the rules were suspended and the bill, as amended, was passed. A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 11 o’clock and 47 minutes a.m.), the House stood in recess until approximately noon.

AFTER RECESS

The House being in order, the House had before it the bill titled:

CONGRESSIONAL RECORD—HOUSE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2657, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 22, as follows:

[Roll No. 343]

YEAS—408

Abercrombie...Abraham
Abercrombie (PA)...Abram
Ackerman...Aderholt
Akin...Allen
Andrews...Armey
Baca...Bachus
Baird...Baldacci
Ballenger...Barclay
Barc...Barrett
Barton...Berensen
Besen...Berman
Berman...Berenstein
Berman (NY)...Berenson
Biggert...Blair
Blaine...Blemel
Boggs...Bolling
Bono...Boswell
Boucher...Boyd
Bowman...Boyle
Brady (PA)...Brown (FL)
Brady (TX)...Brown (OH)
Brown...Brown (SC)
Bryant...Buyer
Callahan...Callinicos
Carson (IN)...Carson (MD)
Cardin...Capito
Carp...Carper
Carson (OK)...Caslin
Castle...Castor
Castor...Chabot
Chamberlin...Clayton
Cheney...Clinton
Clifford...Cleaver
Cleaver...Clifford
Clyburn...Collins
Collins...Combett
Condit...Consalves
Connor...Cooksey
Cooksey...Costello
Cox...Coyne
Coyne...Coyle
Crane...Cramer
Craighill...Crawshaw
Creigh...Creech
Cubin...Cubin

NOES—22

Abraham...Akin
Allen...Andrews
Armey...Baca
Bachus...Baird
Baldacci...Ballenger
Barclay...Barton
Barrett...Bartlett
Berenson...Berman
Berman (NY)...Berenson
Biggert...Blair
Blaine...Blemel
Bolling...Bongino
Bron...Browdy
Brown...Brown (SC)
Bryant...Buyer
Callahan...Callinicos
Carson (IN)...Carson (MD)
Cardin...Capito
Carp...Carper
Carson (OK)...Caslin
Castle...Castor
Castor...Chabot
Chamberlin...Clayton
Cheney...Clinton
Clifford...Cleaver
Cleaver...Clifford
Clyburn...Collins
Collins...Combett
Condit...Consalves
Connor...Cooksey
Cooksey...Costello
Cox...Coyne
Coyne...Coyle
Crane...Cramer
Craighill...Crawshaw
Creigh...Creech
Cubin...Cubin

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

Mr. STUMP. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2586 in the Committee of the Whole pursuant to the order of September 19, 2001, general debate be enlarged to 2 hours equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

The SPEAKER pro tempore (Mr. WHITFIELD). Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STUMP. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2586 in the Committee of the Whole pursuant to the order of September 19, 2001, general debate be enlarged to 2 hours equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

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The SPEAKER pro tempore (Mr. WHITFIELD). Is there objection to the request of the gentleman from Arizona?

There was no objection.

PERMISSION TO EXPAND TIME FOR GENERAL DEBATE DURING CONSIDERATION OF H.R. 2586, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

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is considered as having been read the first time.

Pursuant to the order of the House of today, the gentleman from Arizona (Mr. STUMP) and I may consume Missouri (Mr. SKELTON) each will control 1 hour.

The Chair recognizes the gentleman from Arizona (Mr. STUMP).

Mr. STUMP. Mr. Chairman, I yield myself such time as I may consume.

On August 1, the Committee on Armed Services reported H.R. 2586 with strong bipartisan support, a vote of 58-1.

The bill authorizes appropriations for the Department of Defense and for the Department of Energy national security programs for a total of $343 billion in budget authority, consistent with the President’s amended defense budget request.

Mr. Chairman, normally at this point we cover all the various initiatives in the bill and why this is a strong proposal to support our men and women in uniform. This bill is all that and more.

The bill contains the largest military pay increase since 1982 and provides significant increases in funding for critical military readiness accounts. The bill also makes great strides in beginning to fix our crumbling military infrastructure and makes a modest down payment on our next priority, the modernization of our aging fleet of combat equipment.

However, the bill also reflects the reality that existed prior to last Tuesday’s terrorist attacks on the United States.

The tragic events of September 11, 2001, have changed our Nation. They exposed our vulnerability to terrorism and removed forever the belief that Americans here at home were safe from the kinds of barbaric attacks that have occurred against our citizens, our military personnel, and our friends and allies overseas. We now know that America itself is a target and that terrorists will not hesitate to use whatever means at their disposal to kill innocent Americans on a massive scale.

The terrorists’ actions were deliberate and calculated. Our response must be as well. Once again, our Armed Forces are being called upon to defend this great Nation, this time from the scourge of terrorism. I have no doubt that they will rise to the occasion. But we must ensure that they have the proper tools and resources to do the job, now and in the future.

H.R. 2586 provides our men and women in uniform with the tools they need to combat the challenges our country will face in the next decade and beyond. The bill goes a long way toward helping our military recover from the devastating effects of the chronic underfunding that has taken place over the past 8 years. It is a critical step toward ensuring that the United States is ready to meet the challenges that lie ahead, including the challenge of meeting and defeating international terrorism.

The bill recognizes that the war against terrorism will not be won quickly and that the United States will require additional capabilities to deal with the threat terrorism poses to America. To this end, the bill authorizes roughly $6 billion for Department of Defense programs to combat terrorism. Moreover, the bill reflects the need to modernize America’s military capabilities so that our country’s vulnerability to other threats, including ballistic missiles, will be eliminated.

This is a good bill. However, despite the increases contained in the bill, additional resources will be needed. America’s defenses cannot be rebuilt in a single year. The war against terrorism cannot be won with a single year of defense increases. Our ability to protect our citizens against other emerging threats cannot be assured with a single year of defense increases. The effort to improve our Nation’s defenses and our military must be as well. Once again, our Armed Services and our friends and allies overseas. We now know that America itself is a target and that terrorists will not hesitate to use whatever means at their disposal to kill innocent Americans on a massive scale.

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offensive reductions possible. Other adversaries would do well to note how cooperation in making peace leads to greater security on all sides.

There are still many strong reasons to support the bill, but let me set aside the formalities for a moment and speak to my colleagues from the heart. One clear trend in the history of warfare is that war has come closer and closer to civilians. Now we are faced with an aggressor who deliberately chooses to make war on civilians. We have a military, Mr. Chairman, of volunteers, each of whom has chosen to put on a uniform. Each of them knows that by doing so, he or she is saying this: "I will put myself between Americans and danger. I will risk my life and freedom to preserve yours. I will do what my country asks, and more." Mr. Chairman, their strength and fidelity may soon be put to the test. I guarantee every Member that they will not be found wanting. As they go, I hope and believe that they carry with them every good wish of those in this Chamber and across the civilized world. And I wish them God-speed.

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

Mr. STUMP. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HUNTER), chairman of the Subcommittee on Military Research and Development.

Mr. HUNTER. Mr. Chairman, this is a bill in which we generally have some fairly hotly contested issues. It is a bill in which Members voice strong opinions because national security issues evoke strong opinions. But all of us understand now that we have a major mission which predominates over all other missions with respect to this bill; and that is to give the President the tools that he needs to pursue the terrorist threat to America. Because of that, Mr. Chairman, I think we are all going to be working together here as we walk through this floor with this bill and go to conference and try to keep our controversy to a minimum, try to compromise on packages, and try to move to the point where we are actually procuring for the President, for our armed services, the resources that they need.

So let me thank my colleagues, the gentleman from Massachusetts (Mr. MECHAM), my partner on the Subcommittee on Research and Development; the gentleman from Missouri (Mr. SKELTON); all the other fine Members on the Democrat side of the aisle; and all my fine colleagues on the Republican side of the aisle, who make up this great committee called the Committee on Armed Services.

In R&D, let me tell Members where we have been trying to do everything we can to leverage America's technology, both militarily developed technology and commercially developed technology, to give our smaller forces which we now have the capability to be extremely effective, extremely mobile, and extremely flexible. This is a long, difficult challenge, and it is going to take years to make this change; but in a number of areas, we are straining to put in this bill. We are putting quite a bit of money into precision munitions, to upgrade our capability to use a single munition to do the job. Where, heretofore, you needed to use lots of dumb bombs, for example, to knock down a bridge or something of that nature and the ability to go in with a precision munition and make a single hit and do effective damage with that one hit, it is a great advantage that comes out of our technology; and that is something that we are trying to manifest in our munitions programs.

Stealth, Madam Chairman, the ability to fly aircraft through heavy enemy air protection to avoid and evade radar, so we can move our planes into position to strike and move them back out without losing pilots. That is an area manifested in the Joint Strike Fighter program, the F-22 program, and other programs which we are developing or are devoting a lot of resources to in R&D.

In the Army, the ability to move our forces quickly and to make sure that they are mobile enough and flexible enough to get into very small, tight, parts of the world, the problem that we discovered in the campaign in Kosovo. We are trying to rectify that with some changes in the makeup of our military forces and the armor forces that accompany those forces.

Madam Chairman, in the Subcommittee on Military Research and Development, we are devoting a large amount of dollars to help the Army change to a position where it is more mobile, more responsive, and especially more air mobile, because we have to get a lot of this equipment around the world in a very short period of time.

With respect to missile defense, we all understand we live in an age of missiles. That was revealed to us in the early 1990s when 26 Americans were killed in the Gulf War by ballistic missiles. Across-the-board, Democrats and Republicans are working on a whole family of anti-ballistic missile systems, some of which are deployable now, like PAC-3, which can handle some of the basic threat; right up to the testing range that the President needs for national missile defense. We think we are going to have a package on that a little later, Madam Chairman, that Democrats and Republicans can agree to.

