, as a result of negotiations that led to the development of H.R. 2820, and amendments thereto, the legislation's language contemplates that the Community will adopt certain amendments to its Surface Water Management Code prior to enactment of the legislation: Now, therefore, be it

Resolved, That the SRP–MIC hereby adopts the attached amendments to its Surface Water Management Code, attached hereto as Exhibits ''A'' and ''B'' respectively; and be it further

Resolved, That, if substitute legislation for H.R. 2820 (1) is not passed by the Congress prior to the adjournment sine die of the 106th Congress, or (2) if so passed by Congress, but it is not signed into law during the 106th Congress, the approval by the Community of these amendments shall become null and void.

CERTIFICATION

Pursuant to the authority contained in Article VII, Section 1(d)(5) of the Constitution of the Salt River Pima-Maricopa Indian Community, ratified by the Tribe, February 28, 1990, and approved by the Secretary of the Interior, March 19, 1990, the foregoing resolution was adopted this 19th day of September 2000, at a duly called meeting held by the Community Council in Salt River, Arizona at which a quorum of 5 members were present by a vote of 5 for, 0 against, and 4 excused.

Salt River Pima-Maricopa Indian Community Council.

MERMA LEWIS,
Vice President.

MEDICARE COMPREHENSIVE QUALITY OF CARE AND SAFETY ACT OF 2000

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. STARK. Mr. Speaker, in March of 1998, the President's Advisory Commission on Consumer Protection and Quality in the Health Care Industry (Quality Commission) issued its final report, raising concerns about medical errors and recommending steps to reduce the incidence of medical errors. The Quality Commission urged that measuring and improving quality of care be made a national priority.

In June of 1998, the Congressional Medicare Payment Advisory Commission (MedPAC) reported on quality of care in Medicare, and in June of 1999, MedPAC made specific recommendations for improving quality of care in Medicare. MedPAC recommended:

That quality of care goals for Medicare, including minimizing preventable errors and increasing participation by patients in their care should be established, reviewed and revised through a public process; that systems be established in Medicare for monitoring, improving and safeguarding quality of care; that the Secretary work with the private sector to develop and use common, core sets of quality measures for monitoring quality; and that to the extent possible, quality of care systems in the traditional Medicare fee-for-service program and Medicare+Choice be comparable.

In July of last year, the Inspector General issued four reports citing major deficiencies in the accreditation of hospitals to ensure that quality of care provided in hospitals for Medicare by the Joint Commission on the Accreditation of Health Care Organizations (JCAHO). The Inspector General made a series of recommendations for improving the accreditation of hospitals to ensure that quality of care provided in hospitals met Medicare standards. Also last year, the General Accounting Office issued reports citing major deficiencies in the accreditation of nursing facilities.

Then, in November of last year, the Institute of Medicine issued a report, ''To Err is Human'', which reported that almost 100,000 people may be killed each year by medical errors. The IOM recommended that improving health care safety be made a national priority and that a nationwide mandatory reporting system of medical errors by providers should be established. The IOM also called for a ''culture of safety'' in health care organizations. On February 10, 2000, the Ways and Means Health Subcommittee held hearings on the IOM report.

And yesterday, October 4, 2000, the Journal of the American Medical Association (JAMA) published an article reporting on the findings of a study on quality of care furnished to Medicare fee-for-service (FFS) beneficiaries. The study examined Medicare hospital claims by State for 24 quality of care performance indicators. The study found wide variation in quality of care both among States and among performance indicators.

The authors state: ''Available data suggest that providing the services measured here could each save hundreds to thousands of lives a year.'' The authors report that ''there has been no systematic program for monitoring the quality of medical care provided to FFS Medicare beneficiaries.'' The authors suggest that the results of the study ''urgently invite a partnership among practitioners, hospitals, health plans, and purchasers to achieve improvement.''

Today, I along with Mr. NEAL and Mr. JEFFERSON, am introducing legislation that would address the recommendations made by these distinguished organizations. For the first time since the Medicare program was enacted, my bill would establish quality of care as a major emphasis in Medicare.

The ''Medicare Comprehensive Quality of Care and Safety Act of 2000'' would for the first time in the history of Medicare establish a comprehensive quality of care and safety system in Medicare for setting quality of care goals and priorities, conducting research and setting standards for quality of care, monitoring quality, safeguarding quality, and establishing systems to improve information and education of patients and providers concerning quality of care issues.

Perhaps most important of all, my legislation will create a ''culture of safety and quality'' in health care by requiring every provider to establish a ''Medicare Quality of Care and Safety Program'' (MQCSP). Based on model fraud and abuse compliance plans developed and implemented by the HHS Inspector General, every Medicare provider would be required to implement a quality monitoring and error reduction program—''Medicare Quality of Care and Safety Program''—and to report serious failures to meet quality standards and medical errors. The Secretary would be required to establish a national database of medical errors, as called for by the Institute of Medicine.

This legislation would establish a Medicare Quality and Safety Advisory Committee, which would be charged with recommending annual goals and priorities on quality of care. In the Medicare comprehensive quality of care system, the Secretary would be required to establish quality standards, including performance measures. The Secretary would be required to coordinate Medicare quality of care activities with those in other Agencies of the Department. As an example, the Centers for Disease Control and Prevention have for many years established and implemented performance standards for certain aspects of care; the CDC Medical Infection Disease System (MIDS) provides performance standards for limiting the spread of infectious diseases in hospitals. My legislation would require Medicare to make use of these standards and others already developed either in government or in the private sector. The Secretary would be required to establish systems to adopt these standards in Medicare and educate providers on their use.

Providers would be required to report quality of care and medical error data in a completely confidential system, and the Secretary would be required to establish data systems to monitor the performance of providers regarding quality of care and medical errors. The Secretary would be required to use standard data so that comparisons could be made across providers.

My legislation does not evision a punitive system, but rather a system of working together to achieve improvements in quality and error reduction. I believe that most medical errors are the result of systems failures, and my legislation would focus on correcting these systems errors. I also believe that improvement must come from within health care organizations, rather than being imposed from outside. That is why my legislation would focus on identifying and correcting systems failures from within. However, I also believe that information on best practices and standards must be collected at the national level and shared with health care providers.

This legislation would build on the organizations that are already charged with sharing information and helping to improve quality of care are the Peer Review Organizations (PROs). The Secretary would be required to develop standards and train the PROs regarding those standards. PROs, in turn, would train health care providers in implementing those standards. PROs would also be required to investigate serious failures by providers to meet quality standards, including serious medical errors, and work with providers to implement corrective action plans to modify systems or take other actions to improve quality and minimize errors.

As a way of increasing the confidence of providers in the PROs, fraud and abuse activities of the PROs would be phased out, and their work would be limited to quality related activities. The legislation would change the name of the PROs to ''Quality Improvement Organizations'' in keeping with their new emphasis in Medicare.

The Secretary would be required to monitor quality and safety though a national data system, as recommended by virtually all of the organizations reporting on quality of care. To help providers feel more comfortable in reporting problems with quality or medical errors, the Secretary would be required to establish a confidential reporting system so that physicians, employees of providers, and others would be able to report errors or other failures on a confidential basis. Employees would be provided whistle blower protection for reporting quality failures and errors. Providers who achieve outstanding results in meeting quality standards and minimizing errors would be rewarded with the designation of ''Medicare Provider of Excellence.''

ON THE INTRODUCTION OF THE VETERANS COMMEMORATION ACT OF 2000

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. INSLEE. Mr. Speaker, today I introduce the Veterans Commemoration Act of 2000. This piece of legislation will help to alleviate a serious impediment to adequate health care for our veterans.

Many veterans have trouble getting to and from VA hospitals. The legislation that I am introducing today would create a coin commemorating Executive Order 5398, signed by President Herbert Hoover on July 21, 1930, which established the Veterans Administration. The proceeds from the sale of this coin would fund a transportation program for veterans, provided by the Disabled American Veterans.

This program provides a much-needed service to our nation's veterans. The DAV provides transportation services to veterans to and from VA hospitals. Considering the fact that many veterans live far away from VA hospitals and are disabled, the lack of transportation can be a very serious impediment to adequate health care.

In my home state of Washington, the Veterans Administration hospital in Seattle serves the entire Pacific Northwest. Many of the patients who rely upon the care provided by the VA have severe disabilities that prevent them from easily accessing the clinic. Public transportation serves those veterans that live in the Metropolitan area, but for the thousands of veterans without access to public transportation, the DAV steps in to provide door to door services. This essential program is truly the missing link for veterans' health care.

The DAV has recognized this need by creating the transportation program. This program has been very successful so far. But it only operates in a few select areas and serves only a handful of veterans. This program should be available to all veterans, but the DAV simply cannot afford to fund a project of that magnitude. This bill would create the funds necessary to expand this program.

With no cost to the taxpayer, we can help our nation's veterans and show them that their needs are important. We must show our support to the brave men and women who have risked their lives to serve this country. This unique program, provided by the DAV, deserves our support.

Today I stand with over 150 of my colleagues to introduce this legislation. This bipartisan bill has diverse and broad support. We have the time and the support to pass this bill now. We should not wait for the next Congress to take action when we have the ability and the will to do so now. I urge my colleagues to stand with me and with the Disabled American Veterans to pass this bill and support our veterans.

THE CHILDREN OF SIERRA LEONE

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. TIERNEY. Mr. Speaker, if you are paying attention to the House floor at this moment, please listen very closely to what some of my colleagues and I are discussing. Because we are talking about saving children who are being savaged and we desperately need your help.

If you can, please stop what you are doing for a second—I know we're all very busy right now, but again this is important. So, please, stop what you are doing and remember for a moment what you felt like when you were a child, especially if you had moments in which you felt very vulnerable in any way.

Now, take that feeling, and try to imagine living in a community ripped by the throes of war—your parents are missing, friends, sisters and brothers beaten, broken and battered, if even still alive.

And as you imagine this life, now look down at your arms and legs. Imagine an arm or a leg or more mutilated and even severed from your body. Think about that. Can you even bear to imagine it?

As hard as it is to believe, there are children today who don't have to imagine this horror because they live it. They see where their arms and legs once were. They know that their family has been destroyed.

They are the children of Sierra Leone.

And no matter what your politics are, humanity calls us to act. Support funding for peacekeeping now. Support Tony Hall's bill to halt the illegal diamond trade that funds this butchering now. Don't wait. Support ending the horrific suffering of these children now.

CELEBRATION IN PITTSBURGH

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. COYNE. Mr. Speaker, I rise today to call my colleagues' attention to an upcoming ceremony that will be held in Pittsburgh on October 13, 2000, to commemorate the 100th anniversary of the founding of the Homestead Grays and the 40th anniversary of Bill Mazeroski's World Series-winning home run. The joint ceremony serves to highlight Pittsburgh's long history of outstanding professional baseball.

The Homestead Grays was a Negro League baseball team that was originally formed by local African American steelworkers. The Homestead Grays played baseball from 1900 until Major League baseball teams were integrated 50 years ago, and the club won a number of pennants. The Grays, incidentally, played the first night game in Pittsburgh baseball history—against the Kansas City Monarchs at Forbes Field on July 25, 1930.

The Homestead Grays were known for several outstanding players who could compete with the best baseball players of the time, white or black. A number of these players were eventually inducted into the Baseball Hall of Fame. Oscar Charleston, first baseman and manager for the Grays—with a lifetime batting average of .357, the ranking of fourth on the all-time home run list for the Negro Leagues, and fielding that was deemed superior to that of his white contemporary Ty Cobb—was inducted into the Baseball Hall of Fame in 1976. Smoky Joe Williams, who pitched for the Grays, was voted the greatest pitcher in Negro League history in 1952, beating out Leroy ''Satchel'' Paige. The Grays claim Buck Leonard, another first baseman and home run hitter, as well as Ray Brown, who in 1940 had the greatest season of any Negro league pitcher ever with 24 wins and only 4 losses. Catcher and power-hitter Josh Gibson was another of the stars of the Homestead Grays. Gibson has the distinction of having hit a 505-foot home run in Yankee Stadium—a feat matched or exceeded by no one, not even Babe Ruth (and in fact, only Dave Winfield and Doug DeCinces have even come close). I am pleased to note that Josh Gibson, Jr., who also played professional baseball, will receive a plaque at this ceremony in honor of his father.

I'd like to note in passing that the Pennsylvania Historical and Museum Commission put up a State historic marker to honor the Homestead Grays on the 100th anniversary of their founding. That marker, which was dedicated last week, can be found at the intersection of Amity Street and Fifth Avenue in Homestead, PA.

The October 13th ceremony will also honor Bill Mazeroski, long-time second baseman for the Pittsburgh Pirates. Mazeroski, who played for the Pirates from 1956 until 1972, was a great infielder and defensive player. Maz won eight Gold Gloves and was picked as an All-Star seven times. He holds the record as the second-baseman with the most double plays in Major League history—1,706—and the most double plays in one season—161 in 1966. He holds the Major League record for the most seasons leading the league in assists, and in five of those nine seasons, he was credited with 500 or more assists. For these accomplishments, if for nothing else, he deserves admission to the National Baseball Hall of Fame, an honor which to this date he has been unfairly denied.

Despite a long career of excellence in fielding, however, Maz is probably best remembered for his winning home run in the 1960 World Series against one of the greatest Yankees teams ever—a team that included baseball greats Mickey Mantle, Whitey Ford,

and Yogi Berra. In the seventh game of the 1960 World Series, the Yankees and the Pirates were tied at three games apiece. In the bottom of the ninth inning, with the score tied at nine runs for each team, Bill Mazeroski knocked a home run over the left center field wall of Forbes Field, and the Pirates won the World Series four games to three with a score of 10 to 9. That one magnificent achievement has tended to obscure the remainder of William Stanley Mazeroski's outstanding career in Major League baseball. Mr. Mazeroski will also receive a plaque at the October 13th ceremony in acknowledgment of his many accomplishments on the 40th anniversary of his famous home run.

The ceremony will also highlight plans for the painting of two new wall murals on the wall that runs along the Boulevard of the Allies in Pittsburgh. One of these murals will commemorate the 100th anniversary of the founding of the Homestead Grays. The other will honor Mr. Mazeroski. The brass plaques that Mr. Mazeroski and Mr. Gibson will receive during the ceremony will be mounted alongside these murals. I believe that this is a fitting tribute to two of Pittsburgh's outstanding sports teams and two of Pittsburgh's greatest sports heroes.

TRIBUTE TO BROTHER MARTIN McMURTREY

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. GONZALEZ. Mr. Speaker, I rise today to thank and pay tribute to a true San Antonio legend, Brother Martin McMurtrey. After 56 years of service as an educator in the Society of Mary Catholic schools, 49 of those years being spent at Central Catholic High School in San Antonio, TX, Brother McMurtrey has announced his retirement.

Having received a bachelor of arts degree in English from the University of Dayton in 1942, and a master of education degree from St. Louis University in 1949, Brother McMurtrey first entered a classroom as a teacher in 1944. Shortly after, in 1951, Brother McMurtrey moved to San Antonio and began teaching at Central Catholic.

During his years at Central Catholic, Brother McMurtrey taught courses in English and drafting, coached football, authored two books, and dedicated countless hours to working with the disadvantaged in San Antonio parishes. I know that even though he is retiring, Brother McMurtrey will continue teaching all of us. As a matter of fact, I am sure that he will check the spelling and grammar of this entry in the CONGRESSIONAL RECORD of the U.S. House of Representatives.

In addition, Brother McMurtrey established a scholarship fund to assist students who could otherwise not afford to attend Catholic schools. He also spent 22 years volunteering after school as a Confraternity of Christian Doctrine teacher and as a worker with the Presentation Nuns. He also organized the Guardian Angels at Central Catholic, an organization that guided student collections of food, toys, and clothing during holiday seasons.

It is estimated that during his half-century of service, Brother McMurtrey touched the lives of some 6,000 students. Those students have gone on to careers in education, medicine, law, public service, and countless other fields. Indeed the impact that Brother McMurtrey has had on the lives of his students and on the San Antonio community is immeasurable.

Upon hearing Brother McMurtrey's announcement, several former Central Catholic students joined together to plan a retirement celebration aptly titled "The Last English Class." Mr. Speaker, today I join those students in thanking Brother McMurtrey for enriching the lives of all who had the privilege of his mentorship.

TRIBUTE TO SGT. MAJOR BILLY RAY LANEY OF CHEROKEE COUNTY, ALABAMA

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. CRAMER. Mr. Speaker, today I recognize a fallen soldier from my home state of Alabama. It is a most unusual day for my district, today they are welcoming home Sgt. Maj. Laney 33 years after they sent him off to serve his country in the Vietnam War. Laney's widow, Charline and his three grown children, Wanda, Billy Ray Jr. and Vicky deserve our recognition for the sacrifices they have endured these many years. As their husband and father is laid to rest in the soil he fought and died to protect, I would like to offer my condolences to the family and express my utmost gratitude for Sgt. Maj. Laney's brave actions.

Sgt. Maj. Laney was only in Vietnam for one month. He was a member of the 5th Special Forces Group of the 1st Airborne Division and was listed as missing in action June 3, 1967 in Laos. Although the Department of Defense declared him deceased eleven years ago, his family has had no physical evidence of his death until two months ago.

I would like to take this opportunity to thank the Veterans Groups of my district: Vietnam Veterans of America, American Legion, Veterans of Foreign Wars, Military Order of the Purple Heart and Disabled American Veterans for going to extraordinary efforts to ensure that Sgt. Maj. Laney's life and death and his families' sacrifices will not be forgotten. Today as Sgt. Maj. Laney's remains are returned home, though tardy, he will be honored properly. Governor Don Siegelman, the Honor Guard and the Alabama State Patrol are traveling to join the procession and to pay their respects to this brave soldier and his family.