So, across-the-board, Madam Chairman, on R&D we are doing everything we can to give our country broad capability against military threats. As we walk through this package, we are going to want to add things as we go into the conference with the other body to add activities, or reduce requirements as a result of the strike in America.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Madam Chairman, I thank our leader on the Democratic side for yielding me time.

Madam Chairman, at this particular time in our debate here in Congress, there is no more important bill that we are confronted with than this particular bill to provide adequate resources to our men and women in uniform and to all the people who work in support of those men and women in uniform. Certainly at this point in time, our Nation's defense posture must be adapted to the twenty-first century. We must adapt to all the new threats, all the new capabilities that are being shown by our adversaries. We must be able to evict and to deter our adversaries, to defend our homeland and to deter our adversaries. We must be able to do so in a way that is affordable. And that is the fundamental reason that this bill is so important.

We have a military, Mr. Chairman, of 1.3 million personnel. Each of these men and women carry with them every good wish of those on this Chamber and across the civilized world. And I wish them God-speed.

Mr. HUNTER. Madam Chairman, I yield.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from Colorado (Mr. HEPFLY), the chairman of our Subcommittee on Readiness.

Mr. HEPFLY. Madam Chairman, I rise today in strong support of H.R. 2586, the National Defense Authorization Act for fiscal year 2002.
I believe the committee has done a good job in fulfilling its role of oversight of the Department of Defense and has done its best to provide the necessary funding to improve the readiness of our military forces. Let us not forget, however, that for many years we have asked our military to do more and more with less and less. Now, after the tragic events of last week, we will be asking our military men and women to do even more.

Although there have been many additional missions placed on our military forces over the years, there has not been a corresponding increase in funding to fully sustain our infrastructure and equipment.

We are all heartened that the funding levels requested by the administration for next year makes an attempt to arrest the decline in military readiness and begins the process of rebuilding and restoring our military forces. To accomplish this, the administration has had to significantly increase readiness funding this year as compared with last year. As an example, funding for flight operations has increased by over $22.2 billion, which includes the increased costs for fuel and attempts to address the severe parts shortages. In addition, there is an increase for combat training of over $382.5 million, an increase for facilities repair and sustained in every branch of the military of nearly $500 million, and an increase of $1.2 billion for depot maintenance and repair of equipment. These are significant increases; but, again, they merely halt the decline.

Madam Chairman, H.R. 2386 is a responsible, meaningful bill, that fairly allocates resources for the restoration of acceptable readiness and an acceptable quality of life for men and women of our military forces. To do anything less will allow the readiness of our military manpower and equipment to further and could risk the lives of countless men and women in every branch of the military.

As we get this bill into conference, we may decide on or the President may come down with other needs based upon the events of the last few days and we can address those and we need to address those. For now, however, this is a good bill, and it deserves our support. I strongly urge my colleagues to vote yes on this bill, to vote yes to maintain readiness.

Mr. SKELTTON. Madam Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. Snyder).

Mr. SnyDER. Madam Chairman, as the ranking member of the Subcommittee on Military Personnel, the gentleman from New York (Mr. McHugh), for his leadership this year.

I would like to thank my friend and colleague, the fine chairman of the Subcommittee on Military Personnel, the gentleman from New York (Mr. McHugh), for his leadership this year.

Madam Chairman, the bill before us today continues to improve the quality of life for those who serve their Nation in uniform and their families. These defenders of liberty need to know that their families are being taken care of while they are protecting our freedoms.

Once again, Madam Chairman, let me say it is a pleasure to work with the gentleman from New York (Mr. McHugh) and the members of the Subcommittee on Military Personnel, to support this measure.

Mr. STUMP. Madam Chairman, I yield the gentleman from New York (Mr. McHugh), the chairman of our Subcommittee on Military Personnel.

Mr. McHugh. Madam Chairman, I thank the chairman for yielding me time.

Madam Chairman, let me echo the words of many who have spoken already. I know we will hear more about the great spirit of unity that we have seen displayed in the formulation of this bill, and that is a compliment, of course, to the Members on both sides of the aisle. But, particularly, I want to extend my thanks and appreciation to the chairman, the gentleman from Arizona (Mr. Stump), and the ranking member, the gentleman from Missouri (Mr. Skelton), for their incredible leadership.

Madam Chairman, given the truly tragic events of Tuesday, September 11, in my home State of New York and Northern Virginia at the Pentagon, and, of course, in Pennsylvania, it certainly is fitting, timely and essential that we consider this bill at this moment.

Like so many others, I rise in strong support of this measure. I believe there are many, many reasons for each and every Member of this body to enthusiastically endorse the legislation when it is called for a vote.

Most importantly, Madam Chairman, this bill represents a balanced approach to improving national security, providing significant initiatives in modernization, missile defense, readiness, research and development, military construction and procurement and that kind of balanced approach. For the long-term improvement to our national security, it is absolutely essential to our mission and certainly is essential to dealing most effectively with those developments of September 11.

On the personnel side, I think that there are many exceptional provisions that certainly argue strongly in favor of this bill. I want to thank the gentleman from Arkansas (Mr. Snyder) who just spoke for his leadership as the ranking member and for working with all of us on both sides of the aisle to put these provisions together. Although you just heard a number of them, I think they bear repeating.

Specifically, this bill builds on the administration’s fiscal year 2002 budget request for military personnel and health care that causes this legislation to be the strongest, most robust proposal in years. It provides some $6.9 billion more for the military personnel accounts than we provided just last year. That is the biggest 1-year increase in military personnel accounts since 1985.

It increases the health care operations accounts by $6 billion over what was authorized in fiscal year 2001. It reflects a commitment shared by DOD and the Congress to fully fund health care for our brave men and women in uniform that we are now looking to lead us in this, this greatest of challenges.

The legislation also provides for the largest military pay increase since
September 20, 2001

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1982, including a 5 percent across-the-board increase for officers and a 6 percent across-the-board increase for all enlisted personnel.

Further, the bill authorizes retirement-qualified members of the uniformed services to receive VA disability compensation. This would allow us for the first time to meaningfully deal with that concurrent receipt issue.

I want to thank the gentleman from Florida (Mr. BILIRAKIS), who has been such a leader in this provision.

The bill also very quickly reduces out-of-pocket costs that we require our military men and women to pay from 15 percent to 11.3 percent over the next year, keeping faith with the plan that we initiated to eliminate those costs, and many other provisions with respect to improving TRICARE, health care for our men and women in uniform, building on the budget request for so many other kinds of personnel issue accounts that are so invaluable as we ask these men and women to go forward to defend our Nation.

As we ask these men and women to go forward to defend our Nation and defend our interests, this bill I think signifies very strongly our shared commitment to them as we go forward on this day; and I certainly urge all of the Members to strongly support this measure when the vote is called.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Madam Chairman, I am in strong support of the National Defense Authorization Act for Fiscal Year 2002.

As the ranking member of the National Nuclear Security Administration Oversight Subcommittee, I want to specifically address the provisions of the bill relating to the Department of Energy and the NNSA.

Madam Chairman, the decision to retain the oversight panel again this year sends a very clear message of Congress’s intent to aggressively exercise its oversight responsibility in an area that is undoubtedly crucial to our national security. This resurgence of meaningful interest in the Department of Energy’s defense nuclear activities will have a lasting impact on the activity that has been entangled in a bureaucratic kudzu since its inception. But unfortunately, this bill does not provide relief for all of the challenges the NNSA faces.

In light of the catastrophic events of September 11, I wish we could have provided additional resources to continue the development of technologies that would enhance our ability to detect the production, testing, transfer, or use of weapons of mass destruction. The administration’s budget request severely reduces funding for nonproliferation research and development focused on enhancing essential domestic non-proliferation capabilities. It is an area where we can ill afford to lose any momentum. I hope that my colleagues will continue to seek additional resources for this area as we enter into conference with the Senate.

Madam Chairman, I also want to note for the full House that the panel’s accomplishments would not have been possible without the leadership of the chairman of the panel, the gentleman from Texas (Mr. THORNBERY), and the support of the gentleman from Arizona (Mr. STUMP), the chairman of the full committee, and the gentleman from Missouri (Mr. SKELTON), the ranking member, and the cooperation and support of our colleagues on the panel and on the full committee.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON), the chairman of the Subcommittee on Procurement.

Mr. WELDON of Pennsylvania. Madam Chairman, I thank our distinguished chairman for yielding the time and for his leadership on this bill, and I thank our distinguished ranking member for his cooperation.

This is truly a bill that I think reflects the need for this Congress to move forward aggressively in support of our defense in a way that we perhaps have not done over the past several years. I am ecstatic that we have struck a balance. We have continued to fund aggressive support for missile defense, we have continued to fund aggressive support for modernization, and in this bill we begin to address the needs of the readiness shortfall that our troops have experienced.

Madam Chairman, just 2½ weeks ago, a group of five of us traveled around the country interacting with 20 of our defense bases as well as 15 States to get a glimpse of the capability of our military to respond. What we saw was atrocious. We saw military bases that one would not put their worst enemies on. We saw raw sewage coming out of barracks. We saw day care centers for the children of the off-spring of our personnel with mold on the wall, without adequate fire protection. This bill begins to address those long-term maintenance and improvement needs that we have had for so many years and begins to address the readiness shortfall.

I commend the leadership of both the majority under the gentleman from Arizona (Mr. STUMP), the chairman of the full committee, and the gentleman from Missouri (Mr. SKELTON), the ranking member, for allowing us to move forward in this area.

But we have done other things besides readiness. We have continued to move forward in addressing the issues relative to terrorism. I am proud of the fact that this committee has been out on the forefront, even though we have had some silent ears in the past, of calling for additional funds to combat terrorism. In fact, Madam Chairman, it was this committee 2 years ago that called for the need for an integration of our intelligence capabilities, the establishment of a national data fusion center, and a national operations and analysis hub. It was this committee that called for that.