Sgt. Maj. Billy Ray Laney's retrieval sheds light on the POW/MIAs still unaccounted for across the country. There are two soldiers from Alabama listed as missing, Prentice Wayne Hicks and Edward Upner. I would like to take this opportunity to say that my thoughts are with their families and let them know that there is still hope that we will uncover their fate.

On behalf of the Congress of the United States, I would like to pay tribute to Sgt. Maj. Billy Ray Laney and his loving family. We can never afford to forget the victories and sacrifices of our veterans like Sgt. Maj. Laney lest we take for granted the precious freedoms we enjoy every minute of every day. My thoughts and prayers are with them today as they welcome their husband and father home to rest.

ATAXIA AWARENESS DAY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. DUNCAN. Mr. Speaker, September 25, 2000, marked International Ataxia Awareness Day. Ataxia disorders comprise a family of progressive, degenerative, neurological illnesses which affect more than 100,000 American families, including many in my District. Ataxia usually initially affects coordination, speech, and balance, but various forms often progress to impact the heart, sight, and hearing.

Unfortunately, there are no effective treatments for this often fatal disease. Worse, our very limited understanding of most forms of the disorder has not even produced any effective treatments. Hopefully we can increase awareness of this serious public health threat and spur the type of progress which will bring hope to the thousands of American families dealing with Ataxia.

The biomedical revolution which has taken root over the last couple of decades offers great promise. That is why I have been a proud supporter of the research efforts at the National Institutes of Health (NIH) and the National Institute on Neurological Disorders and Stroke (NINDS), the component of NIH charged with the study of Ataxia.

For example, NINDS-supported research has recently generated considerable new insights into more than 100 related gene defects which cause nervous system disorders. This work is particularly important to those suffering from the many forms of Ataxia which still cannot be specifically diagnosed. As we identify the genes responsible we can more quickly identify specific forms, and perhaps more importantly, begin developing treatment models.

Additionally, we need to continue to create incentives for additional private research aimed at the so-called orphan diseases. These relatively rare conditions do not receive the resources and attention that are often associated with more common public health problems like cancer and heart disease. I believe these special incentives for those developing orphan drugs have proven to be an unqualified success resulting in more new research on Ataxia, multiple sclerosis, ALS and other neurological disorders.

Even with all these efforts under way, it will still take time to even fully understand the questions we need to be asking about Ataxia. That is why it is so important to inform the public about this work and encourage the medical and emotional support those affected need. International Ataxia Awareness Day should be a substantial step in this direction,

and I anticipate it will be an annual event. At the same time, we can hope that current research foreshadows a day when it will no longer be necessary to raise awareness of Ataxia.

SCIENCE SPENDING

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. BOEHLERT. Mr. Speaker, I insert in the record an op-ed piece that appeared in yesterday's Washington Post—an op-ed that I am also distributing as a Dear Colleague letter.

The column is by Dr. Harold Varmus, a distinguished Nobel Laureate and former director of the National Institutes of Health (NIH) who is now president of the Memorial Sloan-Kettering Cancer Center in New York City.

Dr. Varmus' point is that Congress needs to be investing adequately in science spending across the board, not just at NIH. Improvements in medicine rest on advancements in a wide variety of fields; we can't improve health in this country by focusing exclusively on NIH.

This is advice we would be wise to heed. The federal research portfolio has become too skewed toward medical research. We need to address that imbalance not by reducing funding for NIH but by increasing funding for the other federal research agencies. That would be a wise investment in this time of surplus.

I'm pleased to say that Congress is beginning to take steps in that direction. I know, for example, that the appropriations bill my good friend and neighbor Congressman JIM WALSH has put together includes a substantial increase for the National Science Foundation (NSF).

But we need to make a comprehensive, consistent commitment to funding the entire federal science portfolio more generously. I look forward to working with my colleagues to accomplish just that.

[From the Washington Post, Oct. 4, 2000]

SQUEEZE ON SCIENCE

(By Harold Varmus)

In recent weeks both presidential campaigns have voiced their support of efforts to double the budget of the National Institutes of Health. This is an encouraging sign that the current bipartisan enthusiasm for medical research will continue in the next administration. But it also offers an opportunity to make an important point about the kinds of science required to achieve breakthroughs against disease.

The NIH does a magnificent job, but it does not hold all the keys to success. The work of several science agencies is required for advances in medical sciences, and the health of some of those agencies is suffering.

For the coming fiscal year, Congress has again—magnanimously and appropriately—slated the NIH for a major increase, its third consecutive 15 percent increase. By these actions, Congress has shown that it is determined to combat the scourges of our time, including heart disease, cancer, diabetes, AIDS and Alzheimer's disease.

But Congress is not addressing with sufficient vigor the compelling needs of the other science agencies, especially the National Science Foundation and the Office of Science at the Department of Energy. This disparity in treatment undermines the balance of the sciences that is essential to progress in all spheres, including medicine.

I first observed the interdependence of the sciences as a boy when my father—a general practitioner with an office connected to our house—showed me an X-ray. I marveled at a technology that could reveal the bones of his patients or the guts of our pets. And I learned that it was something that doctors, no matter how expert with a stethoscope or suture, wouldn't have been likely to develop on their own.

Of course, the X-ray is routine now. Medical science can visualize the inner workings of the body at far higher resolution with techniques that sound dazzlingly sophisticated: ultrasound, positron-emission tomography and computer-assisted tomography. These techniques are the workhorses of medical diagnostics. And not a single one of them could have been developed without the contributions of scientists, such as mathematicians, physicists and chemists supported by the agencies currently at risk.

Effective medicines are among the most prominent products of medical research, and drug development also relies heavily on contributions from a variety of sciences. The traditional method of random prospecting for a few promising chemicals has been supplemented and even superseded by more rational methods based on molecular structures, computer-based images and chemical theory. Synthesis of promising compounds is guided by new chemical methods that can generate either pure preparations of a single molecule or collections of literally millions of subtle variants. To exploit these new possibilities fully, we need strength in many disciplines, not just pharmacology.

Medical advances may seem like wizardry. But pull back the curtain, and sitting at the lever is a high-energy physicist, a combinational chemist or an engineer. Magnetic resonance imaging is an excellent example. Perhaps the last century's greatest advance in diagnosis. MRI is the product of atomic, nuclear and high-energy physics, quantum chemistry, computer science, cryogenics, solid state physics and applied medicine.

In other words, the various sciences together constitute the vanguard of medical research. And it's time for Congress to treat them that way. Sens. Christopher Bond (R–Mo.) and Barbara Mikulski (D–Md.) have just proposed to double the budget of the National Science Foundation over five years. This admirable effort should be vigorously supported and extended to include the Department of Energy's Office of Science, which fund half of all research in the physical sciences and maintains the national laboratories that are central to biomedicine.

Scientists can wage an effective war on disease only if we—as a nation and as a scientific community—harness the energies of many disciplines, not just biology and medicine. The allies must include mathematicians, physicists, engineers and computer and behavioral scientists. I made this case repeatedly during my tenure as director of NIH, and the NIH has made significant efforts to boost its support of these areas. But in the long run, it is essential to provide adequate budgets for the agencies that traditionally fund such work and train its practitioners. Moreover, this will encourage the interagency collaboration that fuels interdisciplinary science. Only in this way will medical research be optimally poised to continue its dazzling progress.

H.R. 4292: THE BORN-ALIVE INFANTS PROTECTION ACT OF 2000

HON. JACK QUINN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. QUINN. Mr. Speaker, I would like to commend my colleagues in the House of Representatives for demonstrating their overwhelming support for H.R. 4292 last week. The Born-Alive Infants Protection Act of 2000, which is designed to ensure that all infants who are born alive are treated as persons for purposes of federal law, passed the House with 385 votes.

It has long been accepted legal principle that infants who are born alive are persons and are entitled to the full protection of the law. In fact, many states have statutes that, with some variations, explicitly enshrine this principle as a matter of state law, and some federal courts have recognized the principle in interpreting federal laws. But recent changes in the legal and cultural landscape appear to have brought this well-settled principle into question.

Babies whose lungs are insufficiently developed to permit sustained survival are often spontaneously delivered alive, and they may live for hours or days. Others are born alive following deliveries induced for medical reasons, or following attempted abortions. Enactment of H.R. 4292 is necessary to ensure that all infants who are born alive are treated as legal persons for purposes of federal law.

H.R. 4292 is proposed to codify (for federal law purposes only) the traditional definition of "born alive" that is already found in the laws of most states: complete expulsion from the mother, accompanied by heartbeat, respiratory, and/or voluntary movements.

Although I was unable to vote on this legislation, I wholeheartedly support it and urge its enactment into law.

H.R. 4365: CHILDREN'S HEALTH ACT OF 2000

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mrs. MYRICK. Mr. Speaker, a woman who becomes pregnant in less than ideal circumstances has a difficult road ahead no matter what action she takes. She faces serious questions about what will happen to her future: Will the father help? How will I afford the costs? What will my family think and will they support my decision? How am I going to get through this? It is an incredibly scary time and the ultimate question is whether her life will ever be the same.

My biggest concern for a woman in this situation is that she may see abortion as the easiest solution—when there is no easy choice. Too often, I hear stories about women who are frantic for a solution and rush to an abortion clinic without learning about the long-term emotional and physical consequences. As a mother and a grandmother, I can tell you that

pregnancy changes a woman's life forever—even if the pregnancy is not carried to term.

The law states that women have the right to choose between carrying the baby and aborting it. Before she makes the decision, I pray that she is given the information and the support to truly be able to choose what is best for her and the tiny baby.

This bill strengthens a woman's choices in two ways. First, it increases access to information about adoption in the health clinics where it is needed most. Women facing unplanned pregnancies deserve to hear about their options from a well-trained counselor who can provide accurate, up-to-date information and refer them to a reputable placement agency.

This bill also authorizes a new grant program for research and additional services (such as mobile health clinics to provide comprehensive health services, including ultrasound screenings), to enhance access to health care for pregnant women and infants, including grants to increase access to prenatal care, ultrasound services, and prenatal surgery.

Prenatal surgery is now a very realistic option. Look at this picture that was taken by Max Aguilera-Hellwag—this baby underwent prenatal surgery to correct spina bifida. Sarah Marie Switzer was born on August 22, 1999.

Mr. Speaker, there are many exciting programs contained in this bill, and I urge my colleagues to vote in favor of H.R. 4365.

IN RECOGNITION OF BENNIE L. THAYER

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Ms. VALÁZQUEZ. Mr. Speaker, I rise today to pay a sad farewell to Bennie Thayer, the long-time President and Chief Executive of the National Association for the Self-Employed, who died October 2.

As a retailer and manufacturer himself, Mr. Thayer knew small business issues from the inside out. On the first day that I became the Democratic leader of the House Small Business Committee, he came to my office to advocate the need to accelerate the 100 percent deduction of health insurance for the self-employed.

He was a regular fixture in the Halls of Congress, where he frequently testified about the importance of simplifying government regulations for small businesses, clarifying the home-office deduction and promoting tax fairness.

When Mr. Thayer talked, I listened, because I knew he spoke straight from the heart of the small business community.

He has such an impressive history of accomplishments on behalf of small businesses that it is impossible to list them all adequately. He chaired and served on the boards of numerous local and national business associations concerned with economic development, credit development, small business enhancement and general business growth. In this capacity, he advised three Presidents on small business issues.

He authored a book that examined health care issues from the standpoint of small business owners. It was called, ''We, the People: An American Solution to Health Care Reform.''

But his accomplishments don't stop there. He served as the State Chair of the Maryland delegation to the 1995 White House Conference on Small Business and as the Regional Implementation Chairman. He was also on the Microsoft Small Business Technology Board to promote computer and information technology to small businesses nationwide. And he served as the Co-Chairman of the Maryland Delegation to the 1986 White House Conference on Small Business.

He was a renowned public speaker, appearing on various radio and television shows to increase awareness of the opportunities and challenges of the self-employed.

I will remember Bennie Thayer as a passionate champion of small businesses, a man of principle and someone who cared deeply about his community.

While the nation's small businesses have lost a great advocate, Mr. Thayer's legacy will live on in Congress and in the hearts of the self-employed.

I salute Bennie Thayer and extend my sympathies to his family.

A LETTER FROM THE HUNGARIAN AMBASSADOR

HON. ERNEST J. ISTOOK, JR.

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Mr. ISTOOK. Mr. Speaker, I submit the following letter from the Hungarian Ambassador into the CONGRESSIONAL RECORD.

THE AMBASSADOR OF HUNGARY,
October 4, 2000.

Hon. ERNEST J. ISTOOK, Jr.,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN ISTOOK: I am deeply moved when I express my heartfelt gratitude to you and your distinguished Colleagues in the House of Representatives on the adoption of H. Con. Res. 400 congratulating my country, Hungary, on the 1000th anniversary of its statehood. I am particularly indebted to Congressman Frank Pallone, who initiated the resolution, and your 29 Colleagues, who joined you as co-sponsors.

The eloquence and historical depth of the resolution will surely impress all my compatriots, as well as hundreds of thousands of Americans of Hungarian descent. Being a historian myself and as someone who lived through a greater part of the 20th century, which brought so much misfortune to my people, I also very much appreciate the words used by you and your colleagues in approving the resolution. On this occasion let me share a few ideas with you on the links that bind your great nation of America with Hungary.

The people of Hungary have been admirers of the United States for well over two centuries. We, too, have fought for our freedom and independence several times during these centuries. We felt your nation's sympathy in many difficult periods, particularly in 1848/49 and 1956. In 1978 the United States returned the Holy Crown of St. Stephen, kept in safety at Fort Knox since 1945, to the Hungarian people, boosting our morale and pride in our history, thus contributing to the process which led to the peaceful transformation of the political system of Hungary in 1989/90.

I am pleased to say that we, Hungarians, are not alone in celebrating the establishment of the State. Like the United States, Hungary is also a nation of immigrants. When our ancestors moved into the Carpathian Basin they soon absorbed its sparse Slavic and Turkic population. Later on we welcomed many individuals and whole national groups in search of a better life and more freedom. Thus credit for the achievements of our thousand year old history goes not only to our Founding Fathers, but to all those who joined our nation through the centuries, embraced our culture and language and enriched us immensely with their industry, knowledge, culture and traditions. Among our neighbors, the Slovaks shared a common state with the Hungarians for over 1000 years, and the Croats a union for 800 years. But all the peoples of Central and Eastern Europe joined the Hungarians at one time or other struggling against common enemies, sometimes even under common Sovereigns. Hungary was also open for refugees escaping war and oppression and it became a truly multinational country, showing both good and bad examples how to get on with many languages and cultures. The resolution appropriately points out the outstanding contributions in science, arts, culture and economy that Jewish Hungarians provided to our nation. Later on many of our citizens left the homeland, in order to seek knowledge, freedom or opportunity. That is how we established so many links to Western Europe and the Americans. Thus, the Hungarian Millennium is a common Central European celebration, and also a Trans-Atlantic one.

The bust of Louis Kossuth, Governor of revolutionary Hungary in 1849, and later a refugee most warmly received in the United States in 1851/52, stands in one of the hallways of the Capitol. The dream of Kossuth and so many other Hungarians has come true: our two nations have become allies. We are working together to turn South-Eastern Europe, a region of conflicts, into a stable and prosperous one. We are fighting jointly against international crime and terrorism, and the rights of people oppressed. We count on your support in our efforts to seek the safeguarding of the rights of close to three million Hungarians residing in the states bordering on Hungary.

A historian of ancient Rome, Sallustius, stated: ''Truly not armies nor treasurers are the safeguards of a kingdom, but friends.'' We, Hungarians, have a modest army and small wealth, but a great friend in the United States. We are grateful for your friendship and for the resolution which is such a beautiful testimony of that.

Sincerely yours,

GEZA JESENSZKY.

REPUBLIC OF CHINA NATIONAL DAY

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. PETERSON of Minnesota. Mr. Speaker, our long time ally and close friend, the Republic of China on Taiwan, will be celebrating its 89th anniversary on October 10th.

Just like our 4th of July, their National Day marks the beginning of a fantastic story of struggles and triumphs—a story of economic miracles, social and political progress, and cultural leadership unlike any other. The National Day celebrates the past successes and ongoing efforts of a group of people committed to the idea that all citizens should be able to participate in the politics of the country they live in.

This October 10th is especially poignant because it marks the first time that newly elected President Chen Shui Bien will lead the celebration. Both President Chen and his Vice President Annette Lu have been working hard to continue to strengthen the bonds between the United States and Taiwan.

In my state of Minnesota we know that those bonds go beyond issues of national security and foreign policy minutiae. In my district we see how those ties connect with our agricultural economy. Last year the Republic of China on Taiwan pledged to purchase over $1 Billion dollars worth of grain, much of it out of the Red River Valley of the North in northwestern Minnesota. The previous year they pledged to buy $1.1 Billion over 12 months, and that goal was actually reached in less than 9 months. They have been good customers for the farmers in my district and I look forward to seeing that continue in future years.

Taiwan has built its relationship with the government and people of the United States by being a good international citizen. I congratulate the Republic of China on Taiwan and its people on their 89th National Day, and look forward to many years of close ties between our two nations.

GENERAL PULASKI MEMORIAL DAY PROCLAMATION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to recognize that October 11th marks the 221st anniversary of the death of a Polish military hero who sacrificed his life in the fight for American liberty, General Casimir Pulaski. Every year, Poles and Americans alike honor this great man, known as the ''Father of American Cavalry,'' for his dedication to the cause of freedom, and his brave contributions to both the American Revolution and the fight for Poland's independence.