Yet the CIA and the FBI have not yet torn down the stovepipes that exist between our intelligence agencies. It was this committee that said all 32 Federal agencies must come together, because the most significant need for our military and our war fighters in the 21st century is the ability to do profiling, to use our intelligence systems to understand the enemy, to understand terrorists and terrorist groups and terrorist organizations.

This bill again reaffirms that priority. In fact, we are working for some specific funding to implement that during the process of moving this legislation. It is this committee who again, Madam Chairman, reestablishes the Gillmor Commission. The Gillmor Commission was created by this committee to look at the interaction between the military and our domestic responders. Long before the World Trade Center, we were on the cutting edge of telling the Congress and the American people that our domestic defenders, our international defenders, our military and our fire and EMS must work together. In this bill, we will continue the effort of that.

In every possible area of terrorism, we have been in the forefront and we will continue on the forefront. I urge my colleagues to vote ‘yes’ on this legislation.

Mr. SKELTON. Madam Chairman, I yield myself such time as I may consume.

Let me take just a moment to compliment the gentleman from Pennsylvania (Mr. WELDON) on his efforts concerning the housing for our young people in uniform. He and the gentleman from Texas (Mr. REYES), the gentleman from Texas (Mr. ORTIZ), and the gentleman from Virginia (Mr. SCHRÖCK) made a series of appearances to look at the conditions of some of our young folks. We ask so much of them; and I think this bill does make, as the gentleman said, a major step in helping the living conditions for those young people in uniform, and I want to thank him for his efforts in that regard.

Madam Chairman, I yield 2 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, I rise today to support the defense authorization and to thank the gentleman from Arizona...
(Mr. STUMP), the chairman of the committee, and the gentleman from Missouri (Mr. SKELTON), the ranking member, for putting together a strong defense bill.

In this time of national crisis, I am pleased that we are able to come together to support increased funding for our military services. Our combat troops, which President Bush has or soon will call to deployment, are trained and ready; let no one anywhere make any mistake about that. These men and women who are at the point of the spear are ready to handle whatever mission we require of them. However, it is those others who are further back from that point that need increased funding to fix problems.

I want to also thank the gentleman from Pennsylvania (Mr. WELDON) for having the vision to put together a fact-free several that we recently completed. On this trip we visited 23 bases across the country and saw horrendous living and working conditions. Ceilings were falling in, sewage was backing up; our men and women in uniform and their families were being forced and are being forced to live in substandard housing.

Madam Chairman, we have the finest military personnel in the whole world, and they simply deserve better. They give us 110 percent each and every day, and we as a Nation owe them a better quality of life. This bill will begin to fix some of those problems, but we must still do more for them. In this time of great peril and danger, let us not forget to get our priorities straight. I ask all of my colleagues to support this bill.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from California (Mr. McKinley).

Mr. MCKEON. Madam Chairman, I rise in strong support of our National Defense Authorization Act.

Madam Chairman, I rise in strong support of H.R. 2586, the National Defense Authorization Act.

Before I begin in earnest, I would like to pause for just a moment to pay my respect to my good friend Floyd Spence. In my entire time on the House Armed Services Committee, I have not experienced an authorization bill without him. We will miss Floyd greatly and I know that I join my colleagues in sending our thoughts and prayers to his family.

I want to thank Chairman STUMP and Ranking Member SKELTON for their leadership, hard work, and dedication to our men and women in uniform and their families. The National Defense Authorization Act for Fiscal Year 2002 reflects the strong bipartisan values of the committee and this legislative body in favor of securing and maintaining the most capable defense force in the world.

Madam Chairman, H.R. 2586 represents this committee’s and Congress’ desire to rebuild our Nation’s Armed Forces after years of neglect. Specifically, the legislation reflects the President’s request for the largest increase in defense spending since the mid-1980s. In total, the President request and the House Armed Services Committee approved a $33 billion increase from the fiscal year 2001 spending level.

Madam Chairman, I want to highlight two specific areas where I believe the committee has done exemplary work. First, the committee approved the largest military pay raise since 1985, significant construction efforts to improve the facilities in which military personnel live and work, and substantial increases to readiness accounts that support operations, maintenance, and training.

Second, the committee fully funded the required upgrades for the B–2 bomber. By including $123 million for Link 16 and in-flight replanning, the committee has given the B–2 the required equipment to accomplish the job its capable of doing. Furthermore, the committee has asked the Air Force to report back on the necessary equipment needed to complete the mission set out by Air Force Chief of Staff General John Jumper’s Global Strike Task Force. While I believe that more B–2s would accomplish the mission, it is important that the Air Force provide us with this data so that Congress can appropriate the needed funds to support their mission.

In view of last week’s events and the commencement of Operation Infinite Justice, swift action by this legislative body will further demonstrate the unity and determination of this great Nation to overcome the challenges before us.

May God bless America and the brave men and women who are putting their lives on the line to defend us.

Mr. STUMP. Madam Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. SAXTON), the chairman of our Subcommittee on Research and Development.

Mr. SAXTON. Madam Chairman, I rise in strong support of H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

Prior to the August recess, the Committee on Armed Services met to mark up this legislation and ordered it reported by a vote of 58 to 1, a testament to the tradition of bipartisanship of the committee.

I must say that I have been gratified by the strengthening unity of purpose which has seized this House. As a matter of fact, Madam Chairman, if the terrorists who perpetrated last Tuesday’s attacks hoped to play on any partisan or policy differences we may have with each other, they have failed. As a matter of fact, the aisle that separates the two sides of this House has disappeared.

Obviously, in light of the horrific terrorist attacks of September 11, many aspects of the defense program will be looked at anew; but we are pressing ahead with this bill because there are many, many important defense priorities that must be addressed in this measure. All of us in this great body understand that we need to relook at everything we have been doing to protect our national security, and I promise my colleagues that those needs will be our first priority as we meet in conference with the other body to give final shape to this measure.

Even though we all yearn to act now, the prudent course of action is to address the requirements that the Secretary of Defense identifies, requirements that have been studied hard over the last 10 days. I know the Secretary is working hard with members of our leadership and with the chairman and vice chairman of the Committee on Armed Services to develop our priorities for our consideration; and in the weeks ahead, we will be considering those measures.

As chairman of both the Special Oversight Panel on Terrorism and the Subcommittee on Military Installations and Facilities, I will be very active in pursuing effective ways to defeat the scourge of terrorism while allowing all Americans to carry on. We should reward those who serve in the military, to live and work without fear of sudden attack. Clearly, we must do what we can to protect the safety of our citizens, our military, and our military families. Just as importantly, we must find ways to streamline the security processes so that military bases are reasonably accessible.

In all of this tragedy, there is a glimmer of hope. For example, there is evidence that the improved reinforced measures that have been taken in new construction have saved lives. I am told, and will go and visit soon to see for myself, that portions of the Pentagon that have been renovated, which included several explosion-resistant features, stood up far better than the older structure. I am leading a delegation of my colleagues to examine the damage very soon and promise my best efforts to do whatever we can to protect all Americans from terrorism.

Later this week, the Committee on Appropriations is expected to bring to the floor the bill to provide appropriations for military construction for the coming year which, of course, are also included in this bill. Our two committees have worked closely together, that is, the Committee on Appropriations and the Committee on Armed Services, in the development of the MILCON program for the next fiscal year. The gentleman from Ohio (Mr. HOBSON) and the gentleman from Hawaii (Mr. ABERCROMBIE) and the gentleman from Massachusetts (Mr. OLIVER) have worked closely together with all parties, and our bills mirror each other. H.R. 2586 would commit approximately $10.3 billion, roughly $350 million more than the President’s request, to the military construction and military housing for the coming years.
Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Utah (Mr. Hansen), a member of the committee.

Mr. HANSEN. Madam Chairman, I thank the gentleman for yielding time to me.

As the President said, we have seen the first battle of the first war of the 21st century, but there are many battles to come. Even as we speak, our military forces are deploying to the farthest reaches of the planet to begin the noble campaign to rid the planet of the scourge of terrorism.

I appreciate the gentleman from Arizona (Chairman Stump) and the ranking member, the gentleman from Missouri (Mr. Skelton), for the great work they have done on this very important piece of legislation.

I would like to say one thing: This bill has some things that are very important to the ranges of America. As many realize, there have been some real encroachments in it. We had one hearing where they said we only use 18 percent of Camp Pendleton because of the Endangered Species Act, a small percent of Fort Hood, and challenges coming around. This piece of legislation allows us to have the military have some hand in the Endangered Species Act.

If Members read the 1973 Endangered Species Act, the Secretary of Defense has a prerogative in there to utilize it, and I would urge the Secretary to take a look at that bill. That may help him.

This bill also sets aside the referendum in Vieques. At a time like this, I am sure Puerto Ricans and Americans all over will stand tall, square their shoulders, and say that this is important. And it is important when the JFK goes out that it has live-fire training, that they do not go out unprepared. That is an extremely important thing.

It gets into the idea of readiness, of $7.5 billion more for readiness, which is so important at this time. I think the gentleman from Pennsylvania (Chairman Weldon) and others who have worked admirably in getting this bill ready to go on things that will protect America.

This is a good piece of legislation, a piece of legislation that should be passed. If Members read the Constitution of America, what is the reason we are here in these offices anyway? It is not a lot of this stuff we have been debating for the past year. The main reason we are here is to defend our people and defend this Nation.

This is the first piece of legislation I have seen this year that does that, and it is a good piece of legislation. Let us all vote for this bill.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. Andrews).

Mr. ANDREWS. Madam Chairman, I thank my friend, the gentleman from Missouri, for yielding time to me.

At a time of great uncertainty in our country, this bill provides strong assurances to the American people. When our Commander in Chief calls our men and women to land and the soldiers need to do their work, they will be ready because of the diligence and vigilance of Members of this committee on both sides of the aisle.

This bill does a lot to make them even more ready. It raises their pay, and makes significant steps towards improving the conditions in which their families live. It provides for funding for the ships, the planes, the weapons that they will need to do their job. As a member of the National Defense Authorization Act on Military Research and Development, I am particularly pleased that under the leadership of the gentleman from California (Chairman Hunter), with the active leadership of the gentleman from Massachusetts (Mr. Meehan), we were able to increase by $8 billion, from $41 billion in the present fiscal year to $47 billion in the forthcoming fiscal year, the resources for research and development.

If Members want to make the air- port safer, these research and development projects will make it so. If Members are looking for ways to defend America’s civilian infrastructure from attacks that we dread and anticipate, these projects are the way to make it so.

Our enemies should note duly this afternoon, we are united on this bill. We will go forward together, and when our Commander in Chief calls, our troops will be ready as a result of this legislation. I urge its passage by the House.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. Bartlett), chairman of our Panel on Morale, Welfare and Recreation of the Committee on Armed Services.

Mr. BARTLETT of Maryland. Madam Chairman, I thank the gentleman for yielding time to me.


Under normal circumstances, I would confine my remarks to the provisions in the bill relating to the morale, welfare, and recreation and activities for military personnel in my capacity as chairman of the Panel on Morale, Welfare, and Recreation of the Committee on Armed Services. I certainly wish to thank my ranking member, the gentleman from Guam (Mr. Underwood), for his commitment and help.

But these are far from normal circumstances. The morale, welfare, and recreation provisions are important,
and I commend them to all Members of this great body. More to the point, the overreaching purpose of this bill is to strengthen the national defense. The barbaric acts of terrorism committed just last week brought home the grim reality to us that our enemies are real, they are clever, and they are determined. We must not rest until others responsible are brought to justice. We must not rest until others responsible are brought to justice.

In my opinion, we should have been doing more. However, this is not the time to dwell on what we did or did not do in the past. As Members of Congress, we must fulfill our responsibility to work together to provide the men and women who volunteer to serve in our military with the tools and resources they need to exact justice and ensure that the terrorists are brought to justice. I am sure we will have disagreements about exactly how to do that as this effort moves forward. We have to keep focused and united behind the ultimate goal of securing liberty for ourselves and our posterity.

This bill and the $40 billion supplemental passed a few days ago are a good start. More should and will be done, but this bill, as we will amend it today and tomorrow, is a good follow-up to the supplemental, and I urge all Members to support it.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Madam Chairman, I thank the chairman and ranking member for putting together a good bill.

While I take issue with the bill's acceleration of national missile defense, the overall bill is worthy of support, especially given the importance of supporting our troops in the war on terrorism.

Let me take a moment to mention a little-noticed but important part of the bill, the maritime section. I thank the gentleman from California (Mr. HUNTER), the chairman of the Merchant Marine Panel, for crafting a quality bipartisan product.

The likelihood of a military buildup overseas shows that the need for a ready and viable Merchant Marine fleet and a shipbuilding industrial base remains as critical as ever. The committee recommends $104 million to maintain the Title 11 loan guarantee program, and provides $99 million for operation of the Maritime Administration, including the U.S. and State maritime academies.

In addition, we did not support the President's request to transfer the maritime security program from the Department of Transportation to the Department of Defense because the committee has not received any justification for the transfer.

As the Nation stands united after the terrorist attacks, today is not the time for controversial debates. But there are items in this bill worthy of a full debate and vote in the future.

For example, I believe the massive increase in funding for national missile defense to deal with the least likely terrorist threat to this country is misguided, given the more conventional and readily apparent terrorist threats that we face. Moreover, withdrawal from the ABM Treaty could undermine our ability to keep Russia from becoming a reliable partner in the antiterrorism coalition.

The administration's fiscal year 2002 budget adds $3 billion for missile defense, a 57 percent increase. Its original increase for counterterrorism was only one-eighth as large, a mere 7 percent increase. The response to September 11 has already required defense increases, from air patrols at home to reserve call-ups to deployment overseas. But we should not use this tragedy as an excuse to throw money at the Pentagon. New spending should be justified by an overall strategy and reviewed by Congress. This crisis does not obviate the necessity to prioritize.

Again, I urge support for this bill to give full support to the American men and women who may be asked to put themselves in harm's way in our war on terrorism.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERY), the chairman of our Special Oversight Panel on Department of Energy Reorganization.

Mr. THORNBERY. Madam Chairman, like other Members, I rise in appreciation and admiration for the leadership shown by our chairman, the gentleman from Arizona (Mr. STUMP), and by the gentleman from Missouri (Mr. SKELTON) in moving this bill, particularly at this difficult time.

I also appreciate the participation of all the members in the special panel dealing with the Department of Energy's nuclear weapons program. At this time, as it has been for the past few years, security of our nuclear weapons and the complex which produces them has been a very high matter of concern.

I can report to the House that General Gordon, who is the administrator of the National Nuclear Security Administration, has done a good job, in my view, of reassuring us that our nuclear weapons facilities are secure, and particularly in this difficult time.

Along with the very distinguished ranking member of the panel, the gentleman from California (Mr. TASSOULAS), I have had continued side-by-side over the past year in overseeing the reorganization which Congress passed a few years ago.

Included in this bill are some minor adjustments to the reorganization which I think is a good proposal and requested by General Gordon. But the bigger bill also provides more funding for our nuclear weapons projects, including some set-aside money for our facilities, which have been very badly underfunded in recent years, and I think helps give the necessary emphasis to critical elements of our defense posture now, just as much as 2 weeks ago.

Madam Chairman, in the broader sense, I believe this bill takes important steps forward in making sure that we are preparing for the threats of the future. One thing that the events of last week reminds us is that the United States can be attacked by more actors using more different methods than ever before, so we have to have a military that is more flexible and more adaptable. This committee has been pushing to make sure that we have expanded capabilities that can deal with this greater variety of threats.

Among the things that are included in this bill are a suggestion that the Secretary of Defense establish a transformation office within his office, to have an advocate in the highest reaches of the Pentagon to make sure that we are preparing for the wars and challenges of the future, not refighting the wars of the past.

Included in this bill are important provisions dealing with space, because while a lot of our focus now is on these particular acts of terrorism, this country can also be subject to economic terrorism, if for example satellites were disabled, and it would also of course cripple our military. Having control of space and giving space the proper attention it needs is a critical thing.

We support the Army's efforts to transform itself to have smaller units that are more mobile and more lethal, and obviously the events of recent days point out the importance of this. This bill also moves ahead with the conversion of the Trident Submarines into SSBNs. It is an important step that gives us additional capability.

This bill helps us move forward and will make us better prepared to deal with the challenges ahead.

Mr. SKELTON. Madam Chairman, I yield 7 minutes to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Madam Chairman, I have grave concerns about this bill. I would first like to say that I hope that reason and common sense prevail in any decisions on our Nation's future response to terrorism.

Madam Chairman, I pray for God's intervention in ensuring the safe return of our many young men and women who are now being sent off to fight this war against terrorism. They face tremendous dangers and uncertain futures, and their families endure many long and sleepless nights waiting for their return. We must remember them all, and acknowledge the great personal sacrifices they are going to have to make on our behalf in the coming days.

H.R. 2586 represents a near $3 billion increase from last year. In comparison,
appropriations for diplomacy and foreign aid total only $22.9 billion, a mere 6 percent of the entire defense budget.

With the financial mismanagement that continues to exist within the Department of Defense, increases should not be made until a system of financial responsibility is instituted to prevent waste and address the lack of accountability.

The single largest portion of the budget increase is dedicated to the development of missile defense systems. It should be apparent to us all now that ballistic missiles are not our worst threat at this time. Expensive high-tech weapons are no substitute for effective diplomacy. Arms control, disarmament, and international cooperation will be more effective in advancing peace and security in the years ahead and will cost far less than a missile shield.

This bill also prevents our Nation from reducing our nuclear weapons arsenal and from de-alerting our nuclear weapons stockpile. In light of recent events, I think it would be prudent to de-alert our nuclear missiles and to retire as many as possible, lest they become greater targets or be turned against us.

I regret that the committee did not support the Sanchez amendment to change current law to permit service-women and female dependents who are overseas to access military hospitals for the purpose of privately funded abortions. This provision is tantamount to gender discrimination and should be changed.

This bill also reduces the likelihood of the Navy’s departure from Vieques. It is my hope that the administration will be permitted to go ahead with its plans for withdrawal from Vieques in 2003.

There have been recent revelations about the use of military intelligence for domestic purposes, specifically with respect to the surveillance of Dr. Martin Luther King, Jr., and Operation Lantern Spike. Evidence of such past activities give rise today to grave constitutional issues and concern about civil liberties. The 1975 report written by the Frank Church Committee revealed practices aberrant in a free society. The Church committee exposed that in the name of State security a program of manipulation, surveillance, disruption, and murder was carried out with the consent of those at the highest levels of the United States Government and against domestic and international law. Domestic uses of the military have long been prohibited, for good reason, and the same should continue to apply.

Continuing war on drugs is another problem area for us. As with the continued bombing of Iraq, I think now is not the time to be fighting proxy wars overseas, making more enemies abroad than we may already now have. Now is a time to focus on diplomacy abroad and justice and security at home. As such, I do not support continued funding for training for civil conflicts in Colombia and elsewhere.