General Pulaski was a romantic figure and brilliant military strategist, known throughout Europe for his valiant defense of Poland's freedom from the imperialism of Russia and Prussia. Eventually outnumbered in the fight for Poland, Pulaski was exiled to Paris, where Benjamin Franklin recruited him to join the American Revolution.

Pulaski quickly established himself as a talented and effective military leader at the battle of Brandywine under George Washington. Recognizing his potential, Congress granted Pulaski an independent cavalry, which became an entity feared and respected by British foes.

On October 11, 1779, Pulaski crusaded for freedom one last time during the siege of Savannah. Galloping to the rescue of a fellow commander, Pulaski was mortally wounded by British cannon fire. He died the way he lived—freely, valiantly, and purposefully.

Mr. Speaker, on behalf of all Americans, allow me to pay tribute to this great Polish man to whom, in part we owe our freedom.

INTRODUCTION OF A REVISION TO THE STRUCTURED SETTLEMENT PROTECTION ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. SHAW. Mr. Speaker, today I introduce a revised version of the Structured Settlement Protection Act, which I had introduced earlier in this Congress along with my colleague Mr. STARK and a broad bipartisan group of cosponsors constituting a majority of the Ways and Means Committee. The revised legislation I am introducing today, again joined by Mr. STARK, will bring a final resolution to the issue known as ''factoring'' of structured settlement payments.

I am a long-time supporter of the use of structured settlements to compensate victims of physical injuries. Structured settlements constitute a private sector funding alternative to taxpayer-financed programs to meet the ongoing, long-term medical and living needs of seriously-injured victims and their families. Structured settlements enable these injured people to live with dignity, free of reliance on government. For these reasons, Congress adopted special tax rules to encourage the use of structured settlements to provide long-term financial security to injured victims and their families.

The legislation I am introducing today addresses concerns that have been raised over the ''factoring'' of structured settlement payments, in which the structured settlement recipient sells future payments for cash. The legislation protects the Congressional policy underlying structured settlements by providing that a stiff excise tax would be imposed on a factoring transaction unless a State court approves the transaction in advance upon a finding that the factoring transaction is in the best interests of the victim, taking into account the welfare and support of the victim's dependents, and a further finding that the transaction does not contravene applicable statutes and court orders.

This legislation has been agreed to by the National Structured Settlements Trade Association (NSSTA) on behalf of the structured settlement industry and the National Association of Settlement Purchasers (NASP) on behalf of the factoring industry. I submit for the record a joint letter of support for this legislation from NSSTA and NASP.

An identical structured settlement protection provision has been included in S. 3152, the ''Community Renewal and New Markets Act of 2000'', introduced on October 3 by Senate Finance Committee Chairman ROTH and cosponsored by a bipartisan group of 15 Members of the Senate Finance Committee. The structured settlement protection provision in Chairman ROTH's package has been scored as essentially revenue neutral.

Enactment of this legislation—which is part of an overall package of Federal and State legislation which has been agreed to by the two sides in the debate—will bring a final resolution to all of the issues surrounding structured settlement factoring. I strongly urge the enactment of this important legislation as soon as possible.

Re Agreement between the National Structured Settlements Trade Association and the National Association of Settlement Purchasers on Proposed Legislation Covering Transfers of Structured Settlement Payments.

SEPTEMBER 13, 2000.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.
Hon. WILLIAM V. ROTH, Jr.,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

DEAR MESSRS. CHAIRMEN: The National Structured Settlements Trade Association (NSSTA) and the National Association of Settlement Purchasers (NASP) have agreed on the concepts and language of the attached package of Federal and State legislation that would protect the Congressional policy underlying structured settlements and would regulate transfers of structured settlement payments to companies in the business of acquiring future structured settlement payments from recipients in exchange for a lump sum. These transfers are sometimes referred to as structured settlement ''factoring'' transactions.

The Federal and State measures are each necessary components of a single legislative package. (Legislative language for the Federal and State measures is attached.) Under the agreed approach, the States are given the consumer protection role. The proposed State legislation provides for court review of all proposed factoring transactions to ensure that a proposed transaction is appropriate under the circumstances. Specifically, in order for the transaction to proceed, the reviewing court must find that the transaction is in the best interest of the payee, taking into account the welfare and support of the payee's dependents, and that the transaction does not contravene other applicable statutes and court orders.

The Federal measure protects the Congressional policy underlying structured settlements by providing that a stiff excise tax would be imposed unless the requisite State court approval is obtained under a State structured settlement protection statute requiring findings that a transfer is in the best interest of the payee, taking into account the welfare and support of the payee's dependents, and that the transfer does not contravene applicable statutes and court orders. The Federal measure would also assure that the parties to a structured settlement are not subject to adverse tax treatment in the event of a later transfer of payments under that settlement.

The Federal measure is similar to H.R. 263, sponsored by Reps. Clay Shaw (R–FL) and Pete Stark (D–CA) and co-sponsored by a broad bipartisan majority of the House Ways and Means Committee, and S. 1045, sponsored by Sens. Max Baucus (D–MT) and the late Sen. John Chafee (R–RI) and co-sponsored by a total of 6 Members of the Senate Finance Committee.

The State measure is complementary to the Federal measure. The State measure lays

out the process for court approval of proposed transfers of structured settlement payments, including required disclosures to the payee and protections for the other parties to the structured settlement. Legislation similar to the State measure has been enacted in 16 States, and the National Conference of Insurance Legislators (NCOIL) has recently adopted a Model Structured Settlement Transfers Protection Act that closely resembles the State measure. The prospect of the Federal excise tax—which (following a transition period) would be payable by the company acquiring the payments from the structured settlement recipient in any transfer that has not received State court approval—will provide important impetus for enactment of the necessary State legislation in the remaining States (and enactment of conforming changes in States that have already enacted legislation) and for compliance with the State regulatory regime in light of the multi-state nature of structured settlement payment transfers.

Federal tax legislation that addresses only the issue of tax certainty for the parties to the structured settlement would be detrimental to our common objective of reaching a final legislative resolution of all of the issues surrounding transfers of structured settlement payments. Accordingly NSSTA and NASP would oppose the enactment of Federal tax legislation in this Congress which addresses only the tax certainty issue.

NSSTA and NASP respectfully request that you work with Reps. Shaw and Stark, Sens. Baucus and Grassley, and other members of the Ways and Means and Finance Committees to enact the attached Federal measure this year in order to achieve a final resolution of the issues surrounding transfers of structured settlement payments.

Sincerely,

National Association of Settlement Purchasers on behalf of its members, Singer Asset Finance Company L.L.C., Settlement Capital Corporation, J.G. Wentworth S.S.C., L.P., Settlement Funding LLC, d/b/a Peachtree Settlement Funding, Stone Street Capital, Inc., and other NASP members.

National Structured Settlements Trade Association, on behalf of its members.

The undersigned settlement purchasers, although not members of NASP, hereby confirm that they concur in and agree to comply with and support the undertakings made by NASP in the foregoing letter:

Metropolitan Mortgage and Securities Co. Inc.

JOHN E. CHAPOTON,
Vinson & Elkins L.L.P., representing NASP.

JOHN S. STANTON,
NANCY GRANESE,
Hogan & Hartson L.L.P., representing NSSTA.

HONORING ISABELLA ''BELLE'' CUMMINS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GEKAS. Mr. Speaker, I rise today at the close of the 106th Congress to remember an outstanding individual who was a native of my own state of Pennsylvania and a friend to me and many of my colleagues, Isabella ''Belle'' Cummins. Belle tragically passed away in May of this year.

Belle was a familiar sight around the halls of the Capitol, where she served as staff counsel to the House Judiciary Committee from 1987 to 1991. During this time she was instrumental in gaining the passage of a national apology to Japanese-Americans for their internment during World War II. In 1991, Belle joined with former Representative Peter Kyros to establish the firm of Kyros and Cummins, where she promoted biomedical research causes until her untimely passing. She was an expert on administrative law, social security, and tort reform as well.

A decade ago, Belle played an instrumental part in developing the Congressional Biomedical Research Caucus, of which I am a Co-Chairman. This year the Caucus celebrates its tenth anniversary. Without the extraordinary efforts of Belle Cummins ten years ago and throughout the past decade, the Caucus would not have achieved the tremendous level of success that it garners today. With Belle's great assistance the bipartisan Caucus has grown to almost one hundred Members. The goals of the Caucus coincide with those Belle championed herself increasing funding for the National Institutes of Health and developing new and improved methods in biomedical research. Tragically, before science could repay with a cure its debt to her for her fantastic efforts in the field of biomedical research, Belle succumbed to cancer only one month after her diagnosis.

Belle had an upbeat attitude and positive outlook that could not be diminished. Belle was well-loved and well-respected by Members and staff alike on both sides of the aisle. Belle's reputation preceeded her, as she was often able to gain meetings with Members of the House or Senate when others could not. Perhaps no greater testimony to the impact Belle Cummins had on all of those who were privileged to know her could be found at a memorial held in her honor by family and friends in the Rayburn building last June. Countless friends and family attended to remember Belle, and many Members of Congress, staff, friends, and relatives shared their memories of her as a driven and determined, yet kind, generous, and positive individual.

Words cannot adequately express my extreme gratitude to Belle not only for her enormous efforts on legislative interests we shared, but for her friendship that spanned more than a decade. With Belle's passing, all of Congress suffers a great loss. My dear friend Belle Cummins is, and will be, greatly missed.

SUPPORTING SERBIAN PEOPLE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. PAYNE. Mr. Speaker, I rise in support of the Serbian people. The Serbian people won a great victory yesterday in the streets of Belgrade. They vindicated their choice for democracy and freedom that they exercised in the presidential elections of September 24. I congratulate the democratically elected President Vojislav Kustinca and the brave people of Yugoslavia who refused to allow their victory to be stolen from them.

It is now time for the West to welcome Yugoslavia into the family of free nations and to assist its new President to rebuild the country from the ravages of war.

TAIWAN'S NATIONAL DAY

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. ROHRABACHER. Mr. Speaker, I extend congratulations to the 23 million people of Taiwan and their democratically elected government, led by President Chen Shui-bian and Vice-President Annette Lu, on the occasion of Taiwan's forthcoming National Day.

Taiwan has become a beacon of democracy in the Asia-Pacific region, despite the threat of military force by Communist China. I have seen tremendous positive changes in Taiwan, from my first visit in 1967, when the island republic was under virtual martial law. Within the past three decades, as basic freedoms and civil liberties have become ingrained, Taiwan has evolved into a powerful economic engine for the entire region. Today the people of Taiwan are enjoying unprecedented prosperity and deserve international respect and admiration.

I have strongly supported Congressional resolutions advocating that Taiwan be permitted as an independent entity into international organizations, such as the World Health Organization and the World Trade Organization even before Communist China is admitted.

The government of communist China should never forget the importance of the freedom of Taiwan to the people of the United States. I wish even greater social and economic success for Taiwan in the coming years.

THE SOUTHEAST EUROPE TRADE PREFERENCE ACT

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HOUGHTON. Mr. Speaker, today I've introduced the Southeast Europe Trade Preference Act (SETPA), a modest yet important bill that was originally introduced in the Senate by the Senior Senator from New York. This bill is designed to promote meaningful economic development and stability in Southeast Europe through additional trade benefits targeted to certain countries in Southeast Europe.

The bill, modeled on the recently passed Caribbean Basin Initiative, with some key changes. The bill authorizes the President to proclaim duty-free treatment for all eligible articles from the following countries, subject to specified conditions: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Former

Yugoslav Republic of Macedonia, Romania, Slovenia, Kosovo, and Montenegro.

Mr. Speaker, this is a timely piece of legislation, especially when considering the changes occurring right now in the Federal Republic of Yugoslavia (FRY). As you know, following the recent elections and yesterday's uprising in Belgrade, Vojislav Kostunica is the president-elect of Yugoslavia and international war criminal Slobodan Milosevic has apparently been ousted. This is terrific news for the region, and the world.

The SETPA would extend duty-free treatment to products that are currently not eligible under the GSP program, including certain iron and steel products, certain agricultural products, footwear, glassware, ceramics, automobiles, bicycles, clocks and watches. The only product that would not receive additional coverage is textiles, in order to protect that fragile industry here in the United States.

It is important to note that the bill contains common sense protections for U.S. industries such as a provision that prohibits the President from designating any country a beneficiary country of the bill if that country has seized ownership of any property owned by a U.S. citizen or corporation, or has taken steps to do so.

That important provision can be waived if the President reports to Congress that compensation has been or is being made to the owner, or good-faith negotiations to provide such compensation are in progress. If the country is otherwise taking steps to discharge its obligations under international law; or a dispute over compensation for such a seizure has been submitted to arbitration under the Convention for the Settlement of Investment Disputes, the provision may also be waived.

Other grounds which could disqualify a country for designation as a beneficiary include a failure to recognize or enforce arbitral awards in favor of U.S. owners, the preferential treatment to the products of a developed country other than the United States, with significant adverse effect on U.S. commerce, the broadcast of copyrighted material belonging to U.S. copyright owners by a government-owned entity without the owners' express consent, or the absence of a treaty or other agreement regarding the extradition of U.S. citizens. Failure to take steps to afford workers in the country certain internationally recognized worker rights will also disqualify a country, as does membership in the European Union.

The President is, of course, able to waive these prohibitions should he report reasons for doing so to Congress, except in the case of membership in the European Union.

Importantly, the bill sets specific conditions for the beneficiary designation of the Federal Republic of Yugoslavia (FRY). With the sweeping changes now occurring in that nation, we want to be certain that the Administration is free to act accordingly should the FRY take the steps necessary for beneficiary designation.

A number of reports are necessary, and thus would be required after passage of the SETPA, to be sure that the bill does no harm to the United States. Section 8 of the bill requires the U.S. International Trade Commission to report to Congress and the President on the economic impact of this Act on U.S. industries and consumers, and Section 9 directs the Secretary of Labor to review, analyze, and report to Congress on this Act's impact on U.S. labor, as well as developments in labor conditions in the beneficiary countries.

Finally, Mr. Speaker, I would just like to say that this bill is good for the people of Southeast Europe, and good for the people of the United States. It will promote economic and political security in this important area of the world following the recent devastating conflicts of the area, and will enhance the economic and national security interests of the United States in Europe. I know that it's late in the session—really too late to consider the bill this year—but I would hope that we can take this bill up at the earliest possible opportunity in the 107th Congress.

INTRODUCTION OF LEGISLATION TO RENAME THE McKINNEY ACT, THE McKINNEY-VENTO HOMELESS ASSISTANCE ACT

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. LAFALCE. Mr. Speaker, today I have the honor to introduce legislation that would rename the Stewart B. McKinney Homeless Assistance Act the McKinney-Vento Homeless Assistance Act, in tribute to Congressman BRUCE VENTO's tireless commitment to the homeless. I hope we can speed the enactment of this bill into law prior to the adjournment of the 106th Congress.

BRUCE F. VENTO has been a passionate champion and effective advocate on behalf of homeless people throughout his career. Traces of his tireless commitment can be found on any forgotten street in urban America: in a shelter where families can go for a hot meal, or a vacant building that has been converted into a place where the homeless can find a bed, and a roof over their heads. BRUCE wrote many of the laws that bring compassion and comfort to our poor and destitute every single day. It is most appropriate that we honor what he has done on behalf of some of our most vulnerable citizens.

In 1982, BRUCE VENTO introduced legislation to create the Emergency Shelter Grant Program. He was the first Member to bring the plight of our nation's homeless people to the attention of the Banking Committee in Congress. An amendment he attached to a housing bill, to provide matching grants to repair vacant buildings to be used as temporary shelters, became the first national legislation to provide federal assistance for emergency homeless shelters.

Throughout the 80's, BRUCE worked time and time again with other Banking Committee Members to build the coalitions and the interest necessary to enact comprehensive legislation to help the nation's homeless. In early 1987, he worked to pass an aid package that included $100 million for a program of emergency shelter grants to help charitable organizations and state and local governments renovate buildings for the homeless, and succeeded in enacting the legislation into law.

In that same year, BRUCE VENTO was an original author of a larger, more comprehensive measure that became known as the Stewart B. McKinney Homeless Assistance Act. This legislation was the first and only coordinated federal initiative directed toward the problem of homelessness, and the only social program that was passed during the Reagan era. The McKinney Act seeks to meet some of the most immediate needs of the homeless: shelter, food, health care, education, job training services, and transitional housing through programs at HUD, FEMA, HHS, the Education and Labor Departments.

It is particularly fitting to honor BRUCE VENTO by joining his name with that of his friend and colleague, Stewart B. McKinney, on legislation they worked together on for so many years. In 1987, after Representative McKinney's passing, BRUCE took a leading role in seeking to name the program that would serve homeless persons the McKinney Act because of Stewart McKinney's "close association and concern and compassion that he espoused and reflected throughout his service" in Congress. These words which BRUCE used to describe Stewart McKinney are equally applicable to him. In fact, our former Banking Committee chairman, Henry B. Gonzalez, used to call BRUCE the "Father of the Homeless."

BRUCE VENTO didn't stop with the enactment of the landmark homeless assistance act. Throughout the remainder of the 1980's and 1990's, he introduced the McKinney reauthorization acts of 1988, 1990, 1992, and 1994, pushing the provisions through our Banking Committee and the other Committees with jurisdiction, while continually seeking additional appropriations and fighting attempts to lessen resources for homeless persons.

BRUCE was also the chief sponsor of the House version of the Rural Homelessness Assistance Act. In 1992 he was the first Member of Congress to join with over 50 organizations across the country to sign onto the report, "Beyond McKinney; Policies to End Homelessness." In February of 1993, the Speaker of the House announced the formation of the Speaker's Task Force on Homelessness organized at the request of President Bill Clinton. BRUCE VENTO was appointed as Chairman of the Task Force, which issued a comprehensive, nationally recognized report to the Speaker one year later.

During the past few years, BRUCE has continued to work hard on the McKinney Act, even as the majority party on the Banking Committee has taken the lead in introducing reauthorizing legislation. BRUCE has worked to strengthen, maintain and renew the funding and the requirement for permanent housing funds in McKinney Act programs. He also authorized language that improved prevention planning and activities so that people do not become homeless due to lack of foresight or planning. The Vento prevention language added discharge planning requirements for persons who are discharged from publicly funded institutions—that is, mental health facilities, youth facilities and correctional facilities—so that people are not merely discharged to the streets.

BRUCE also introduced the Stand Down Authorization Act. Created by several Vietnam

veterans, Stand Downs are designed to give homeless veterans a brief respite from life on the streets. The Stand Down bill would, in conjunction with the grassroots community, expand the VA's role in providing outreach assistance to homeless veterans. In this Congress, H.R. 566 gained the strong support of over 100 bi-partisan cosponsors, the VA, the American Legion, the Veterans of Foreign Wars (VFW) and the Disabled American Vets (DAV).

As he worked with all of us in this Congress, BRUCE consistently strove to improve, and even save, the lives of homeless men, women and children around this nation. In the tradition of Minnesota's great leader, Hubert H. Humphrey, BRUCE has always believed that we are elected to formulate and enact policies which improve the quality of life of our citizens. I have had the pleasure of working with him for almost a quarter of a century, and have been continually inspired by the strength of this commitment and the energy with which he has pursued it.

I urge you to join me in cosponsoring, and advocating for speedy passage of, the McKinney-Vento Act bill so that we can duly honor a colleague who has worked long and hard for the most vulnerable Americans, people who are without a home to call their own.

TAIWAN NATIONAL DAY

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GEKAS. Mr. Speaker, on the occasion Republic of China's forthcoming National Day, I wish to offer President Chen Shui-bian and his people my best wishes.

Taiwan is a proud nation that has made extraordinary progress in many areas, economic and political. Economically, the people in Taiwan enjoy one of the highest standards in the world; politically, it has a vibrant democracy with free elections, respect for human rights and a free press. Best wishes to President Chen Shui-bian and his people. May they continue to enjoy economic and political successes.

CHELTENHAM TOWNSHIP

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HOEFFEL. Mr. Speaker, I rise today to recognize Cheltenham Township in Montgomery County, Pennsylvania in welcoming dignitaries from their sister city of Cheltenham, England. The dignitaries have come to Cheltenham to celebrate 100 years as an Official First Class Township.

The visit is another exchange in the long-standing relationship between the two communities, which actually began with the founding of Cheltenham, Pennsylvania. Two of our founding fathers brought the name with them from their former home near Cheltenham, England, when they settled in America in the 1600s. The visiting dignitaries include Mayor Daphne Pennell and her daughter, Lorraine, Councillors Brian and Alexis Cassin, Councillor William Todman, and Twinning Officer Annette Wight.

For many years, representatives from both communities have visited their counterparts on official or pleasure trips, forging a bond of friendship and exchanging insights on municipal operations. This year's visit coincides with Cheltenham Township's Community Harvest Festival which attracts families from around the region with activities like haunted hayrides, a craft sale, live music, kids' games and a grand fireworks finale. The dignitaries will also have the opportunity to meet with township and school board officials, tour historic Philadelphia and be honored at a dinner with Centennial Celebration Committee members and other local, county and state officials.

I am pleased to recognize our visitors from Cheltenham, England to Montgomery County and it is my hope that their visit is an educational and rewarding experience in the United States.

A TRIBUTE TO DR. JAMES LEWIS CRAIG III

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. UNDERWOOD. Mr. Speaker, I would like to take this occasion to commend and congratulate a fellow educator and former colleague at the University of Guam on the occasion of his retirement. Dr. James Lewis Craig III has had a distinguished career which has taken him to many different parts of this country and the world in a span of almost five decades.

A seasoned veteran in the field of education, Jim Craig worked on a wide range of areas. Having great interest in the field of education early in life, he took undergraduate courses at Oregon State College from 1954 until 1956. He later joined the military and served until 1960. True to his calling, he spent two and a half years of his enlistment working as a military instructor. Upon his discharge from the military, he opted to spend part of 1960 and 1961 in Europe. While in Munich, Germany, he took courses with the University of Maryland extension program. He later resumed his undergraduate work at Oklahoma State University where he was awarded a bachelor's degree in Elementary Education in 1963.

Upon graduation, Jim worked as an elementary school teacher for the Albuquerque Public School System in Albuquerque, New Mexico and he taught grade school children from 1963 until 1971. During this period, he was also working towards a master's degree. In 1967, the University of New Mexico awarded him an M.A. in Educational Administration.

Between 1971 and 1974, Jim worked as a graduate teaching assistant at the University of New Mexico. He additionally did consulting work for several state agencies and was awarded grants to develop and implement Early Childhood Education programs. Around the same time, he earned a Ph.D. in Educational Foundations (Educational Sociology) from the University of New Mexico. Jim later served as an Assistant Professor of Education at the Southwest Missouri State University. Between 1974 and 1975, he taught graduate and undergraduate courses in Education and directed institutional research towards accreditation from the National Council for Accreditation of Teacher Education (NCATE). In 1975, Jim moved to Australia where he worked for the Churchlands College of Advanced Education in Perth Australia. He served as vice-chair of faculty at the Australian College of Education and later was elected divisional Councillor of the Western Australia Teacher Education Staff Association. He was also a member of the adjunct faculty of Murdoch University in Perth, where he taught a graduate course in Educational Research.

Jim's ties with the island of Guam go back to 1977 when he started work with the University of Guam. He initially served as an associate professor and Chair of the University's Department of Early Childhood Education. In 1983, Jim was awarded tenure and promoted to Professor of Education. After serving as Vice President for Administrative Affairs, Jim returned to the College of Education faculty in 1989. Upon his return, he authored and received funding for a number of grants and was elected various posts such as Vice-Chair of the University Faculty Council, Chair of the College of Education Academic Affairs Committee, Chair of the College of Education Graduate Program, and served as a member of the University Program Review, Promotion, and Tenure Committees.

In 1992, Jim was appointed Dean of the College of Education, the position that he held until his retirement. As the dean, he chaired several departments within the university namely, the Guam Teacher Corps Council, the University Administrative Council, the University Administrative Salary Task Force, the University Employee Development Council, the Institutional Audit Committee, and the University General Education Task Force. Jim is also credited for the concept of establishing University of Guam Branch Campuses in the Federated States of Micronesia, the Republic of Palau and the Republic of the Marshall Islands.

Jim has made great contributions to the field of Education especially through his work on early childhood education. Most noteworthy is his great contributions in the development and expansion of the College of Education and the University of Guam. He is a role model, he is a leader, and a distinguished colleague. He has been a great personal friend who rendered great assistance to me in my own professional development. On behalf of the people of Guam, I congratulate Jim Craig. I hope that he enjoys his well-earned retirement and wish him the best in his future endeavors. Si Yu'os Ma'ase' Jim.

COMMEMORATE THE REDEDICATION OF THE ELMER JACKSON BRIDGE IN TOPEKA, KANSAS

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. RYUN of Kansas. Mr. Speaker, I rise today to commemorate the rededication of the Elmer Jackson Bridge in Topeka, Kansas, to take place on October 21, 2000.

On June 15, 1920, in Duluth, Minnesota, three young black men were lynched by a mob numbering in the thousands. One of those men was Elmer Jackson, from Topeka, Kansas.

Leading newspapers throughout the North vilified the Duluthians for having stained their city's good name and castigated them for being evil, murderous racists. The governor of Minnesota, J.A.A. Burnquist commissioned his adjutant general to launch a formal investigation. Three dozen men were indicted for taking part in the mob action. And one year later, in reaction to the event, the state legislature enacted an anti-lynching law.

Michael Fedo, a former journalist, has written an account of the incident entitled the Lynchings in Duluth, based on newspaper accounts, court records and state files. The account of the lynchings shows that the mentality necessary for such events was not particular to any region.

Mr. Speaker, I rise today to commend Mr. Fedo and the various individuals and organizations involved in this effort for raising our consciousness by recognizing a painful time in our nation's history.

INTRODUCTORY STATEMENT FOR THE MILLENNIUM CANCER RESEARCH ACT

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Ms. PRYCE of Ohio. Mr. Speaker, I rise today, along with my colleague Congresswoman LOIS CAPPS, to introduce the Millennium Cancer Research Act. This important legislation authorizes a five-year demonstration project designed to increase the flexibility, effectiveness and creativity of our nation's cancer research program. It has been developed in collaboration with the National Cancer Institute (NCI) and my colleagues in the Senate, in an effort to encourage high impact, cutting-edge research that will lead to future progress in the fight against cancer.

Mr. Speaker, each year millions of Americans are touched by cancer, as they or someone they know is struck by this terrible disease. We have made enormous strides in the war against this most formidable of opponents, but we must do more to accelerate success. As scientific breakthroughs occur and innovations happen, our nation's cancer laboratories must be able to build upon them and should not be hindered by red tape.

This legislation will allow for a restructuring of the National Cancer Institute that will help to rid its scientific laboratories of redundancy and inefficiencies that slow progress in our ongoing battle against cancer. It will command accountability both to peers through mandatory reviews and to Congress through annual reporting requirements. This bill will provide the necessary flexibility to respond quickly to emerging research opportunities and to engage the brightest minds available while maintaining strict congressional oversight. It will allow NCI to streamline existing systems, maximize cost-effectiveness and more easily enter into strategic partnerships and collaborations in pursuit of a cure. In short, it puts in place an administrative structure that reflects the complex way in which research is conducted today.

Specifically, this legislation:

Directs the NCI Director to establish a program to encourage high-impact, high-risk rapid response research;

Provides NCI with authority similar to that given to the Defense Advanced Research Projects Agency (DARPA) to enter into multiparty agreements that recognize intellectual property rights as well as financial and in-kind contributions;

Allows NCI to create one simple and cost-effective personnel system to better recruit and manage priority research programs and initiatives;

Updates the dollar level for grants that must be reviewed by the National Cancer Advisory Board to $300,000, in order to reflect inflation and the pace of science over the last 15 years; and

Requires the NCI Director to report annually to Congress on research initiatives advanced under this legislation and to the NIH Director on the potential benefits of expanding these activities to other Institutes.

Mr. Speaker, we are at a critical juncture in the war on cancer. By the year 2010, we face losing one-fourth of our citizens to this disease every year. At a time of such rapid growth and discovery in the world of medicine, we need to be as thoughtful in forming the institute that leads our nation into the battle against cancer as we are in choosing the science that will help us to win. This legislation will propel our nation toward that goal and I encourage support for this bill.

RYAN WHITE CARE ACT AMENDMENTS OF 2000

SPEECH OF

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 5, 2000

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise in strong support of the Ryan White CARE Act. AIDS is one of the cruelest diseases to strike this nation in recent history. Between 800,000 and 1 million Americans are currently infected with HIV and each day, an average of 100 people are diagnosed with AIDS.

The rate of HIV infection is growing at an even higher rate for minorities. Thirty to forty percent of all Americans with HIV are minorities. But when we break down these numbers, we find that the rate of HIV transmission is spreading most rapidly to women and children. Of all women with AIDS, 76 percent are women of color and of all the children with AIDS, 82 percent are minorities.

Every year I lead a minority women and children AIDS Walk in California—the first of its kind in the country. I do so because in order for the Ryan White CARE Act to truly be effective, community leaders must play an integral role in bringing people together to raise awareness, educate individuals on HIV and AIDS, and build a network of support for families struggling with this disease. The Ryan White funding is crucial, but so is our activism. As leaders in each of our communities we have a duty to help raise awareness of critical issues such as AIDS, and to help our constituents obtain the education, counseling and treatment services they need.

The Ryan White CARE Act implements some valuable and necessary changes that will help more minorities in my district. Specifically it changes the formulas for distributing Title I grants to cities and Title II grants to states to consider the number of cases of HIV infection as well as the number of AIDS cases. Under current law, funds are distributed to cities and states on the basis of the number of AIDS cases alone when we all know that those with HIV are in dire need of these programs. The bill also modifies the current "hold-harmless" provision for cities receiving Title I grants. Under current law, if a city experiences a decline in its Title I formula allocation, its allocation is partially protected by a hold-harmless provision. Also under current law, no city could receive less than 95% of the amount it received in FY 1995; however, this bill changes the hold-harmless provisions so that cities will be protected from losing no more than 2% of their base-year allocation in the first year. The Ryan White CARE Act also establishes a Title II formula grant program for states with "emerging communities" in need of additional resources to combat HIV/AIDS. This supplemental program, which will help the emerging communities in my district, will be triggered when Title II appropriations exceed FY 2000 levels by $20 million.

Finally, the Ryan White CARE Act increases the authorization for the grant program dealing with perinatal transmission of the HIV virus from its current level of $10 million to $30 million. It adds treatment services for pregnant women infected with HIV to the current list of activities, such as counseling, voluntary testing and outreach, that may be funded by these grants. This portion of the bill is particularly important to me as I have been extremely active in trying to secure funding for pilot programs here and abroad to prevent mother-to-child transmission.

I am proud of the bipartisan efforts devoted to this important legislation and know that the Ryan White CARE Act programs will continue to benefit thousands upon thousands of my constituents in need of assistance in my district. I urge my colleagues to join me in voting for this vital, and in many cases, life-saving legislation.

TAIWAN OBSERVES ITS NATIONAL HOLIDAY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. CRANE. Mr. Speaker, on Tuesday, October 10th, the Republic of China on Taiwan will celebrate its national holiday that commemorates the founding of the Republic of China by Dr. Sun Yat-sen in 1911.

Throughout my 31 years in Congress I have continually drawn attention to what has been achieved in Taiwan. It is one of the most dramatic examples in modern history of the power of freedom—that a small island, only slightly larger than the state of Maryland and with relatively few resources of its own, could rise to such a position of prominence in the global marketplace.

But a free market economy—the free exchange of goods and services—is not the only key to Taiwan's great success. The free exchange of ideas has also had a profound impact. And I know I speak for the entire House of Representatives when I say that the evolution of Taiwan's political system into a full-fledged democracy has been a source of great satisfaction to the American people and their representatives in Congress.

On the occasion of this year's R.O.C. National Day we are also pleased to welcome back to Washington a man many of us have known and admired through the years. Chien-jen-Chen—known to his many friends simply as ''C.J.''—is back in town as Taiwan's official representative and director of the Taipei Economic and Cultural Representative Office.

C.J. Chen served in Washington from 1971 to 1980 as a political secretary in what for most of those years was the R.O.C. Embassy. He was back between 1982 and 1989 as Taiwan's deputy representative in the United States. For us old hands here in Congress, C.J. Chen is a well-known figure and a great friend. It's good to have him back.

And I might add that during his years back in Taipei in the 1990s, C.J. Chen served in several high-level posts, including that of Minister of Foreign Affairs over the past year.

Mr. Speaker, it is a pleasure to welcome C.J. Chen back to Washington. And may I also extend the congratulations of Congress and the American people to the Republic of China on Taiwan on the occasion of this year's National Day celebration. May the close ties of friendship and solidarity between our two peoples continue to flourish in the years ahead.

ANNIVERSARY OF THE REPUBLIC OF TAIWAN

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. CROWLEY. Mr. Speaker, The Republic of China on Taiwan will celebrate its birthday on October 10, 2000. Taiwan has much to celebrate, it is a country lead by a freely elected President, with a open and vibrant press, an astonishingly successful entrepreneurial free market economy and a supportive and caring program of government assistance to counties in need all over the world, from war torn eastern Europe to Africa. In March of this year, Taiwan citizens freely chose Mr. Chen Shui-bian, the candidate representing the Democratic Progressive Party, as their president. Since his inauguration on May 20th, President Chen has shown strong leadership on behalf of the 22 million citizens on Taiwan.

Mr. Speaker, on the eighty ninth occasion of the Republic of China's National Day, it is important to remember that Taiwan has a strong relationship with the United States, and we hope this relationship will continue to flourish on the years to come.

IN RECOGNITION OF THE CONTRIBUTIONS OF THE B.F. HOXIE ENGINE CO. NO. 1

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GEJDENSON. Mr. Speaker, today I congratulate the B.F. Hoxie Engine Co. No. 1 of Mystic as it celebrates 125 years of service of its community. The B.F. Hoxie Engine Co. No. 1 has been, and continues to be, a tremendous asset to residents throughout Mystic.

Since its inception in 1875, the B.F. Hoxie Engine Co. No. 1 has played an important and crucial role in protecting the community from fire damage. The company has been responsible for responding to and extinguishing several major fires during its operation, including the Noank Shipyard fires of 1890 and 1898.

Today, the B.F. Hoxie Engine Co. No. 1 stands as a pure example of the evolution of firefighting. Jumping directly into the new technologies of firefighting, the B.F. Hoxie Engine Co. was one of the first fire departments to introduce the use of the compressed air breathing apparatus for firefighters. The company utilizes the latest and most advance equipment available, including a thermal imaging camera to quickly locate the heart of a fire, a laser to measure surface temperature and a Biosystems PhD meter to detect gases in the air.