Despite my reservations with this legislation, it does include positive aspects that I applaud. I would like to commend the provisions for the increase in military pay and salaries. This is an appropriate step that not only provides our servicemen and women with sufficient compensation but also furthers the professionalism and enhances the retention of our servicemen and women. Similarly, increases in moving allowances, housing expenditures, provisions permitting concurrent receipt of retired pay and veterans' disability benefits, and efforts to promote voting rights of personnel are positive and much needed.

Much has changed since the committee passed this bill in August. However, I am still confident that many of the nations that we perceive as a threat will respond to the expansion and proliferation of missile defense, the expanding role of the military and drug interdiction, and prevention of reductions in nuclear missiles. It is uncertain how these nations will respond, but I am confident that diplomacy and engagement will have a much more positive effect on our national security than will expanding the defense budget.

I urge this body to consider its role in developing not only national policy but also international relations, and to realize that as a global leader we have a role in not only preparing for war, but also in promoting peace.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. RYUN), a member of the committee.

Mr. RYUN of Kansas. Madam Chairman, I want to thank the chairman and ranking member of the committee for their hard work on this bill.

Madam Chairman, this Congress is still experiencing the pain of a tremendous tragedy. America’s military personnel and their families will be called on to make even greater sacrifices to protect the freedoms of our Nation. Unfortunately, for too many years they have been called on to do more with less.

Now, more than ever before, we realize our presence represents a stabilizing force to countries around the globe. With the pace of deployments and dispositions, the committee on Armed Services has appropriately concentrated on enhancing quality-of-life issues in support of our deserving personnel.

I support H.R. 2586, the Fiscal Year 2002 Defense Authorization Act, because it directly addresses the quality-of-life problems today’s service members are experiencing. In total, the bill authorizes $343 billion for defense spending in 2002. Of the $33 billion increase from last year, military health care receives a 54 percent increase in funding. Clearly, this is one of the largest increases in this critical area in many years.

It is a well-known adage in the military that you recruit soldiers and you retain families. Quality of life is essential in recruiting and retaining quality personnel. If we are to address and solve the attrition problem, we must continue to focus on the quality of health care for the entire family. That is why I wanted to eliminate a burdensome requirement experienced by military spouses in maternity-related care.

I believe that service members should not have to worry about administrative health care problems their families may suffer. It detracts from their focus on their work, when their work demands total attention to protecting the health of their Nation. This bill appropriately calls on the Pentagon to make some changes. They are required to report on how they are operating under recent changes made in this aspect of beneficiary health care.

Congress must move ahead to remove the pressures felt by America’s military personnel who put their lives on the line every day to protect America’s freedom. H.R. 2586 makes great strides in addressing pay, housing, health care for our soldiers, sailors and Marines. I urge my colleagues to vote “yes” on this very important piece of legislation.

Mr. SKELTON. Madam Chairman, may I make an inquiry of the time we have remaining?

Mr. CHAIRMAN. The gentleman from Missouri (Mr. SKELTON) has 33 1/2 minutes remaining, and the gentleman from Arizona (Mr. STUMP) has 29 minutes remaining.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENBAUER).

Mr. BLUMENBAUER. Madam Chairman, I appreciate the gentleman’s courtesy in yielding me this time. As the Nation’s eyes turn towards what we can do to protect our citizens from these horrible actions of terrorist violence, it would be sad, in an era of unprecedented increase in military spending, if we did not do everything we could to save the lives and health of innocent Americans.

Sadly, as the committee has recognized, the landscape across this country is still littered with the explosive residue from years of military testing, storage, unexploded ordnance and other toxins that have taken the lives of adults and children and threatened the health of Americans across the country, including right here in Washington, D.C.

I wish to thank the chairman and ranking member for the committee’s
action to do something about this important problem of unexploded ordnance. I appreciate the committee's including the most important provision of the legislation, which the gentleman from Alabama (Mr. RILEY) and I have introduced to deal with this problem that is not theoretical and touches every congressional district, and that is to inventory the sites and prioritize a program for their prioritization.

We are going to have to address the problem of unexploded ordnance at some time. The current rate of cleanup will take hundreds, some have even estimated it may take as many as a thousand, years. That is unacceptable. Sooner is better for the environment, for our citizens, and for the taxpayers. I hope that this last week's tragic incident will strengthen our resolve to do every bit we can to make our citizens safe in every way possible.

Unexploded ordnance, also known as UXO, is the bombs and shells that did not go off as intended and are subsequently buried or litter the landscape. Our bill, the Ordnance and Explosives Risk Management Act (H.R. 2605), lays out policy guidelines to address this problem.

Section 311 of the Committee bill calls for an inventory of explosive risk sites at former military ranges. It requires DOD to complete and annually update the inventory that is already being maintained. It stipulates criteria for site prioritization among UXO sites.

I want to clarify the purpose of this prioritization requirement. It requires the Department of Defense to develop much more detailed information on the nature and extent of the unexploded ordnance problem that it has compiled to date. Recent GAO reports have concluded that the Department of Defense does not have a complete inventory of current and former training ranges, and that DOD may have overlooked as many as 200 former ranges in compiling a survey of Formerly Used Defense Sites for the Senate Armed Services Committee. Thus, DOD has likely significantly underestimated the scope of the unexploded ordnance problem. In addition to woefully incomplete information on the scope of this problem, DOD has not been able to provide much information on the urgency of cleaning up the many sites that have been identified.

Some have expressed concern to me that the prioritization requirements of the new section 2710 (which is added to Chapter 160 of title 10, United States code) may preempt states' regulatory authority. That certainly is not the case. I want to emphasize that these requirements are simply intended to generate information on the relative urgency of necessary action and setting forth priorities based on that information.

There are many other areas in the committee's bill that also require comprehensive information to evaluate the scope of these problems. The committee's bill is not intended to impair or alter, or diminish any existing federal or state authorities to establish requirements for investigating and responding to ordnance contamination.

Madam Chairman, I am pleased to note that the Senate is addressing similar issues to this inventory requirement regarding UXO in its version of the FY02 Defense Authorization.

We in the House of Representatives look forward to combining and improving the language in conference in pursuit of what appear to be our common objectives.

It is difficult to find a Congressional district that does not have a UXO problem: over 1,000 formerly-used defense sites (FUDS) are known or suspected to be contaminated with it. They are located from extremely remote areas in Alaska to dense urban environments such as the Spring Valley neighborhood in Washington, DC.

Many of these sites are located in already heavily populated urban areas bordered by housing developments, schools, and parks. Much of this land is otherwise highly desirable, yet its use is restricted due to UXO contamination. After that 65 people have been killed in this country by accidents with UXO, most of them since World War II.

This inventory requirement is going to enable us to begin to learn more about the scope of the problem and provide what is needed for our families to be safe, healthy, and economically secure.

Mr. STUMP. Madam Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. SIMMONS), a member of the committee.

Mr. SIMMONS. Madam Chairman, I rise today in strong support of this legislation; and I commend the chairman, the ranking member, and the staff for their excellent work on this bill.

The past week has been one of tremendous challenge for this Nation and for this Congress; and as we stand here today, thousands and thousands of Americans in uniform are moving by land, sea and air to take part in what may be a long and difficult campaign against a vicious enemy. It is with great seriousness and bipartisanship that we work here today.

When I served as a young lieutenant in Vietnam, America was divided on the war. This made the war particularly difficult for me and for my generation. Today, I hope we stand with strong bipartisan support for this defense authorization bill. It is my hope that this bipartisanism will continue as we deploy the men and women of our armed services to defend our citizens, our interests, and our values both here at home and abroad. They deserve our unanimous support, and they certainly have mine.

The Second District of Connecticut is home to the Naval Submarine Base at New London—the proud home to nearly 10,000 military families and civilians who maintain and support 21 fast attack submarines within Submarine Group Two. The quality of life improvements in this bill have a major affect to many of us and for many people in the community. I have the privilege of representing.

Our men and women in the military and their families are this bill's primary focus. The pay raise, the highest single increase since 1982, is a critical element towards improving the quality of life. Each day there are thousands of men and women who get up and put on a uniform and serve their country abroad or on the seas. They guard our shores, provide stability in unstable regions, provide security to our allies, and deter our adversaries. These patriots have not experienced the years of prosperity that many of us have. This bill makes a significant step overcoming this disparity.

At the end of this month the Department of Defense will report the Quadrennial Defense Review to Congress outlining the findings of comprehensive reviews and studies it has conducted over the past months. This is expected to highlight the efforts of this administration to transform our military to meet the threats of the present day and those of the future.

Madam Chairman, I was pleased that the President's budget and this bill already contains a significant step towards transforming our military to better meet the needs of the future, and it does so in a cost efficient manner through the Trident Submarine Conversion program.

Instead of a Trident Ballistic Missile Submarine and converting it into a Guide Missile Submarine with 154 Tomahawk Cruise missiles is transformational. It provides the United States with a massive, stealthy, long-range knock-the-door-down capability, equal to 70% of the firepower of a carrier task force. A Guided Missile Submarine, an SSGN, could be manned by a crew of 120 compared to 7000 for carrier task force. The cost savings in personnel and in operations and maintenance is clear. This bill funds the conversion of two of the four Tridents currently requiring refueling and sets the course for the conversion of the remaining two. Let us now complete this transformational initiative.

Finally, I am especially pleased that this bill addresses one of my priorities—solving the problem of American soldiers on food stamps. Last year's targeted sustenance benefit and this year's large pay increase will make great strides toward reducing the numbers of our soldiers on food stamps. In addition, the bill continues to reduce out-of-pocket housing costs by increasing housing allowances to more than 94% of housing costs. Military families will therefore not be overburdened by the high cost of living to offset in off-base housing—at a time when DOD itself has deemed that 60% of the military family housing units it maintains are "substandard."