Powered only by volunteers, the B.F. Hoxie Engine Co. No. 1 is responsible for founding Mystic's first ambulance service, providing EMT service and responding to highway accidents and other emergencies, as well as hosting a weekly fish frying fund-raiser during a portion of the year to benefit the activities of the department.

Volunteer firefighters are true American heroes. They give their time and their energy to protect our families, our homes and our treasures. Some brave volunteers make the supreme sacrifice every year to save their neighbors and to make our communities safer.

Mr. Speaker, the members of the B.F. Hoxie Engine Co. No. 1, past and present, exemplify these qualities every day. I join with residents throughout Mystic and southeastern Connecticut in congratulating the B.F. Hoxie Engine Co. No. 1 on the occasion of its 125th anniversary.

REGARDING THE NATIONAL DAY OF TAIWAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HASTINGS of Florida. Mr. Speaker, today I take a moment to congratulate our friends and allies in the Republic of China on Taiwan as they prepare to celebrate their National Day on October 10. As a Member of the House International Relations Subcommittee on Asia and the Pacific, it gives me special pleasure to mark this occasion.

As my colleagues know, the Taiwanese people recently made history as they successfully and peacefully held their second democratic presidential election and chose Mr. Chen Shui-bian, the candidate from the opposition party, as their head of state. President Chen and the people of Taiwan are to be commended for that landmark achievement.

Like his predecessors, President Chen continues to seek a proper role for Taiwan in the international community. President Chen also has sent goodwill messages many times to resume a dialogue with the People's Republic of China. In the meantime, he exhorts his countrymen to make Taiwan a strong, peaceful, and worthy ally of ours in a region that is so important to our national interest.

I join with my colleagues in the Congress and many Taiwanese-American friends in the United States in congratulating the people of the Republic of China on Taiwan on this 89th anniversary of their National Day.

A POINT OF LIGHT FOR ALL AMERICANS: REV. DR. JAMES S. BULLOCK, PASTOR, HOLY SACRED BAPTIST CHURCH

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. OWENS. Mr. Speaker, I rise to pay tribute to Rev. Dr. James S. Bullock, the distinguished Pastor and Spiritual leader of Holy Sacred Baptist Church in Brooklyn, New York.

Dr. Bullock, the former Pastor of Mars Hill Baptist Church of Coney Island, New York, was called to Holy Sacred Baptist Church in August of 1999 and was installed on December 19, 1999 by The Metropolitan Interdenominational Ministers Conference, The Eastern Baptist Association, The Pastors and Churches Union and the Holy Sacred Baptist Church family. Presiding over the installation ceremonies was the Rev. Dr. B.T. McCollum, Vice-Moderator of the Eastern Baptist Association, the Moderator D.H. Dovore Chapman, Co-President.

The installation service was heralded by countless community leaders, including officials of the African American Clergy and Elected Officials of Brooklyn, the Rev. Joe L. Parker, President and many other clergymen and women along with school officials, teachers, and officers of the various PTA groups.

Rev. Dr. James S. Bullock is a community minded clergyman. He participates in many

community-based organizations. He is involved with the following organizations: Secretary of the Association of Brooklyn Clergy for Community Development, Secretary of the African American Clergy and Elected Officials of Brooklyn, Vice President of The Metropolitan Interdenominational Ministers Conference, Parent Body Member Eastern Baptist Association, President of the North Bay Tenant Association of Coney Island, and President of The Men and Women's Interdenominational Ministers Conference of Brooklyn, New York.

Rev. Dr. Bullock is a man of vision. He is a multi-talented person who is considered an excellent Preacher and Teacher, a builder of ideas and developer of community motivation, and a master decision maker. He is steadfast in his beliefs and a loyal supporter of the missions of the organizations to which he belongs. He consistently endorses the politics of community empowerment and the practical projects which bring the benefits of empowerment to the poor.

Mr. Speaker, I am proud to salute Rev. Dr. James S. Bullock as a distinguished ''Point of Light'' for all Americans.

HONORING A HOOSIER HERO: KATHY ALFKE

HON. DAVID M. McINTOSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. McINTOSH. Mr. Speaker, I rise today to congratulate a very special Hoosier who has been chosen to receive the Patrick Groff Teacher of the Year Award. This national award will be presented by the National Right to Read Foundation, an organization devoted to increasing literacy in America through scientifically-based reading research. Only one award is given each year, and this year the award will go to Indiana's own Kathy Alfke.

In addition to teaching reading skills to fourth and sixth graders at Riverside school in Indianapolis, Kathy teaches other teachers, parents, aides, tutors, and principals the Direct Approach Method, a reading instruction technique which brings amazing results. Since last February, she has taught teachers at 12 Indianapolis Public Schools and is currently instructing educators in at least 15 other schools. In her home town of New Palestine, she provided training for the reading tutors and the Director for Instruction at the town's newest school. In all, Kathy trained over 60 teachers this summer and has taken on more students this fall.

Her efforts are making a difference. Having taught the Direct Approach to Reading and Spelling teachers at Switzerland County schools, they scored sixth in the state on the Indiana Statewide Testing for Educational Progress (ISTEP). Kathy has contributed to her own school's dramatic progress leading to its removal from double probation status. Kathy received a National Literacy Award from the James Flannigan Foundation and UPS last year.

Kathy's success as a teacher was built on the determination to go beyond the status quo for the sake of children. Kathy graduated from Indiana State University with a B.A. in Education and a reading endorsement in 1983. She completed her Masters Degree at Indiana University-Purdue University Indianapolis (IUPUI) three years later. For many years, Kathy taught at Indianapolis Public Schools. After transferring to a school near her home, Kathy faced a situation which tested her resolve as a teacher. The teaching philosophy embraced by the administration rejected formal learning. Teachers were forbidden to have text books or skills charts in the classroom.

Of this experience, Kathy says, ''The principal made sure you did what she said or you stood the chance of being on the 'hit list.' I withstood this environment for three years until I started feeling oppressed. I was losing my creativity and did not want to come to school. I felt like I was dying inside. I knew I was a good teacher and that God put me on earth to fulfill that position, but was I to continue to be in a building where things were so stressful and were not allowed to teach isolated skills? I was supposed to be a reading specialist, but I didn't know how to teach phonics.''

Deeply discouraged with a system which was leaving kids without the most basic skills, Kathy took one year off on to home school her own son. During this time, she met a woman named Mercedes Russow, a 79-year-old lady who introduced her to a direct, systematic phonics approach to teaching reading called the ''Direct Approach Method''. This program was developed in the late 1950's by Mercedes' mother, the late Pauline Banks, a former Indianapolis Public School Teacher.

Mrs. Russow gave Kathy the skills and the hope she needed to return to the classroom. Since then, her success as a reading teacher has drawn the attention of teachers and principals alike. She divides her time between teaching children and other teachers.

Her workshops are full. Speaking of last year's fall seminar, Kathy states, ''The meeting room was packed with teachers from all over Indianapolis who attended the training sessions in May and June to brush up on their phonics and word attack skills. Private school teachers, recently graduated ''prospective'' teachers, tutors, parents, principals, and Indianapolis Public school teachers and assistants from schools 14, 21, 37, 42, 48, 68, 81, 93, and 103 learned how to supplement their existing curriculum with the simple yet effective techniques of Direct Approach Phonics.''

Kathy's success is an inspiration. Rather than accept a system that left some children behind, she sought the skills that were needed for a successful reading program, and now she is passing these skills on to others. Sound reading instruction is needed in Indiana. Kathy herself points out, ''As far as education in general, in the schools where I go, I see wonderful, dedicated teachers who a lot of times are spinning their wheels trying to think, 'What is it that I need to do to improve what we're already doing?' Probably the most consistent thing I hear from teachers is the lack of training. From their university training they don't feel adequately prepared to teach reading, I see good things, but a lot of frustration.''

Sadly, many of our students across the country do not have mastery of this basic skill of reading. The 1998 National Assessment for Educational Progress (NAEP) has found that 69% of 4th grade students are reading below the proficient level and that 85% of minority 4th grade students, most of whom are in Title I programs, are reading below the proficient level. Many of these students will end up in special education.

Studies indicate that at least half of the students being placed in Special Education programs have not been taught to read. The cost of Special Education—federal, state and local—is exceeding $60 billion each year. The cost to those who never learn to read adequately is much higher. The job prospects for functionally illiterate adults are slim. Opportunities for those who cannot read are few.

Reading is fundamental. To ensure mastery of these skills, correct teaching methodology is essential. According to the National Institute of Child Health and Human Development the ability to read depends on one's understanding of the relationship between letters and the speech sounds they represent. Intensive instruction in phonics teaches this skill—the 26 letters used to symbolize about 44 speech sounds and the most common ways they may be spelled.

The National Reading Panel's report on successful reading strategies which was released on April 13, 2000 echoes this point. After reviewing 30 years of reading research, the reading panel found that the most effective reading programs include instruction in phonemic awareness, phonics, fluency, comprehension, and vocabulary.

The research in support of intensive, systematic phonics is widely available yet teaching colleges often neglect to provide their students with the skills to teach this body of knowledge. Too often, teachers like Kathy graduate without the tools to successfully teach reading. These teachers are deeply devoted to children and want to teach the best they can, yet they lack essential teaching skills. Until teaching schools adopt successful reading instruction methods, the only place teachers can learn these is in workshops like the ones Kathy provides.

This is but one of the reasons Kathy is an education hero. In addition to helping children learn to read, she is providing other teachers the means to become excellent teachers. She is fighting the fight against illiteracy and arming others to do the same. Because of teachers like Kathy, I am hopeful that the literacy deficit in our country will become a thing of the past. It is for this reason that I will be presenting Kathy with a Certificate of Special Congressional Recognition for her service to Indiana next week. Her commitment to children and literacy is outstanding.

I would like to thank the National Right to Read Foundation for selecting this wonderful Hoosier to receive the Patrick Groff Teacher of the Year Award.

Mr. Speaker, I appreciate the opportunity to speak about this very special woman. I am reminded of the words of Historian Henry Brooks Adams who once said, ''A teacher affects eternity; he can never tell where his influence stops.''

THE VIOLENCE AGAINST WOMEN ACT

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mrs. JONES of Ohio. Mr. Speaker, today I support the Violence Against Women Act ("VAWA"). On September 26, 2000, this Body voted to reauthorize VAWA in a vote of 415 to 3. Our colleagues in the other Body are now considering the reauthorization of this important legislation.

In my career as a judge and prosecutor, I witnessed many instances in which violence tore at the fabric of family life, causing harm to women and children.

The Violence Against Women Act would ensure a comprehensive approach to combating violence through the tools of family services, community initiatives, training for law enforcement, and educational programs. The Act would also protect women with disabilities, many of whom are unable to advocate on their own behalf.

This Body's support of VAWA indicates widespread recognition of the problem of violence against women, and that it must stop. I urge that our colleagues in the other Body reauthorize this legislation.

TRIBUTE TO CONGRESSMAN SIDNEY YATES

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. JACKSON of Illinois. Thank you, Mr. Speaker. Mr. Speaker, I rise today to pay tribute to a distinguished legislator, a paragon of virtue and a national treasure—Congressman Sidney Yates from my home state of Illinois. I am deeply saddened by the news that Sid Yates died last night. I join my colleagues in taking the time to honor this truly remarkable man for his invaluable contribution to this nation. During this time of sorrow for his family, I want them to know that I hold them in my heart and in my prayers.

Mr. Yates was first elected in 1948, and for four decades served as a member of the Appropriations Committee. I am honored to now fill his seat. As the member who coined the appropriations moniker "College of Cardinals," he spent 20 years as Chairman of the Interior Appropriations Subcommittee. Sidney Yates was a staunch advocate for the arts, and a defender of the environment. He embodied all that is just and virtuous about public service. Through his exemplary tenure, Sidney Yates typified what it truly means to be called, "the honorable."

Mr. Yates was considerate to me, generous with his time and extremely helpful to me as a new legislator. On December 14, 1995, Mr. Yates introduced me after I took the oath of office, and continued to serve as a guide and teacher. As the Dean of the Illinois delegation, his courageous and principled stands on issues and legislation were inspirational—this despite great pressure to do otherwise.

I believe I speak for every member of this body when I say we will continue to be guided by the light of Sid Yates' leadership, public service, experience and wisdom. I will miss my good friend and trusted mentor.

ANTI–GAY VIOLENCE IN VIRGINIA HIGHLIGHTS THE NEED FOR EXPANDED HATE CRIMES LEGISLATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. LANTOS. Mr. Speaker, I was extremely disappointed that the conference committee on the defense authorization legislation voted to drop the hate crimes provision from the bill. As president Clinton said, yesterday, dropping this provision is a serious error. The hate crimes provision had strong bipartisan support in both the House and Senate. This legislation simply provided that all persons should be treated the same under our nation's laws, and it is a principle that all of us here in the Congress should support.

Mr. Speaker, a tragic incident just a few days ago in Roanoke, Virginia, has only served to highlight the need for this legislation. Ronald Edward Gay shot and killed Daniel Lee Overstreet simply because he was gay. Mr. Overstreet worked for Verizon network and was well liked by all who knew him. But he happened to be in a gay bar, when Ronald Edward Gay entered the bar and shot and killed him because, in Gay's words, he wanted to waste some "faggots". Like Matthew Shephard before him, Daniel Lee Overstreet was a victim of blind, impersonal hatred and bigotry.

The brutal attack in Virginia and the rise in hate crimes based on sexual orientation shows the need for Congress to adopt comprehensive hate crimes legislation. If we fail to enact this legislation, more and more people will continue to suffer from hate crimes in our country. According to the FBI, hate crimes based on anti-gay violence increased 14.3 percent from 1997 to 1998—even as the overall crime rate decreased. Hate crimes based on sexual orientation have nearly tripled since the FBI began collecting statistics in 1991, and in 1998 such crimes comprised 16 percent of all hate crimes—some 1,260 crimes nationally.

Mr. Speaker, the majority of Americans believe that now is the time to pass the expanded hate crimes legislation. According to recent polls, 63 percent of independent voters say they are "less likely" to vote for a candidate opposed to hate crimes legislation. These voters believe as I do, that hate crimes legislation does not make murdering someone who happens to be homosexual a greater crime than murdering someone who happens to be heterosexual as its opponents charge. Rather, it sends a message throughout our nation that hate crimes will not go unnoticed and they will not go unpunished.

Mr. Speaker, with the recent anti-gay violence in Virginia and the increasing number of hate crimes across the nation, it is now time to pass the Hate Crimes Prevention Act. We have the support of the American people. We need to take action to prevent tragedies like those of Matthew Shephard and Daniel Overstreet in the future. I urge my colleagues to support H.R. 1082 so that we can curb this rise in anti-gay violence and send a clear message that hate is wrong and the perpetrators of hate crimes will be punished.

CONGRATULATING ROBERT A. SCOTT ON RECEIVING THE 2000 RAOUL WALLENBERG HUMANITARIAN LEADERSHIP AWARD

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Robert A. Scott, Ph.D., president of Adelphi University and former president of Ramapo College, on being chosen to receive the 2000 Raoul Wallenberg Humanitarian Leadership Award. Dr. Scott, in addition to being a proven educational leader of high standards and strong management expertise, has been uniquely active and outspoken on issues surrounding the Holocaust, genocide, racism and anti-Semitism. He clearly deserves and has earned this high honor. I have worked closely with Dr. Scott for many years and can attest to his integrity and dedication.

The Raoul Wallenberg Humanitarian Leadership Award is presented annually by the Center for Holocaust and Genocide Studies at Ramapo College. While the Center was established before Dr. Scott became president of Ramapo in 1985, he was one of its strongest supporters throughout his tenure and contributed significantly to its growth and prominence in the world of Holocaust studies. Today, the Center is an independent, non-profit organization that encourages and assists persons of all ages in learning the history and lessons of the Holocaust and other genocides in the hope that through education such tragedies can be prevented from ever occurring again. The Center sponsors a variety of activities, including workshops for educators, recording of local Holocaust survivors' testimonies, art exhibits, film series, lectures and panel discussions.

The Raoul Wallenberg Humanitarian Leadership Award is given to individuals who display "outstanding leadership in advancing Holocaust studies and interfaith understanding." Dr. Scott clearly meets that test, and strives to follow the examples of courage and leadership set by Raoul Wallenberg, the Swedish diplomat who saved the lives of thousands of Jews in Budapest during World War II.

Prior to becoming president of Adelphi University on July 15 of this year, Dr. Scott spent 15 years as president of Ramapo College. His tenure at Ramapo was marked by rising enrollments, increasingly rigorous admissions standards, a construction boom, fiscal stability, the addition of three graduate degree programs and numerous other accomplishments. He has been a member of the New Jersey Commission on Higher Education since 1994 and chaired the Commission's Higher Education Restructuring Team. As a senior advisor to the U.S. State Department, he represented the United States at the 1998 United

National Education, Scientific and Cultural Organization conference in Paris that negotiated an international treaty on the transferability of academic credits and credentials. He has received numerous awards from education and community groups.

Before coming to Ramapo, Dr. Scott was assistant commissioner for the Indiana Commission for Higher Education and an associate dean and senior administrator at Cornell University. He holds a bachelor's degree in English from Bucknell University and his doctorate in sociology and organizational ethnography from Cornell.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in congratulating Dr. Scott and wishing him many years of continued success in his new role at Adelphi University.

COMMEMORATING THE REPUBLIC OF CHINA ON IT'S NATIONAL DAY, OCTOBER 10, 2000

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HINCHEY. Mr. Speaker, in recent years, the Republic of China on Taiwan has emerged as a major economic power throughout the world. Much of this economic success is attributable to the efforts of Taiwan's leaders who understand that a strong economy is necessary for true political progress and reform. The Republic of China has now become a true democracy with several strong political parties. Earlier this year, the people of Taiwan elected as President Mr. Chen Shui-bian of the Democratic Progressive Party. His election underscored the vitality and diversity of Taiwan's democratic form of government.

Like his predecessor, former President Lee Teng-hui, President Chen continues to seek a proper role for the Republic of China in the international community. At the same time, President Chen also seeks a dialogue with the People's Republic of China. While the pace of this dialogue may evolve slowly, President Chen will continue to work with his countrymen to transform Taiwan into a high tech island that will be seen worldwide as a successful model for emerging democracies.

Mr. Speaker, I would urge my colleagues to show our admiration to our friends in the Republic of China by congratulating them on their forthcoming National Day.

IN HONOR OF HOLY FAMILY HIGH SCHOOL REUNION 2000

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Holy Family High School, as it celebrates Reunion 2000. On October 7, 2000, many of Holy Family's alumni will attend a reunion to celebrate the school that guided them through their formative years and prepared them for future success.

Holy Family High School was founded in the late 1800s, and was known as Columbia Business School. In the early 1920s, Franciscan nuns and priests took stewardship of the school, changing its name to Holy Family. They dedicated their lives to providing support and guidance, creating an environment that facilitated learning. Because of the exceptional education Holy Family provided, many of its students had the opportunity to go to college.

The closing of Holy Family High School in 1972 was a sad moment for everyone who had been a part of its history, and sad moment for the community. However, with this reunion, Holy Family's alumni share their memories and experiences, their triumphs and difficulties. In so doing, they breathe life back into their school and their childhood.

Today, I honor Holy Family High School and the students who passed through its halls on the way to realizing their dreams. And I ask my colleagues to honor them, as well.

PERSONAL EXPLANATION

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Ms. VELÁZQUEZ. Mr. Speaker, due to an error, I was incorrectly shown as voting "yes" on rollcall No. 473. I was present during this roll call vote and intended to vote "no."

This was a vote on the Souder amendment to H.R. 4942, the DC Appropriations Bill for FY 2001. This amendment would prohibit the District of Columbia from using any funds, Federal or local, for a needle exchange program. I am strongly opposed to such a prohibition.

Needle exchange programs, which are used in over 30 states, have been proven to drastically reduce the transmission of HIV among intravenous drug users. Such programs have the support of the American Medical Association, the American Public Health Association, the United States Conference of Mayors and the Surgeon General of the United States. In fact, the Surgeon General has said, "There is conclusive scientific evidence that syringe exchange programs as part of a comprehensive HIV prevention strategy are, in effect, public health intervention that reduces the transmission of HIV and does not encourage the use of illegal drugs."

The District has budgeted it's own funds for the implementation of this program. However, the Souder amendment denies the District the right to local control over local policy, implemented by local dollars. It is not the responsibility of this Congress to impose the personal moral beliefs of certain of its Members on the public health policy of any local jurisdiction. Yet that is exactly what the Souder amendment does. I oppose this amendment and ask that this statement be entered into the record to clarify my position on this important issue.

WRONG ON KAZAKHSTAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. BURTON of Indiana. Mr. Speaker, I would like to draw the attention of my colleagues to a very disturbing Op Ed article by Professor Amos Perlmutter ("More words than deeds on Kazakhstan?" in the Washington Times of October 4, 2000), detailing how the Clinton-Gore Administration has dropped the ball in promoting democracy and respect for human rights in Kazakhstan.

Time after time, Kazakhstan's ruthless and corrupt President, Nursultan Nazarbayev, has made promises to Vice President GORE and others in the Administration and has then failed to deliver on those promises. And so, as Professor Perlmutter puts it, the Nazarbayev regime continues its campaign of "relentlessly destroying the opposition, closing the free press and involving itself in corrupt schemes."

It should have been possible for the United States, which has had the support of the Organization for Security and Cooperation in Europe as well as numerous non-governmental human rights organizations, to insist that Nazarbayev fulfill the promises he made on human rights and free elections as a price for legitimacy in American eyes. Sadly, however, it seems clear that the Clinton-Gore Administration has pulled its punches, because it wants oil rich Kazakhstan's support for an oil pipeline that does not go through Russia. What is particularly troublesome in this regard is that the United States should not be turning a blind eye to repression and corruption in order to persuade Kazakhstan to do something that is in its interest in any event.

Mr. Speaker, I submit Professor Perlmutter's article for the RECORD.

[From the Washington Times, Oct. 4, 2000]

MORE WORDS THAN DEEDS ON KAZAKHSTAN?

(By Amos Perlmutter)

The Clinton-Gore administration relationship with Nursultan Nazarbayev's corrupt dictatorship in Kazakhstan is, once again, making news. Not without reason.

The case is that the administration failed to defend political freedom and free enterprise in Kazakhstan. They talked the talk without walking the walk when it came to challenging the Nazarbayev dictatorship.

Promises from Mr. Nazarbayev went unfulfilled. The administration failed to support the claims of human rights organizations, non-government organizations (NGOs), and the OSCE that the Nazarbayev government is not only failing to undergo democratic changes as a price for support from the United States, but also is relentlessly destroying the opposition, closing the free press and involving itself in corrupt schemes.

The effort to support this regime was conceived in conformity with the American national interest. After all, there are three reasons for U.S. strategic interest in Kazakhstan: oil, nukes and independence. Kazakhstan has been one of the Soviet Union's major oil reserves, and continues to be a most significant oil reserve and also a Caspian littoral state. Josef Stalin made Kazakhstan a Soviet nuclear arsenal.

Independence was the goal of both the Bush and Clinton administrations, to

strengthen Central Asia non-Russian Muslim states, and to move them in the direction of democracy and free enterprise. There was a tacit strategic purpose in separating Kazakhstan from Russia's historical imperial linkages (an exercise in futility). Kazakhstan is the most Russified Central Asian state, with close to 30 percent of its population Russians who serve as the main scientific, industrial and business elite.

However, the Clinton administration sank into the pool of oil that inadvertently led to the most serious corruption of the Nazarbayev dictatorship by failing to resist the dictatorship. One of the administration's major foreign policy goals was humanitarian intervention to help bring an end to former communist dictatorships in the former Soviet Union and the Balkans.

In fact, the administration conducted a ''humanitarian war'' in Kosovo. The idea of a humanitarian and exemplary intervention, i.e. support of opposition groups in Kazakhstan, free press, and democracy was sacrificed, unfortunately, to the pool of oil.

The administration was not directly involved in support of the dictatorship. But it failed to vigorously resist the Nazarbayev violation of human rights, dissolution of the Kazakh parliament on two occasions and above all closing the only two opposition papers and the rigging of the 1999 elections.

In defense of the administration you could say diplomatic gobbleygook and securing unfulfilled promises from Mr. Nazarbayev was unfortunately subordinated to oil and nuclear strategic policies. The embassy in Kazakhstan continuously reported to the U.S. State Department on Mr. Nazarbayev's violations of human rights.

In fact, the OSCE, human rights groups, non-government organizations (NGOs), and other groups have warned the administration and continuously protested Mr. Nazarbayev's dictatorship and suppression of freedom in Kazakhstan. Leon Fuerth, Vice President Al Gore's national security adviser, and his assistant, Richard Brody, met on Sept. 15, 1999, at the Old Executive Office Building to discuss the upcoming visit of President Nazarbayev to the United States. Attending were several people from the State Department, regional and human rights bureaus, as well as the Human Rights Foundation, and the Kazakhstan 21st Century Foundation.

Mr. Fuerth was on the defensive throughout the meeting, as the various representatives pressed hard the argument that the meeting was a mistake at that time, since Mr. Nazarbayev would interpret it as an endorsement of his behavior. According to one of the participants, Mr. Fuerth was unpersuasive and ineffective in defending the purpose for the visit of Mr. Nazarbayev to the United States.

The issue at stake was Kazakhstan's MiG sales to North Korea and the failure of democracy. When Mr. Nazarbayev promised Mr. Gore the next election ''would be better,'' the OSCE report on the 1999 elections in Kazakhstan were still pending. Mr. Fuerth said at the meeting, ''We will adopt its [OSCE's] findings as leverage on Nazarbayev.'' Mr. Fuerth continued, ''Our government has been saying repeatedly, and the vice president personally, pay attention to what the monitors are saying about your, i.e. Nazarbayev's, elections.'' Mr. Fuerth said Mr. Nazarbayev is ''not your poster boy'' for democracy and freedom. Mr. Fuerth said, ''Gore sees his personal relationship as essential to prodding Nazarbayev toward democracy.''

America's goals include, says Mr. Fuerth, ''carrying Kazakhstan to a modern self-sustaining state at every level of societal concern. . . . We are into their affairs at a fantastic level of detail, and that is only possible with the political support of Nazarbayev and this [Gore-Nazarbayev] commission and the commitment of the United States to a face-to-face meeting with the vice president.

Mr. Fuerth continued to say the United States must persuade them to ''more and more perfect democracy,'' and he is ''perfectly aware of the imperfections.'' According to Mr. Feurth, Mr. Gore's message is ''Democracy is on the agenda. Democracy is not our idiosyncrasy.'' He describes Mr. Gore's agenda as follows: ''Democracy and elections are essential parts of the relationship Nazarbayev wants with the U.S. Gore will explain why a valid election is indispensable if he [Mr. Nazarbayev] wants the relationship he seeks.''

After meeting with the president, Mr. Nazarbayev went back home and continued in his oil-mired practices, human-rights violations and the creation of his position as president for life.

Since Mr. Gore was given the portfolio on Russia and the independent states of the former Soviet Union, the essential difference between what the Cox Report finds in the case of Russia and the administration policy toward Kazakhstan is that in the case of Russia it was mired with good intentions for reform that turned sour because of support for Boris Yeltsin's corrupt, undemocratic government. You cannot tell Russia, a major power, what to do, while the situation in Kazakhstan was totally different.

Not only was the United States in the position to help implement the recommendations for democracy and freedom in Kazakhstan, it coddled the dictator and made no impact whatsoever or follow up on the promises made by Mr. Nazarbayev to Mr. Gore to advance the democracy in Kazakhstan.

In the case of Kazakhstan, the United States was in a stronger position than in Russia, with the support of OSCE, multiple human rights organizations and NGOs, to impose upon the dictatorship to implement their promises made on human rights and free elections as a price for legitimacy in American eyes.

They did not do it. The administration tacitly accepted Mr. Nazarbayev's defense that there is an emergent democracy in Kazakhstan and it is a question of ''time.''

It seems the Clinton-Gore administration did not try very hard to institutionalize and implement their commitments to democracy, free elections, and an open press in the case of Kazakhstan.

MOTOR VEHICLE FRANCHISE CONTRACT ARBITRATION FAIRNESS ACT OF 2000

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 2000

Mr. BENTSEN. Mr. Speaker, I rise in strong support of legislation I cosponsored, H.R. 534, the Fairness and Voluntary Arbitration Act. This important legislation addresses an imbalance in the relationship between automobile manufacturers and automobile dealers.

Today, motor vehicle manufacturers regularly force small business auto and truck dealers into mandatory binding arbitration clauses by including the clauses in non-negotiated dealer agreements. Under the current system, automobile and truck dealers have no choice but to accept mandatory binding arbitration provisions in franchise agreements provided by motor vehicle manufacturers. These ''take it or leave it'' contracts undermine the ''freedom to contract,'' a tenet of modern commercial law, and run counter to basic principles of fairness.

H.R. 534 would make arbitration of dealer-manufacturer disputes totally voluntary. H.R. 534 does not prohibit arbitration but rather seeks to make arbitration one of several avenues to dispute resolution. H.R. 534 makes arbitration one of several fair choices that both parties may willingly and knowingly select. I believe that we should reject the one-size-fits-all approach of arbitration and recognize that there are less expensive, more efficient, non-judicial modes of dispute resolution like mediation and other types of informal negotiation.

Under the current system, legitimate state protections are unavailable for dealers because of overly broad federal policy favoring arbitration. The landmark Supreme Court case, *Southland Corporation v. Keating,* 107 S. Ct. 852 (1984), established that federal law preempts state laws that prohibit mandatory binding arbitration in adhesion contracts or prohibit waivers of judicial or administrative remedies of a contract. Preemption prevents states from enforcing protective laws that limit or regulate unfair arbitration practices in contracts, despite the fact that enforceability of private contracts is ordinarily a question of state law. These arbitration clauses substantially deteriorate dealers' rights and remedies as provided under protective state franchise laws.

Mr. Speaker, the federal government has no business dictating the terms of contracts between small business auto and truck dealers and automotive manufacturers. Accordingly, I urge my colleagues to join me in support of H.R. 534, legislation to untie the hands of small business auto and truck dealers in their negotiations with automotive manufacturers.

TRIBUTE TO THE REVEREND JOHN ALPHONSO FERGUSON FOR A CAREER OF SERVICE

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mrs. MEEK of Florida. Mr. Speaker, the Reverend John Alphonso Ferguson is the founding pastor of the Second Baptist Church of Richmond Heights, in my Congressional District. On Saturday, October 28, 2000, our entire community and Rev. Ferguson's friends, admirers and members of his congregation will gather at the Dadeland Marriott Hotel to wish him Godspeed upon his retirement after 36 years of service.

Ordained a minister at the First Baptist Church of Logan Park in Norfolk, Virginia on November 17, 1959, he moved in 1961 to Florida to establish the Second Baptist Church in South Dade's Richmond Heights community. Amidst the countless sermons he

preached, the baptismals and christenings he presided over, and the weddings and funerals he performed, Reverend Ferguson was likewise indefatigable in reaching out to the schools and homes, hospitals and community organizations that sought and obtained his sage advice and wisdom.

The longevity of his pastorate in the vineyard of the Lord truly represents a stewardship that is inspiring. He remarkably transformed the Second Baptist Church into one of the most active congregations in Miami-Dade County. His role as spiritual leader and consummate activist has immensely enlightened and guided church members as they tackle the agenda of participatory government based on their God-given conscience and responsibility.

It is fitting for us to pause and reflect on the role that Reverend Ferguson played in the day-to-day affairs of our community during the last 36 years. He has truly personified the example of Christ as the Good Shepherd, leading his flock to become ''. . . the light of the world and salt of the earth'' through his preaching of God's word and spreading the good news of the gospels.

I am privileged to enjoy his friendship and confidence, and I will always be grateful for his example of leading us to live by his noble ethnic of always loving God through the service of our fellow human beings, especially those who could least fend for themselves.

The testament of his faithful consecration to our community's well-being buttresses the noble legacy he now leaves with us. I extend to him the thanks of our community for a job well done and our best wishes for a well-deserved retirement.

A TRIBUTE TO ST. KATHERINE DREXEL

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. FORBES. Mr. Speaker, seventy years ago, Katherine Drexel visited the pristine coastline of Wading River, Long Island at the request of the Reverend Bernard Quinn, who wanted to help her in creating an orphanage for homeless African American children from New York City. So moved by the beauty of the vista and the dire need for the orphanage, Mother Katherine Drexel sent four nuns from the order she created, the Sisters of the Blessed Sacrament for Indians and Colored People, to teach at the Little Flower Institute.

Little Flower was established in 1930 after much opposition from the local residents. It was burnt down twice under mysterious circumstances. Despite the obstacles, Little Flower has grown to one of the largest foster care agencies in New York, providing services to approximately 2,500 children. Death, illness, poverty and substance abuse have claimed the innocence of so many of Little Flower's children. However, all of the people that have been involved in the institute, have given children a ray of hope and a new beginning for over 70 years.

Little Flower is just one of nearly 300 missions and schools, Katherine Drexel built. Rejecting the life of a socialite and donating her riches to ''the cause of uplifting Indians and Colored People,'' she dedicated herself to a life of poverty and helping those who needed her the most. She was a woman who was ahead of her time. She afforded people of downtrodden races the respect and love that most others could not. Mother Drexel looks past the color of a person's skin and looks to the inside and the true humanity of each and every person she met.

This week, after the Catholic Church ascribed two miraculous cures of deafness, Mother Katherine Drexel became St. Katherine. She was cannonized by Pope John Paul II and joins only three other American saints.

St. Katherine has touched the lives of so many. So many children at Little Flower and other schools throughout the country. So many who had been abandoned by society and left to fend for themselves. So many who needed a person to see the goodness in all. So many who needed and were helped by St. Katherine Drexel.

REPUBLIC OF CHINA'S NATIONAL DAY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. ORTIZ. Mr. Speaker, on behalf of my constituents I wish to extend my best wishes and congratulations to the people of the Republic of China on the occasion of their forthcoming national day.

The Republic of China on Taiwan is a genuine democracy and its people enjoy one of the highest standards of living in the world. It is my belief that the story of Taiwan needs to be told again and again.

Meanwhile, best of luck to president Chen Shui-Bian of the Republic of China.

CONGRATULATING THE MIDWAY, TEXAS, ALL-STARS LITTLE LEAGUE SOFTBALL TEAM FOR WINNING THEIR FOURTH CONSECUTIVE WORLD SERIES

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. EDWARDS. Mr. Speaker, today I wish to congratulate the Midway All-Stars little league softball team for taking home the trophy for the Girls' Little League Softball World Series.

On August 19th, these young women, ages 11 and 12, ended another outstanding season. The Midway girls are eight-time world champions, having also won the world title in 1997, 1998 and 1999. They also were world champions from 1992–1995.

I think it is safe to say that the team dominated in the 1990s and has already captured the first championship in the new millennium. The latest Midway girls' triumph was international in scope as teams from the Philippines, Germany, Canada and the United States competed for the title of world champion.