While the bill will reduce the need for soldiers to use the food stamp program, I am especially pleased that the bill includes language that will work to prevent soldiers from going on food stamps in the future. This bill directs the services to examine and evaluate their financial management training and supplementary programs to prevent financial mismanagement—a condition that not only can lead to military personnel needing food stamps, but also leads to marriage and family dissolution, service separation, and professional decline. The time when personal bankruptcy filings are near-record levels, I believe this is a smart, pro-active rather than reactive approach to meet the needs of our service men and women.

I thank the chairman of the Subcommittee on National Security, Intelligence, and International Affairs, the gentleman from New York (Mr. MCHUGH) and the ranking member, the gentleman from Hawaii (Mr. ABERCROMBIE), and the subcommittee staff for their assistance in getting this important unfinished business to the floor of the House.
We need, then, a new set of principles to form the backbone of an efficient and effective national defense.

First, we need a force that is capable to adapt to changing circumstances, a force that is comfortable and capable countering a terrorist infiltration as it becomes a new and evolving enemy. To accomplish this, we need accurate and comprehensive information upon which to base our decisions. This includes information about ourselves, our systems, our current capabilities, our expenditures, as well as our potential enemies.

Finally, borrowing from Colonel Boyd, we need to acknowledge that our people, not our machines, are our most important assets.

The Pentagon, for example, in this context has an independent audit, cannot properly document trillions of dollars in accounting entries, cannot account for all of its equipment, overpays its contractors and uses unrealistic assumptions in all aspects of planning, according to audit agencies.

We have the opportunity to construct an efficient and versatile force oriented towards the diverse threats facing our Nation, one that exploits the ability of a talented officer and enlisted corps and utilizes machines as their tools. But our Nation has much work to do before we complete that task, and we are in a position to accomplish it.

Madam Chairman, I want to thank the ranking member and also the Chairman for this opportunity. I know they are trying to do what is best for this country. We have a lot more work to do.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. KIRK).

Mr. KIRK. Madam Chairman, more Americans died last Tuesday than in our Revolutionary War. Therefore, I wholeheartedly support this bill and commend the chairman, the gentleman from Arizona (Mr. STUMP), and our ranking minority member, the gentleman from Missouri (Mr. SKELTON), for their excellent bipartisan work on this national defense measure.

As a Reserve Naval Intelligence officer and a new member of the committee, I strongly support almost all of the provisions in this bill. I would especially like to thank the gentleman from Arizona (Mr. STUMP), the gentleman from Ohio (Mr. NEY), the gentleman from California (Mr. THOMAS), the gentleman from California (Mr. BEHNSON), the gentleman from Missouri (Mr. SKELTON) for their support for my amendment, which would allow polling places to be established on military installations.

The Kink-Langevin amendment would clarify an arcane statute that outlaws “military presence at voting facilities,” hence, allowing the Department of Defense 1999 memo to prohibit establishing polling places on military installations. The section of the U.S. Code that our amendment seeks to repeal was enacted in 1865 in response to irregularities during the 1863 elections involving Union troops at polling places in Maryland and Delaware. Voters in some States were reportedly asked to take an oath of loyalty to the Union before voting with Union soldiers preventing others from voting.

At the time the law was enacted, it was an appropriate response to these irregularities. However, the 1999 DOD interpretation of the statute makes voting for our men and women in uniform very difficult.

When the DOD issued a directive to base commanders instructing that polling places should not be located on military installations, it has forced existing polling places to be relocated. According to the CRS, an April 2000 survey of State election officials identified at least 20 jurisdictions that have lost polling places and others that were vulnerable. Some of those polling places had been used for at least 15 years. It is time that we let State and county officials decide to choose the convenient places for our people to exercise the franchise granted by the Constitution.

Our amendment is to clarify this arcane law, making voting more accessible to our men and women in uniform. I thank my colleagues and I thank them for including this in the en bloc amendment and urge support for this legislation.

Mr. SKELTON. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Madam Chairman, I rise in support of this bill and in strong support of the Tauscher amendment that will be offered as a part of an en bloc amendment that would require a Presidential strategic plan dealing with nonproliferation issues regarding Russia.

Clearly, the unstable situation in Russia and the uncertainty about the future of her nuclear weaponry and technology requires this kind of strategic plan to be performed. It is very appropriate that the gentleman from California (Mrs. TAUSCHER) offer this amendment to the defense authorization bill. I wanted to speak in strong support of it.

I also want to bring to the attention of the committee, that the State authorization bill is a similar proposal that I offered that would require a 5-year strategic plan to be done on our arms control and non-proliferation strategies in general. It is important that we pay close attention to these challenges, that we require both the State Department and, in this case, the Department of Defense to do this sort
of planning under Presidential direction, and that we get our national security team and agencies to work together to deal with nonproliferation issues with arms control matters.

Madam Chairman, I compliment the gentlewoman from California (Mrs. TASHCEE) for bringing this matter to the attention of the House. I urge support for her amendment and the close attention to be paid to the future of nonproliferation issues. The events of last week bring home as clearly as possible the need for us to pay attention to keeping the nuclear weaponry, technology and information out of the hands of terrorists. This sort of strategic planning is the way to do it. I ask for support of the Tauscher amendment.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Madam Chairman, I congratulate the chairman and the ranking member for a good bipartisan bill. I rise in strong support of it.

Madam Chairman, I come to the floor today to discuss an inequity in the treatment of Americans who helped to win the Cold War. Unfortunately, an amendment that I would have offered to this bill was not made in order.

This same bill last year included the Energy Employees Occupational Illness Compensation Program Act of 2000. This act provides compensation to employees and survivors of employees suffering from illnesses incurred from exposure to beryllium in the performance of duty in America’s nuclear weapons program.

Beryllium is a metal with structural and atomic characteristics that make it irreplaceable for many nuclear-related uses. Inhalation of beryllium dust, even at very low concentrations, can cause chronic beryllium disease, which gradually destroys lung function many years after exposure. Thousands of workers involved in producing nuclear weapons, materials and components have suffered disability and horrible deaths.

Although beryllium has numerous commercial applications, the Department of Energy and Defense have been the largest users. In the construction of our strategic nuclear arsenal, the Department of Energy had responsibility for the nuclear device, that is, the weapon, while the Department of Defense had responsibility for the delivery system, the missile, and the inertial guidance system which would deliver the weapon.

Congress has recognized its responsibility and determined that we are responsible in accordance with the Energy Employees Occupational Illness Compensation Program Act.

All was well with the best of intentions, the act is a travesty because it is not equitable. It applies only to the DOE. A worker with the exact same condition developed under the exact same circumstances but who worked for the Department of Defense is not covered. Why should one Department of the Government have different responsibilities and liabilities than another Department?

If the Department of Energy has a responsibility to compensate its workers, then under the same circumstances the Department of Defense should have the same responsibility. I would not seek to greatly expand the scope of the Energy Employees Occupational Illness Compensation Program Act, but I insist that those people working for the Department of Defense under the same relationship and same conditions as those working for the Department of Energy receive the same benefit.

This inequitable treatment of people who did work on behalf of our national security team and agencies to work together to deal with the threat from terrorists, and the people who are suffering from this disease are anxiously awaiting the Department of Defense’s report on this subject, which is inexplicably late; and I will continue to pursue a legislative remedy for this injustice.

Mr. SKELTON. Madam Chairman, I yield 4 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Madam Chairman, I thank the gentleman for yielding me this time.

Madam Chairman, last Tuesday was a tragic reminder of what a dangerous place this world is. It is also a tragic reminder of how dangerous the world is not only for the men and women in uniform, but the people they protect. It is a job and a uniform, but the people they protect. They earned those titles.

They want to go to the base hospital, neither HCFA nor the DOD have reached that agreement and now talks have broken off.

So on October 1, military retirees who walk into a base hospital will be turned away. Many have been going to those base hospitals since they were 18 years old. They like being called colonel or chief. They earned those titles. They want to go to the base hospital because that has been their family for 20 to 40 years of their lives.

Madam Chairman, I have gone before the Committee on Rules with the same amendment that over 400 of my colleagues voted for last year. It is a very simple premise. It would allow our Nation’s military retirees who pay Medicare taxes, just like every other American, to take their Medicare benefits to a base hospital.

Unfortunately, thus far the Committee on Rules has not made that amendment in order. I am here publicly to ask my colleagues, the gentleman from Missouri (Mr. SKELTON), the gentleman from Arizona (Mr. STUMP), I have met with the gentleman from Illinois (Mr. HASTERT), the ranking members on both sides of the Committee on Rules. Let us make that amendment in order before we ask one more kid to serve their country with promises of doing good things for them. Let us keep the promises that we have made. Those promises have been made.

Mr. STUMP. Madam Chairman, I hope that request is fulfilled. I hope I do not have to cause mischief to get that amendment made in order.
Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Madam Chairman, I thank the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. S KELTON) for a job well done on the bill.

The President, as we all know, is coming here tonight to address not only a joint session, but the American people, to describe not only his mission in the war on terrorism, but also how he will help stabilize and stimulate our economy and how sacrifice must be of a higher priority than personal inconvenience.

This is the first war of the 21st century, and it is nothing like anything we have ever faced. The enemy flies no flag, has no boundaries, and often goes unseen. We call it the asymmetrical threat; but this is one that is not subject to the traditional calculus of deterrence, which means that we also in this bill, and I am sure as we go to conference, will have to address the intelligence side of the House, not only by my colleagues’ cooperation as an authorizing committee, but also with the appropriators to make sure that not only the intelligence community of our CIA but the military intelligence community is strengthened.

I thank on behalf of the Guard and Reserve Caucus, the gentleman from Mississippi (Mr. TAYLOR) and myself, the gentleman from Missouri (Mr. S KELTON), and the gentleman from Arizona (Mr. STUMP), for allowing us to play a part in the bill. I am pleased that the bill provides $597 million, $192 million more than the President’s request for facilities enhancements to improve training and readiness for the Guard and Reserves.

Congress has worked hard in the past to close the procurement gap between the active and reserve components to ensure seamless integration of equipment and compatibility.

That modernization of those reserve components is highlighted by the call-up that is happening right now. We cannot go to remote places of the world without relying upon the Guard and Reserve. We need their air assets to build the air train, for the lift to get us where we need to be.

As this bill supports them, I want to thank the gentleman from Missouri (Mr. S KELTON) and members of the committee on both sides of the aisle and the chairman for a job well done in this bill. Please support this defense bill.

Mr. S KELTON. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, last year in the bill that related to the Department of Defense, there was a provision that required the General Accounting Office, the GAO, to examine the Federal Government’s progress in its effort to combat terrorism. As of today, the GAO is making its findings public.

First, let me point out that for quite some time, we have been in a quiet war against terrorism. Nothing has happened here on our soil. And as of September 11, the difference is now that everyone knows it. This report, which was well in the works before the horrific attacks on September 11, underscores our need to dedicate more attention to protecting Americans by combating terrorism.

This report is entitled “Combating Terrorism: Progress Made, but Executive Direction Needed to Address Evolving Challenges.”

The report concludes that while progress has been made, much remains to be done to establish overall leadership and coordination at the operational level and to implement a comprehensive national strategy. The report recommends the establishment of a single focal point for overall coordination and leadership and calls on the President to appoint a person to be responsible for threat assessments, strategy, budgeting, and oversight.

The study further suggests the need for greater consolidation of Federal programs designed to assist State and local governments such as those managed by the Department of Justice and the Federal Emergency Management Agency.

This report, though it cannot be of help because of the September 11 acts that occurred, hopefully will be of help in the days and years ahead.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. FONESE).

Mr. FORBES. Madam Chairman, I rise in strong support of the National Defense Authorization Act. In the coming days, we will see a strong demonstration of America’s military might. But as our military responds to Tuesday’s tragic events, keep in mind that this is a military that has faced a decade of high tempo of operations, armed with declining numbers of personnel and decreased funding. This other battle, the battle to maintain readiness, has degraded America’s security by encouraging the attrition of some of its most talented personnel.

Now more than ever, we need to support our service personnel, the true power behind America’s military might.

We must give our soldiers, sailors, airmen and marines modern weaponry with which to keep American interests secure. We must support shipbuilding, aircraft procurement, homeland defense, and missile defense.

We must support the National Defense Authorization Act if we want to ensure that America will be able to respond to aggression, today and tomorrow. The National Defense Authorization Act addresses the urgent need to rebuild the U.S. military. I urge my fellow Members to support this balanced measure.

I thank the chairman and the ranking member for their hard work and dedication to this legislation.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Madam Chairman, I thank the gentleman for yielding me this time.

One of the more revealing elements of the approach undertaken by Osama bin Laden and his terrorist network is the importance of lengthy preparation, meticulous planning and guerrilla warfare. However, it is not guerilla warfare in the traditional sense. As the barbell, the terrorist battle of September 11 clearly demonstrated, anything and everything is possible. In the minds of these terrorists, anything and everything is justified. Thus, the U.S. must be prepared on every front to confront and eradicate such an enemy.

This bill seeks to accomplish just that. The U.S. and democratic principles triumphed over tyranny and communism during the Cold War by following the tenets of the landmark document, NSC-68, and the doctrine of peace through strength. We did simply more than match capabilities; we overpowered our adversaries through a policy firmly rooted in U.S. military superiority and overwhelming strength.

The resources and the funding that we allocate for the war against terrorism must follow this precedent. We must provide for a flexible, comprehensive, and definitive response which includes any and all options available to the U.S.

Thomas Jefferson wrote in 1788, “War requires every resource.” Let us not gamble with the safety and security of the American people. Let us once again demonstrate congressional resolve. Let us render our full support to this important legislation.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. HAYES), a member of the committee.

Mr. HAYES. Madam Chairman, I thank the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. S KELTON) for their absolutely tireless effort on the part of our military, our men and women in uniform.

Madam Chairman, the tragic events of September 11, 2001, have thrust our Nation’s military into the spotlight and called to duty the brave men and women of the U.S. Armed Forces. Once again, U.S. citizens are rallying behind them in strong support of the mission they have been called upon to do. We in Congress just passed a $40 billion funding bill, half of
which will be devoted to our military. This financial support, devoted to our national security, is long in coming. I am proud to say that as a member of the House Committee on Armed Services, this legislation that we passed in August took the first step in rebuilding our military after almost a decade of decay and neglect.

The bill in front of us today marks the most significant increase to the defense budget since the mid-1980s. It is targeted at two of the most critical areas crucial to maintaining a healthy and robust military: quality of life and readiness. For the soldiers in my district at Fort Bragg, North Carolina, the ability to adequately care for their families and train for the mission for which they are called are the two issues that are second to none. I believe this legislation makes significant progress in these areas. Furthermore, this bill is the President’s missile defense program and ensures a necessary and realistic testing program.

Madam Chairman, it is gross injustice and misfortune that it took the tragedy of a week ago to focus the public eye on the need for a more robust defense budget. I feel the legislation in front of us today takes that important first step and sets a clear and strong course to rebuild our Nation’s defenses. I urge my colleagues to send a message, loud and clear, to our soldiers, sailors and airmen that we will strongly support them and give them the resources necessary to perform the mission at hand.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Madam Chairman, I wanted to briefly speak about an amendment that I had planned to offer. My amendment would have removed the language added by the Committee on Armed Services regarding the B-1 bomber fleet. It is my understanding that an agreement has been worked out with the administration and the Committee on Armed Services that raised concerns over reducing and consolidating the B-1 fleet. I understand that this is going to be worked out in conference.

It is my concern that we fight today’s wars, not yesterday’s. I believe that this agreement is going to be satisfactory. I just want to state for the record that modernizing the B-1 fleet is very important. I would strongly encourage the two parties to revisit the issue in conference.

Mr. STUMP. Madam Chairman, will the gentleman yield?

Mr. FLAKE. I yield to the gentleman from California.

Mr. HUNTER. Madam Chairman, I just want to add my thoughts on the B-2 fleet, which we have been so short of money the last several years that we have been like a farmer who has three hay balers and he cannot afford to keep all three of them running, so he starts cannibalizing parts off one of them just so he can keep the other two in operation. That is not the way to do it. I believe that is the way we have been forced to run part of our B-1 fleet.

And so the idea was to save money, we would cut down that fleet, coming down from the nineteen-sixties, the sixties, and basically away from those operations of some 30-some aircraft. That would take out of operation one of our fine assets, our most recently built bombers beyond the few B-2s that we have built, something that has got long-range capability. In fact, those packages may be utilized in upcoming air operations.

My own thoughts are that it is wise for us to spend the money that it takes for those operational support to keep the entire B-1 fleet in the air and operational. I think that makes sense. I think that is where the gentleman was going with his amendment.

Mr. FLAKE. I thank the gentleman. Yes, I want a discussion in conference and want to make sure that we do not foreclose on any option by the administration.

Mr. HUNTER. Let me just say I would be happy to work with the gentleman, with Democrat and Republican Members, and with the administration, to try to persuade them that keeping all our bombers in the air is the way to go.

Mr. STUMP. Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Chairman, I would like to talk with the gentleman from Missouri (Mr. SKELTON) who is an expert on the B-2 fleet. I still think that most Americans do not realize what we have done with that capability, because I just left the building in Washington where during World War II, we built bombers at a rate that was remarkable. We built a bomber aircraft per hour. That meant that in 1 day, in 24 hours, we would build more aircraft than we have in the entire B-2 fleet. And in some cases, in missions in Europe and other places, we lost more than that many planes in a day. Yet the B-2 fleet, because it has the ability to avoid and evade enemy radar and, therefore, the ability to penetrate enemy airspace directly over target, coupled with precision munitions, where instead of dropping a giant payload of hundreds of bombs on a bridge or another asset, you send one precision-targeted munition into that bridge that bridge and bring it down, that capability, that precision munitions, coupled with stealth that we have with B-2, has made us very effective.

Mr. SKELTON. Madam Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Missouri.

Mr. SKELTON. Madam Chairman, as the gentleman knows, the B-2 fleet from Whiteman Air Force Base, which is in west central Missouri, did remarkable work during the Kosovo conflict. The precision ammunition that it used was the best effort in the history of aerial warfare. In this bill, we are working towards smaller precision-type ammunition, bombs, and I think that is a mistake.

I also think that, regarding the B-2 fleet, we need certain upgrades to make sure that we stay ahead of all the technology so that, even more so, they will be stealthy. They are a first-class instrument of national defense. The B-2 fleet, as the gentleman knows, is so very, very important to our future. We must in our capacity as lawmakers and members of this committee make sure that the upgrades that are necessary for the future technical advancement are bought and paid for.

On a related item, I might tell the gentleman from California that not long ago I was talking with a marine captain who had just relinquished his command as a company commander. I was asking him about his experience. He, of course, being a marine all the way through, was very proud of his service as commander of that company. But he did remark, “We didn’t have enough ammunition to train properly.”

The gentleman from California has done yeoman’s work in the area. We need, I think, to do more in the area of ammunition. I know full well that I join him in that effort.

Mr. HUNTER. Let me just say that I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I yield myself such time as I may consume.

I want to take this opportunity to thank the gentleman from Missouri (Mr. SKELTON), the ranking member, for all his help this past year. This is our first bill. It has been a joy to work with him. He has been the epitome of a gentleman, and I thank the gentleman, my friend, for all his hard work. Few people are more diligent when it comes to the defense of this country than the gentleman from Missouri (Mr. SKELTON), and I commend him again.