Before heading to the championships, this year's squad had to get through teams at the district, sectional, state, and southern region levels. The team consists of girls from the small community of Hewitt/Woodway right outside of Waco in the heart of Texas' 11th Congressional District.

Members of this world championship team include Ashley Davilla, Rachel Fahlenkamp, Courtney Heard, Kacy Horn, Emily Lindsey, Hannah McGrew, Destinee Mordecai, Bethany Northern, Amanda Pack, Natalie Pendley, Rebecca Pryor, Brandi Rawls, Kelsey Sage, Elissa Stiba.

These young ladies have shown what it takes to win: teamwork, hard work, self-discipline and commitment. These same qualities will continue to serve them throughout their lives.

The team was very capably led by a coaching staff that includes Randy Sage, Kyle Heard and Andy Horn. They devoted many hours to the girls and their sacrifice was key to this victory.

I ask members to join me in congratulating this year's world series team and their coaches for this outstanding athletic accomplishment.

HONORING JOHN F. GARDE OF ILLINOIS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HYDE. Mr. Speaker, today I pay tribute to an outstanding constituent from Illinois, John F. Garde. Mr. Garde will soon be retiring as the Executive Director of the American Association of Nurse Anesthetists (AANA) after 17 years of service. I am very pleased to honor the distinguished career of John F. Garde for his contributions to the practice of anesthesia from my state of Illinois.

The AANA is the professional association that represents over 27,000 practicing Certified Registered Nurse Anesthetists (CRNAs). Founded in 1931, the American Association of Nurse Anesthetists is the professional association representing CRNAs nationwide. As you may know, CRNAs administer more than 65 percent of the anesthetics given to patients each year in the United States. CRNAs provide anesthesia for all types of surgical cases and are the sole anesthesia provider in two-thirds of all rural hospitals, affording these medical facilities obstetrical, surgical and trauma stabilization capabilities. They work in every setting in which anesthesia is delivered including hospital surgical suites and obstetrical delivery rooms, ambulatory surgical centers, and the offices of dentists, podiatrists, and plastic surgeons.

John received his anesthesia training in 1957 from St. Francis Hospital School of Anesthesia in LaCrosse, WI and began practicing at the U.S. Public Health Hospital in Detroit, Michigan the following year. Having been a

provider of anesthesia for numerous years he became an Associate Professor and Chairman of the Department of Anesthesia at Wayne State University, College of Pharmacy and Allied Health in 1975. Using this experience, he then became the Education Director of the AANA in Park Ridge, IL in 1980 before taking his current role as Executive Director in 1983. His accolades range from propelling nurse anesthesia programs into a graduate framework resulting in 50 percent of them moving into the College of Nursing, as well as establishing the International Federation of Nurse Anesthetists during his tenure with the AANA. John has served the AANA as a member, board member, past president, and now will be retiring as a very celebrated executive director among his peers.

Mr. Garde has many honors to follow his list of career accomplishments. John was inducted as a fellow of the American Academy of Nursing in 1994. In 1999 the Association of Chicagoland recognized him for his outstanding contributions to the Association community, presenting him with the John C. Thiel Distinguished Service Award.

I ask my colleagues to join me today in recognizing Mr. John F. Garde, CRNA, MS, FAAN, for his notable career and outstanding achievements.

TAIWAN NATIONAL DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GILMAN. Mr. Speaker, as President Chen Shui-bian, who was elected in the first peaceful transfer of power in Chinese history, Vice President Annette Lu, and the people of the Republic of China on Taiwan prepare to celebrate their National Day on October 10, 2000, I wish to extend them my sincere congratulations. The ''Double Ten'' holiday also commemorates China's evolution toward democracy which was first sparked by Dr. Sun Yat-sen, the father of modern China, and his nationalist revolution against the foreign Manchu dynasty.

The Republic of China on Taiwan has a lot in which to be proud. Taiwan's economy is a powerhouse. For instance, export orders reached U.S. $74 billion from January to June, up 21 percent from the same period last year. In June of this year, exports and imports enjoyed almost 25 percent growth from the year-earlier period. Due to the soundness of its economic foundation, Taiwan was unique in being largely immune to the economic crisis which engulfed East Asia a few short years ago. It is the government of Tawian's policy to continue to develop a new economy based on information and high technologies.

Furthermore, Taiwan's citizens enjoy one of the highest living standards in the world and live in a society where, unlike some of their near neighbors, basic human rights are respected and no one has to fear the peril of a sudden knock on the door in the middle of the night. Politically, Taiwan is a true democracy with free island-wide elections, press independence and political pluralism.

Mr. Speaker, Taiwan is a model of success for many countries in the world, and we need to give Taiwan our approbation and support. Let us salute this beacon of democracy in the East China Sea on its National Day!

RECOGNIZING AVIS KELLY BAYSMORE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Avis Kelly Baysmore for over thirty years of dedicated and loyal service to Brevoort Children's Center in Brooklyn, New York.

Avis Kelly Baysmore is a wife, a mother, a grandmother, and a great-grandmother. Mrs. Baysmore and her family have been blessed with excellence, greatness, the favor of God, love and honor, the law of kindness in tongue, morality and character. All of these amazing attributes are the result of a God-centered life.

A child of God, Mrs. Baysmore came to Brevoort Children's Center in 1970 as a Substitute Teacher. For the next year she taught as a substitute teacher in other centers, including Tompkins and Sumner Children's Center. On July 5, 1971, she was hired as a Teacher's Aide at Brevoort Children's Center, working in Group 2 with four-year old children. After one year, Mrs. Baysmore was transferred to Group 2.6–3, where she worked until her retirement.

Mrs. Baysmore was enrolled by BKS in an Early Childhood Education Program at New York University, where she obtained credit in Early Childhood Education. She continued on to Pace College and attended many workshops in Early Childhood Education. Later, Mrs. Baysmore would become an Associate Teacher, filling in for the Group Teacher on many occasions. Finally, she also served as a Shop Steward for 19 years.

In her own words, Mrs. Baysmore says ''It has not been easy, but I trusted God for everything and all Honor. Glory and praise goes to my Lord and Savior Jesus Christ. It was He that brought me through thirty years of service.''

Mr. Speaker, Avis Kelly Baysmore is more than worthy of receiving this honor, and I hope that all of my colleagues will join me today in recognizing this truly remarkable woman.

LIFE IN THE AFTERMATH OF SIERRA LEONE'S DIAMOND WAR

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. HALL of Ohio. Mr. Speaker, I rise today to draw our colleagues' attention to the moving statement of someone who testified to Chairman ED ROYCE's Africa Subcommittee. The event was an extraordinary one, an opportunity to see some of the real people who are affected by our government's policies and our consumers' purchases. It is one of many organized by Chairman ROYCE, who has been tireless in his efforts on behalf of Sierra Leone's people, and I commend him and his staff for the critical work they do.

Muctar Jalloh, who is 27, was caught by the rebels in the diamond-mining region in April 1998. He was targeted because he was a student and seen as an enemy of rebel forces trying to gain control of Sierra Leone's mineral resources. Using a machete, AFRC/RUF rebels cut off his right arm above the wrist and his right ear. Mr. Jalloh currently lives at the Murry Town amputee camp in Freetown, and is a leader of the amputees group. His statement needs no embellishment. I hope my colleagues will give it the consideration it deserves.

STATEMENT OF MUCTAR JALLOH—AMPUTEE VICTIM FROM SIERRA LEONE

AFRICA SUBCOMMITTEE OF THE INTERNATIONAL RELATIONS COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC—SEPTEMBER 26, 2000.

Thank you for inviting my friends and me to speak to you this morning. We have traveled a long way from Sierra Leone thanks to the generosity of Americans from all over the U.S., and especially from Baltimore, Maryland and Staten Island and Brooklyn, New York. This afternoon we leave for New York to begin several months of medical treatment, fittings and training with artificial limbs.

Today, I ask you not to dwell on the horrible injuries that I have suffered personally. I will be glad, if you wish, to describe the terrible ordeal and torture that I went through. I lost my right hand and my right ear when a rebel chopped them off with a machete.

No, I want instead to direct your attention to my young colleagues who traveled with me from the Murry Town Amputee Camp in our capital city of Freetown. Unlike me, they have suffered much even before they could begin really formalizing their dreams for a bright future. The two youngest with us are only four years old. And these three girls here are only eight, nine and ten years old.

Since I read and write in English I sometimes see articles in foreign newspapers or magazines stating that the war in Sierra Leone must be a tribal war, or maybe a religious war. Religion and tribal affiliation have nothing to do with why we are now without our limbs.

If it were a tribal war, you would not see in front of you representatives of our country's major ethnic groups, including Temne and Mende. Those amputated by the rebels include every ethnic group in Sierra Leone. If it were a religious war, you would not have both Christians and Muslims sitting here in front of you. Christians and Muslims have suffered equally at the hands of rebel forces.

The war is not tribal, and it is not religious. It is simply largely a war over control of diamonds. Little pieces of rock that people around the world like to wear on their fingers and hang from their ears. As you can see, because of these rocks I no longer have an ear or five of my fingers. And the victims you see in front of you are examples of what has happened when the people and the democratically elected government of Sierra Leone did not allow the rebels to keep control of the entire country.

Twenty thousand men, women and children have suffered the same excruciating

pain and suffering as the eight of us sitting before you. Imagine the kind of people who would do this to Memunatu or Mohammed. What in the world did they do to anyone? Or Bintu, Damba or Fatu here? Or any of the rest of us? How can human beings do this to other human beings? And how can humanity allow this to continue to go on?

At home in Freetown, our hopes rise and fall with news of announcements from the United States, Europe or the UN. However, while Congressional committees and the parliaments of the world discuss and debate the issue of Sierra Leone, the suffering continues to spread. Children like those before you—Memunatu and Mohammed and Bintu and Damba—these are the victims of inaction and delay.

I am here to ask you for help in bringing the killing and maiming to an end. I am here to ask you to do everything in your power to protect the youngest and most innocent of God's creation from this terrible manifestation of man's worst greed. For if you allow this new form of systematic and widespread terrorism to be tolerated in Sierra Leone, it can happen again in some other country in the future.

Since I am not a politician, my goal is not to engage in politics. My interest is in helping the children of my country have a chance to live normal, healthy lives. This is a right that has been brutally taken away from those you see in front of you today. We will need help in rebuilding these as well since all of our schools and hospitals have been damaged or destroyed. But the rebuilding process cannot begin in earnest until we can begin living without fear.

Again, I thank you for the chance to come to Congress to plead the case of Sierra Leone's amputees. May God bless you and show you the way to help us.

REMEMBERING CONGRESSMAN SIDNEY R. YATES

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. PORTER. Mr. Speaker, I rise today to remember and celebrate the wonderful life of our colleague, Sid Yates. He served here for almost fifty years and left an indelible mark on this institution.

I was privileged to serve with Sid as a part of the Illinois delegation for nineteen of my twenty-one years in Congress and on the House Appropriations Committee for eighteen. I will never know another public official more dedicated, astute, well-prepared and forceful in his work. I may often not have agreed with him, but I always respected him. He stood up and fought for the things he believed in. There can be no higher compliment paid to a member of this institution.

As Sid got into his eighties, many Republicans from his district would come to me and say, ''Well, Sid Yates must be less vigorous, more forgetful, and less attentive to his legislative duties now.'' I would have to tell them that was not at all the case. Right into the final days of his time in Congress, Sid was still in the forefront of debates and issues before the Appropriations Committee. If I can be half as sharp as Sid Yates was on reaching the same age, I will be thankful indeed.

DAVE OBEY has said repeatedly that in his thirty-six years in Congress nothing can compare to the debate between Sid Yates and Eddie Boland during a mark-up in the full appropriations committee regarding federal support for the construction of an American Super Sonic Transport (SST). Sid opposed this construction while Eddie was determined to facilitate it. They debated each other for over an hour and held the attention of every member of the committee. Both men were articulate and earnest in their positions. It was incredible to watch. At the end, together they received a standing ovation from the entire committee. This is an event that has gone down in the lore of the House, and it is ironic that in the year of Sid's death, the European version of the SST is grounded and unlikely to return to service.

We send to Sid's wife and family our sorrow in his loss, but celebrate the life of an extraordinary man dedicated to his country, to his principles, to public service as the highest of callings and to this institution.

STATEMENT ON H.R. 2559, THE FY 2001 TRANSPORTATION APPROPRIATIONS ACT (CONFERENCE REPORT), H.R. 3244, THE TRAFFICKING VICTIMS PROTECTION ACT CONFERENCE REPORT, AND THE VIOLENCE AGAINST WOMEN ACT

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. TALENT. Mr. Speaker, I rise today to express my support for the Transportation Appropriations conference report, the Trafficking Victims Protection Act conference report, and the Violence Against Women Act, which was included in that bill.

As many people in my home state of Missouri know all too well, our infrastructure is crumbling. In fact, Mr. Speaker, we have the 6th worst roads and bridges in the country. That is why I am so pleased that this conference report passed the House today, and even more pleased that it contained more than $70 million in discretionary funds to directly address the tremendous needs in our state. I want to thank Subcommittee Chairman WOLF and Ranking Member SABO for taking such great steps to address our infrastructure needs. And I also want to give special thanks to Congresswoman JOANN EMERSON for working so tirelessly to bring to the attention of the Members of the Committee Missouri's dire road situation. She has been a wonderful advocate on the Committee and I greatly appreciate her efforts.

Mr. Speaker, I would also like to express my support for the Trafficking Victims Protection Act conference report and the Violence Against Women Act, which was included in that bill. More than a million women and children are trafficked around the world for sex and other exploitative purposes every year—50,000 of which end up right here in the United States. This bill includes several measures which will strengthen current law to cut down on the unlawful buying and selling of human beings for profit. I'm very pleased that the house was able to come together to address this fundamental issue of human rights.

Finally, I want to give my warmest thanks to all of those who have so strongly supported re-authorization of the Violence Against Women Act, which I cosponsor. In my home state of Missouri, one out of every two women who seek a domestic violence shelter are turned away at the door because there simply is not enough room. These women are turned away from shelter with no option but to go back to their abuser. Mr. Speaker, this is a tragedy. In terms of legislation that affects real people's lives, I can think of none which is more important. Passage of this bill ensures that women will continue to have access to the important basic services, which have helped so many escape their situations. Continued authorization of this program says to women in America that there is a better tomorrow and that we are dedicated to helping you find it.

I am pleased, Mr. Speaker, that these two important pieces of legislation passed overwhelmingly here today.

RECOGNIZING REVEREND CRAIG B. GADDY, SR.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Reverend Craig B. Gaddy, Sr., of the Friendship Baptist Church in Brooklyn, New York.

I honor Reverend Gaddy today in celebration of his first anniversary as Pastor of the Friendship Baptist Church. Mr. Speaker, Reverend Gaddy is deserving of our praise because he has served as a pillar of our community, having devoted his life to serving the needs of others.

He is the son of Sister Lucille A. Gaddy, who he describes as ''my rock, my sword and shield.'' Reverend Gaddy is also the proud father of Nyesha J. Gaddy, and Craig Jr. He is the brother of Eric, James, Michael, Debra, David Jr., Tracey, Tyrone, Michelle, Tonya, Pamela and Theresa. Mr. Speaker, the entire Gaddy family has been blessed with excellence, greatness, the favor of God, love and honor, the law of kindness in tongue, morality and character. All of these amazing attributes are the result of a God-centered life.

Under the watchful eye of the late Reverend Dr. D. W. Batts, Reverend Gaddy received his license to preach the gospel in 1982 at the Greater Free Gift Baptist Church. In 1986 he received his ordination proper by Dr. Batts and the Eastern Baptist Association. In 1989 he was assigned to the Southern Baptist Church in New York City under the pastorate of the Reverend Eugene King, where he served as youth minister. In 1997, he was elected Assistant Pastor at the Southern Baptist Church where he served faithfully until 1999.

On June 26, 1999, Reverend Gaddy was called to pastor the Friendship Baptist Church. There, he continued in the footsteps of a truly

great pastor, the late Reverend Dr. U.B. Whitfield. Reverend Gaddy serves with the National Baptist Association, the Empire State Association, the Eastern Baptist Association, and the NAACP.

Mr. Speaker, Reverend Craig Gaddy, Sr. is more than worthy of receiving this honor, and I hope that all of my colleagues will join me today in recognizing this truly remarkable man.

GILMAN ENDORSES LAZIO RESOLUTION DEMANDING THAT PALESTINIAN VIOLENCE END, H. CON. RES. 418

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GILMAN. Mr. Speaker, I wish to take this opportunity to urge my colleagues to join me in cosponsoring a timely resolution sponsored by our colleague from New York, Mr. LAZIO. H. Con. Res. 418 expresses the sense of the Congress regarding the current level of violence between the Israelis and the Palestinians. The bill responds to this most serious of Palestinian violations of the Oslo process by condemning the violence, and demands that Palestinian Authority Chairman Yasser Arafat make a public appeal on Palestinian television for an end to these destructive acts. However, the fact that he has not yet done so speaks volumes about Chairman Arafat's true intentions.

The United States has consistently supported a peaceful resolution of the Arab-Israeli conflict, but this latest outburst is the worst we have seen in years. There is clear evidence that the violence was pre-meditated and coordinated by Yasser Arafat's Palestinian Authority. It seems to me that there can be no more flagrant disavowal of the Oslo process than this instigation of violence, because the very foundation of the Accords that were signed by the Israelis and Palestinians since 1993 underscores that the only avenue for the resolution of differences is negotiation, not confrontation.

H. Con. Res. 418 urges the President to use all of the diplomatic means available to our government to seek and end to the violence and return the Palestinians to the negotiating table. It expresses congressional support for the Israeli government's efforts to bring this current round of violence to a peaceful conclusion, since the current Israeli government has made it patently clear that it is prepared to make historic compromises for the sake of peace. We need now to determine whether Yasser Arafat, representing the Palestinian people, feels the same way.

H. Con. Res. 418 also urges this Administration to oppose any anti-Israel efforts at the United Nations, including the establishment of an international commission of inquiry; and puts Yasser Arafat and the Palestinians on notice that their response to this escalation of violence affects their future relations with the United States.

Accordingly, I ask that a copy of the measure be printed at this point in the CONGRESSIONAL RECORD for our colleagues' review, and urge them to contact Rep. LAZIO's office at their earliest opportunity to cosponsor this important resolution.

H. CON. RES. 418

IN THE HOUSE OF REPRESENTATIVES

Mr. LAZIO (for himself, Mr. GILMAN, and Mr. REYNOLDS) submitted the following concurrent resolution; which was referred to the Committee on International Relations.

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the current level of violence between the Israelis and the Palestinians.

Whereas the United States has consistently supported the peaceful resolution of the Arab-Israeli conflict;

Whereas the current level of violence between the Israelis and the Palestinians is the worst in years;

Whereas the current round of violence comes at a time when the Israeli Government is prepared to make historic compromises towards peace;

Whereas there is clear evidence that this violence was a pre-meditated and coordinated action by the Palestinian Authority;

Whereas the active participation of armed uniformed Palestinian police in attacks against Israelis is an indication of the unwillingness of the Palestinian Authority to work towards a halt to this violence;

Whereas the Palestinian Authority's encouragement of violence is a violation of the underlying basis on which the entire Oslo peace process has been built, particularly the incitement by Palestinian television;

Whereas the Palestinians are mounting a concerted international campaign to justify the violence by blaming Israel; and

Whereas the Palestinian renunciation of violence in the Oslo peace process does not provide any basis for the justification of the resumption of violence: Now, therefore, be it

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

(1) condemns, in the strongest possible terms, statements and actions by Palestinians designed to inflame and encourage violence;

(2) demands that Palestinian Authority Chairman Yasser Arafat make a public appeal on Palestinian television for the public to cease further acts of violence;

(3) urges the President to use all of the diplomatic means available to the United States Government to seek an end to the violence and return the Palestinians to the negotiating table;

(4) strongly supports actions by the Israeli Government designed to bring this current round of violence to a peaceful conclusion;

(5) urges the Administration to oppose—

(A) any United Nations effort to put forward one-sided anti-Israel resolutions or statements; and

(B) the establishment of any international commission of inquiry; and

(6) will consider the response of Palestinians to the escalation of violence in their future relations with the United States.

THE BROWARD COUNTY SCHOOLS PROFESSIONAL DEVELOPMENT AWARD

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize the commendable achievement of the Broward County Public School District of Fort Lauderdale, Florida. The Broward County Schools, which I am proud to represent, is one of only seven school districts in the country to be recognized by the United States Department of Education National Awards Program for Model Professional Development. Indeed, the remarkable efforts of the teachers, professional staff, and administrators of this, the nation's largest fully accredited public school district are fully deserving of this recognition.

Professional development for teachers—learning experiences which increase teachers' knowledge base and classroom skills—is a crucial ingredient to improving public education in America. The National Awards Program for Model Professional Development rewards and honors outstanding professional development programs and showcases effective professional development practices to help schools to learn from each other.

In establishing its professional development program called ''Professional Pathways,'' the Broward County School District sought to meet the unique needs of its diverse multi-cultural population. Because of the complex demographic characteristics of the district's student population which represent 159 countries and speak 53 languages, the program had to achieve ambitious goals. High standards were set and professional accountability was demanded. Accordingly, Professional Pathways requires all professionals to write annual professional development goals that are aligned with the school's improvement plan and to provide the district with annual program reviews. Professional development opportunities for staff members include individual training school-based activities, and certain district mandated training. Moreover, Professional Pathways ensures that staff development is long-term, based on research, relates to school improvement, and addresses both student and teacher needs.

As a result of this ongoing initiative, since 1996, state writing assessment scores have increased in elementary grades and state mathematics assessment scores have increased in all levels, K-12. In addition, the district's average Scholastic Achievement Test scores and average American College Test scores have increased since 1997. Advanced Placement Test results indicate that the average score of district students increased 4.6 points over the previous year, compared to the statewide increase of 1.7 points.

Mr. Speaker, let me again congratulate and commend the instructional and professional staff of the Broward County Public School District for their exemplary achievement in enhancing the effectiveness and success of public education in the state of Florida. The vision and innovation illustrated in developing the Professional Pathways program by the Broward County School District serves as a wonderful example of quality teaching and learning in public education in Florida and the United States as a whole.

CONGRATULATING THE VILLAGE OF BELLWOOD, ILLINOIS 100TH ANNIVERSARY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. DAVIS of Illinois. Mr. Speaker, I take this opportunity to congratulate the village of Bellwood, Illinois as it winds down the celebration of its centennial existence, from a dream to more than 100 years of community life.

Bellwood was incorporated as a village more than 100 years ago and came up with a unique way of paying special tribute to its people. In addition to fun events, ceremonies and activities, the village decided to bestow medals upon 100 individuals who were nominated for acts of kindness.

I, Mr. Speaker, was nominated and presented with one of these and must confess that I have never felt more honored. But even more than that, it is indeed an honor to represent a community which pays close attention to its schools, parks, playgrounds and other recreational and developmental opportunities for its children.

It is indeed an honor to represent a community which values its senior population, is noted for its city services, has fire and police departments who serve and protect, who prevent fires and keep down crime, and it is an honor to represent a community which is proud of diversity and respects all of its people. It is an honor to represent a community where corporate/business citizenship is encouraged and where people seem to feel good about each other.

Therefore, Mr. Speaker, I take my hat off to the people of Bellwood and commend: President Donald Lemm, Clerk Booker T. Brown, Trustee Jann Beauchamp, Trustee Woodrow Broaders, Trustee Michael Rogers, Trustee Joyce Ann Porter, Trustee Art Grapenthien, Trustee Frank E. Hasman, and Trustee Frank A. Pasquale.

Library Trustee Gail Archibald, Library Trustee Arnie F. Bryant, Library Trustee Alice English, Library Trustee Carolyn Griffin, Library Trustee Mary Ann Grunder, Library Trustee Anthony Howard, and Library Trustee John Johnson, Jr.

Memorial Park District: Commissioner Patrick Hurley, Commissioner John Johnson, Commissioner Victor Lezza, Jr., Commissioner Frank A. Pasquale, and Commissioner Ralph Sartore.

School District 88: Ms. Marilyn Thurman, President; Ms. Linda Morgan-Jones, Vice-President; Ms. Roxanne A. Brown, Secretary; Ms. Gloria M. Blackwell, Mr. Willis J. Booker, Jr., Mrs. Barbara J. Griffin, and Mrs. Sandra M. Hixson.

School District 209: Ms. Imoni Baxter, Mrs. Sandra Collins, Secretary, Mr. Patrick "Chico" Hernandez, Mrs. Theresa L. Kelly, Mr. Richard G. Klaczynski, Mr. Michael A. Manzo, President, Mr. Robert J. Smith, and Mr. Gregory T. Jackson, Superintendent.

I also pay tribute to police chief Greg Moore, fire chief Andre Harvey, and all of those who work to make Bellwood the delightful city that it is.

Congratulations on 100 years of tremendous existence and I trust that Bellwood will be standing for at least 100 more.

ACCOMPLISHMENTS OF THE SUBCOMMITTEE ON BASIC RESEARCH

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. SMITH of Michigan. Mr. Speaker, I would like to take this opportunity to talk a little bit about our work in the Subcommittee on Basic Research, a subcommittee I am honored to Chair. This Subcommittee has had a busy and productive two years. In the 106th Congress, we have held a total of 25 oversight hearings, field briefings, and mark-ups on a range of important and timely issues. In addition, we have passed through the House two bills authorizing fire and earthquake programs under this Subcommittee's jurisdiction, and these may yet be passed into law in the final days of the session.

I believe the work we do in this Subcommittee truly is unique. In our hearings on information technology, nanotechnology, education research, plant genomics, and biotechnology, for example, we have been able to glimpse the future. And through our oversight and our authorization bills, I hope that we are able to help shape that future, as well. I am proud of our record of collegiality and bipartisanship on the Subcommittee, and I look forward to continuing that tradition in the next Congress.

I would also like to this opportunity to thank the staff of the Subcommittee, who work behind the scenes to get things done. Stephen Eule, Peter Harsha, Mark Harrington, Sharon Hayes, and Steve Howell have made my job easier, and I thank them for all their good ideas and hard work. I congratulate all the members of the Subcommittee especially Ranking Member EDDIE BERNICE JOHNSON and her chief of staff Jim Wilsort.

COMMEMORATING THE 89TH ANNIVERSARY CELEBRATION OF THE NATIONAL DAY OF THE REPUBLIC OF CHINA

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Ms. PELOSI. Mr. Speaker, I rise to honor the National Day of the Republic of China, known as the "Double Tenth" celebration of freedom. This day is being commemorated in San Francisco with a grand celebration befitting the importance of this National Day.

The people of the United States have a strong bond with and commitment to the people of the Republic of China. With the historic election they held this year, the people of Taiwan have demonstrated to the world their dedication to democracy. The Republic of China continues to be a prosperous nation characterized by strong economic growth and respect for basic human rights and democratic freedoms. The Republic of China is an important economic, cultural and strategic partner of the United States, and their celebration is our celebration.

I am blessed in my district with so many Asian-Americans, including many from Taiwan, who make wonderful contributions to our City and its civic life. It is my privilege to congratulate the people of Taiwan as they commemorate the "Double Tenth" festival of freedom. I am proud to voice the support and best wishes of the Republic of China's many friends in Congress.

RECOGNIZING EAGLE SCOUT EDGAR JAMES III

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Eagle Scout Edgar James III.

Edgar James, III began scouting at the age of seven in 1992 as a Cub Scout with Pack 263, Stuyford District, Brooklyn, New York. As a Cub Scout, he learned the basics of Scouting, and as a Webelos, he prepared himself to become a Boy Scout. In May 1995, Edgar earned Cub Scout's highest award, the Arrow of Light.

Edgar was selected by his peers as a candidate for the Order of the Arrow, Honor Campers. He successfully completed the Ordeal and was inducted into the Order of the Arrow, Shu-Shu-Gah Lodge #24, in 1997.

Through tenacity, determination and hard work, Edgar progressed consistently through the ranks from tenderfoot in 1995 to his Eagle Award on July 27, 1999. Along the trail to Eagle, Edgar has served in several leadership positions including Assistant Patrol Leader, Patrol Leader and, currently, Assistant Senior Patrol Leader.

Edgar completed his Eagle service project with Outstanding Renewal Enterprises, Inc., in Manhattan. His goal was to encourage others while learning about environmentally sound management of New York City's Solid waste. Recycling and composting methods were used to inspire New York City residents to take responsibility for their environment in order to make the city a cleaner and greener place in which to live.

Edgar is a junior attending Midwood High School at Brooklyn College where he is in the Medical Science program and played the trumpet in the Marching Band. He was selected to participate in the Intel Corporation Social Science Research Program, representing Midwood High School. Edgar is a member of St. Paul Community Baptist Church in Brooklyn, New York. His future plans include a career in either medicine or law or, hopefully, to combine both and become a sports agent.

Mr. Speaker, Edgar is one of tomorrow's leaders, and I encourage my colleague to join me in honoring him today.

RECOGNIZING DOCTORS FRANK AND ANITA RICHELIEU UPON THEIR RETIREMENT

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize two remarkable individuals from my district. For nearly 40 years, Dr. Frank Richelieu and is wife Dr. Anita Richelieu have served the people of Redondo Beach.

In 1962, the Richelieus moved to Redondo Beach to work at the Church of Religious Science. It was under their leadership and guidance that the parish grew from just over 150 members to a congregation of well over a thousand worshipers.

Under the Richelieus' leadership, the Church of Religious Science has been actively involved in many charitable organizations and outreach programs. The Richelieus also sit on numerous community boards. Their commitment to improving our community is unparalleled.

Dr. Frank Richelieu and his wife Dr. Anita Richelieu are beloved members of the community and will be dearly missed. They have touched the lives of many during their years at the Church of Religious Science. I congratulate them on their retirement. Thank you for your valuable contributions to the South Bay.

HONORING THE LATE LENA HOFFMAN OF COLLINSVILLE, ILLINOIS

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. SHIMKUS. Mr. Speaker, today I honor Ms. Lena Hoffman of my hometown of Collinsville, Illinois. Ms. Hoffman passed away on October 1, 2000, three days before her 104th birthday.

Several weeks before her passing, her family asked me to share my thoughts and congratulations with Lena for her birthday milestone. I was excited to be a part of the celebration of one of the town's oldest citizens. Everyone was looking forward to the big day. As her family was coming together to celebrate her birthday, they found out that they would be gathering to mourn her death and celebrate her rich life.

Lena was not rich in material wealth, but rather, rich in spirit. That rich spirit lived in the beautiful garden she cultivated, in the quilting society she belonged to, and in the molasses cookies and breads she bake. Her rich spirit lives in her four daughters, her 31 grandchildren, in 50 great-grandchildren, in 38 great-great grandchildren and 10 great-great-great grandchildren.

Many people in Washington speak of legacies, I am not sure of too many people who can hold a candle to Lena Hoffman's legacy—a close, loving family—five generations strong. We should all be so lucky to have such a rich and full life.

Hermann Broch once wrote that, "No one's death comes to pass without making some impression, and those close to the deceased inherit part of the liberated soul and become richer in their humanness." In her 103 years, Lena touched many lives. She will be truly missed, but her legacy will live on.

TRIBUTE TO THE LATE DuSABLE MUSEUM CURATOR RAMON PRICE

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. DAVIS of Illinois. Mr. Speaker, Ramon Price spent his entire life pursuing goodness, helping others and being involved with art and artistic endeavors.

Mr. Price was the half brother of Chicago's first African American mayor, the Honorable Harold Washington and while Ramon was not overly drawn to electoral politics, he did organize artists for Washington and kept the artistic community actively engaged in fundraising and other support activity for the Washington political apparatus. Mr. Price was inspired by his high school art teacher, Dr. Margaret Burroughs who founded the DuSable Museum and the two of them became friends and worked together in developing the museum until his death.

In addition to his work with the DuSable Museum, Mr. Price who earned both bachelor and masters degrees taught at DuSable High School, was department chair and taught at Indiana University. He was also a painter and sculptor whose work is on display at DuSable, other museums and galleries.

A gentle soul who loved his community and his people. May his soul rest in peace.

IN SPECIAL RECOGNITION OF TIFFANY DRAIN ON WINNING THE PLEDGE OF ALLEGIANCE NATIONAL ESSAY CONTEST

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. GILLMOR. Mr. Speaker, today I pay special tribute to an outstanding young lady from Ohio's Fifth Congressional District. I am happy to announce that Tiffany Drain, a seventh grader at Liberty Center High School in Liberty Center, Ohio, is the winner of the "What the Pledge of Allegiance Means to Me," national essay contest.

Tiffany first submitted her essay at the district level to Local Elks Lodge #929 in Napoleon, Ohio, The lodge was the primary local sponsor of the essay contest open to all sixth graders across America. She would later go on to win at the state and national levels. Since then Tiffany has presented her essay at a number of local events, including the McClure Radish Festival in McClure, Ohio, and the Annual Tomato Parade at the Huron County Fair in Napoleon, Ohio. Tiffany most recently recited her national winning essay before the Ohio General Assembly, receiving a standing ovation from Ohio State Representatives and Senators alike.

The following are Tiffany's few but powerful words: "From Alabama to Michigan, California to Maine we are all taught the same thirty two words of the Pledge of Allegiance. As I hold my hand over my heart to recite these words as done so many times before, I think of peace and freedom. In these fifteen seconds we, as a nation, can stand next to each other without regard to the color of each others skin, without hatred towards each other, and become joined as one in unison. For fifteen seconds we are free from hatred, free from racism, and free from violence. From a Harvard College Professor to a St. Augustine first grader we can stand next to each other and know the same thirty-two words. As we face our flag with our hands over our hearts a hush overcomes all the noise and for fifteen seconds we have absolute peace in our nation."

As we turn the nation over to our youth, my confidence and optimism has been reinforced for the preservation and future of our great nation through the accomplishments of students like Tiffany. She serves as an example to us all.

Mr. Speaker, I would ask my colleagues to join me in paying special tribute to Tiffany Drain. We should all be grateful to her. Tiffany has reminded us that when we stand and pledge allegiance to the United States of America, that we not only stand for our flag, our freedom, and our allegiance to our great country, but that we stand as a nation, together.

RECOGNIZING THE REPUBLIC OF CHINA'S NATIONAL DAY

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 6, 2000

Mr. SCARBOROUGH. Mr. Speaker, in honor of the Republic of China's 89th National Day next Tuesday, October 10, 2000, I wish to salute Taiwan President Chen Shui-bian and the Taiwanese people for their many economic and political accomplishments.

Even though Taiwan is a small island nation with few natural resources, it has prospered. With one of the world's largest foreign exchange reserves, its 23 million people enjoy one of the highest standards of living in the world. Politically, Taiwan is a full democracy, with a multi-party system, free elections, and a free press. Taiwan fully embraces the values of economic liberalization, democracy, rule of law, and respect for human rights.

For these reasons, I commend Taiwan, our friend and partner in Asia. Congratulations and best wishes as you celebrate your National Day.