I do not have no further speakers, Madam Chairman.

The CHAIRMAN. The gentleman from Missouri (Mr. SKELTON) has 20"
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minutes. The gentleman from Arizona (Mr. STUMP) has 10 minutes.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the Committee on Appropriations.

Mr. CUNNINGHAM. Madam Chairman, the defense bill has been neglected for a long period of time, not necessarily by appropriations or even authorization, but by the utilization of our Armed Forces without replenishing those forces. It has prevented modernization in many areas.

I also serve on the Permanent Select Committee on Intelligence; and if we think about the depreciation of our personnel training and every rock we turn over, whether it is parts, whether it is training, whether it is ship repair, there is a deficiency.

I would like for everyone to think also, because authorization goes to appropriations and under the appropriations cycle we fund the intelligence committees; but every time we had one of those 124 deployments, our intelligence agencies were forced to withdraw from their budget as well and not modernize both in the HUMINT, ELINT, and areas in which they need to protect us from terrorism as well as national security from other sources.

I laud the gentlemen on both sides. One of my favorite Members here in Congress is the gentleman from Missouri (Mr. SKEELENTON), a direct descendant of Daniel Boone; and he believes in defense, as does the gentleman from Arizona (Mr. STUMP), the chairman, on our side of the aisle.

It is important now that the Nation realizes how far deficient that our Armed Forces are and our intelligence service; and if we are going to do an adequate job of protecting this country, then this must be just a start.

Mr. SKEELENTON. Madam Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. FENENX).

Mr. FENENX. Madam Chairman, I appreciate the time from the gentleman from Missouri (Mr. SKEELENTON), and I want to pay my deep respects to him and to the gentleman from Arizona (Mr. STUMP), the Chair, and to the others.

Let me just say parenthetically, I think we here all enormously enjoy this job almost all the time, but this is such a grave time that I think none of us feel that we are adequate to these terrible decisions and we are all doing our best; and I particularly admire those who have the responsibility for national security, especially because from what I have learned from our ranking member and others, there was a genuine effort to work together.

We understand that the kind of differences of opinion we have among ourselves do not mean a lack of national unity, but we also understand the importance of international perception, and we all carry with us a commitment to make sure that none of this murderous gang that has launched a war on innocent people here get any comfort from our debates; and indeed, I think and I understand this, there will be less of a debate in this particular bill over one very controversial issue, national missile defense, than there might otherwise have been and there will be some day.

While many regret that, I think that is an opportunity, and I commend the leadership on both sides for acknowledging that because we do run the risk that the people who do not understand that democracy is a strength and not a weakness might temporarily be emboledned by that. So many of us do note that we are supportive of a decision to flog a full-out debate at this point, not because this is not an important issue, but because there will be another and better time in which to do it.

I do, however, want to stress one aspect of the missile defense question. President Bush has very wide, virtually unanimous support in this country in fashioning a response to this terrorism, which is based on his recognition that it cannot be done without significant international support. Just as a physical fact, given the location of Afghanistan, and it cannot be done without significant international cooperation. Just as a physical fact, given the location of Afghani-

President Bush made a point in a speech in Boston about the need for us to disavow any notion any might have that America can go it alone. This reminds people why we need the rest of the world.

One discordant note in this, however, potentially, would be an American decision unilaterally to withdraw from the ABM treaty in the pursuit of national missile defense. Just as many of us are today acquiescing in the decision not to have a full-fledged debate on this issue, I hope the administration, in the interest of national unity and in the interest of getting that international supportive coalition that is so critical to success, will not be on the verge of or threatening to abdicate a treaty which is so important.

Cooperation from Russia and from other countries—Tajikistan, Kazakhstan, et cetera, that is very important. Cooperation with China is important. It would be, I think, a mistake if we were to make it harder to get that necessary multilateral cooperation by an excessive unilateral approach to the question of the antiballistic missile treaty.

Just as many of us are deferring our views on the overall issue because we do not want anyone outside this country to misunderstand, we do not want anyone to misapprehend the degree of determination here in America, we believe unanimously, almost, certainly in this Congress, that we have not only the right, but the moral obligation, to use whatever physical force is necessary to pursue these murderers, because it is our obligation as the nation of great strength, to prevent them from trying striking again and again and again.

But we need to do that with a full respect to our own traditions. We need to show our moral as well as our physical superiority. Part of that has been correctly understood by the President of the United States and by Secretary Powell and others, a multilateral approach.

So, therefore, I hope very strongly that nothing will be done in the area of missile defense in this next few months that would jeopardize the important principles of multilateralism, of getting maximum cooperation. It cannot be a good policy for us completely to disregard the views of others on that one issue, when we are so eager to have their cooperation; and we ought to have their cooperation. We are asking for something in the world’s interests, as well as our own.

So, again, I want to thank the ranking member, the Chair and others, for the example they are setting of cooperation.

Mr. STUMP. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. WELLON).

Mr. WELLON of Pennsylvania. Madam Chairman, I yield the gentleman for yielding me time.

I want to respond to our colleague’s comments. The gentleman raises a valid point, and I want to acknowledge the fact that many of our colleagues who oppose missile defense are working in a very constructive way to move forward with this sense of unity; and we appreciate that.

I want to assure the gentleman that we do, in fact, on Wednesday, a group of us will travel to Moscow. We have been working for 2 months quietly behind the scenes with the administration, both the Department of Defense, the National Security Council and the White House, to put together a major package, a comprehensive package ever, to engage Russia and its people in the area of the environment, education, health care, culture, agriculture, across-the-board, with a component of that being defense.

We are very sensitive to the gentleman’s comments that we do not want
to have this become an issue that becomes divisive. I share that feeling. Even though we may disagree on missile defense, I share the gentleman’s sentiments. And I know many of our colleagues, like the gentleman from Ohio (Mr. KUCINICH) and others, feel the same way.

So we are using every ounce of energy to reach this compromise to work together. There will be members of the minority party on the trip. In fact, the gentleman from New York (Mr. HINCHEN) has agreed to go, the gentleman from Hawaii (Mr. ABERCROMBIE), the gentleman from Texas (Mr. EDWARDS) is looking at going with us.

We will have constructive discussions. I want to assure our colleague, the White House, the Defense Department, and the State Department understand of the gentleman’s comments. We do not want to have this become a split between us and Russia, and I want to pledge my support to working every possible way I can to make sure that we do exactly what the gentleman has asked us to do, and that is not box Russia out.

So I appreciate the gentleman’s comments.

Mr. FRANK. Madam Chairman, will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from Massachusetts.

Mr. FRANK. Madam Chairman, given the fact that the gentleman acknowledges, yes, this is an area in which we differ, I appreciate very much his comments. And I hope that this will be part of the signal that we set, that we can maintain legitimate differences within our democratic structure with out in any way endangering our unity.

Mr. SKELTON. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I thank the gentleman from Massachusetts (Mr. FRANK), for his comments on the need for working together with other countries. One of the pole stars of this entire effort against terrorism will be that of building a coalition of countries who desire and urge freedom for their people. So I thank the gentleman for pointing that out.

Madam Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Madam Chairman, I want to join with those who have come to this floor today to express, first and foremost, the heartfelt feelings that all of us on the committee have for the extraordinary leadership on this committee, exemplified by the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. SKELTON). Truly in this hour of need for our country and throughout their service on this committee, they have always put America first.

The help that I have received in putting forward legislation from people like the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from California (Mr. HUNTER) and working with the gentleman from Mississippi (Mr. TAYLOR) and the gentleman from Hawaii (Mr. ABERCROMBIE), makes this committee, makes this Chamber, especially during this hour of crisis, that much more significant, that much more important. To see the debate that just transpired between two colleagues, this is an area in which we disagree, yes, this is an area in which we differ, I appreciate very much his comments.

Mr. STUMP. Madam Chairman, I yield 1 minute to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Madam Chairman, I just want to mention that with respect to the ranking member who was just talking about the need for a bilateral policy and working with our allies, obviously that system has now been energized, in light of the strike on the United States.

I think one other aspect of missile defense has been addressed by that, because one of the arguments of the Bush Administration to the Russians has been that while we did sign the ABM agreement with them and we promised not to defend ourselves against incoming missiles and they did the same thing with respect to the United States, our argument has been that this world is a very dangerous place external to that relationship between the Russians and the United States; that there are other states out there that would attack the United States that we should be worried about and who are developing missiles and developing those systems that could harm us.

Mr. SKELTON. Madam Chairman, I yield myself such time as I may consume.

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The help that I have received in putting forward legislation from people...
Mr. McGovern. Madam Chairman, I have many concerns about this bill and our defense budget, including its overall size, weapons systems, and priorities. I have never supported the President’s Missile Defense, and I never will. This foolish and expensive program takes monies away that would be better spent, in my opinion, to combat terrorism, enhance readiness, and support research on battlefield medical and other support.

At the same time, I strongly support the significant increases in this authorization bill for “quality of life” improvements for our uniformed men and women and their families. H.R. 2586 makes welcome advances in providing additional resources for military pay, health care, and housing, as well as health care for our military retirees.

I believe it is important to move this funding forward so that the Pentagon and our various defense agencies might rest assured that they have the resources they require to respond effectively to our current national security crisis. I would like to take a moment, however, to talk about a small amount of military aid in this bill, small at least relative to the overall $343.1 billion authorized in H.R. 2586. But not small in the impact these funds will have in the country where they will be used.

This bill contains a little over $99 million in military aid for Colombia. In July, during debate on the foreign operations appropriations bill, many of my colleagues claimed that the amendment offered by Congressman Hoeffstra and myself would eliminate military assistance for Colombia. We said that was not true—that there were additional funds in the DOD bill. We were right.

President Pastrana recently announced that Colombia should rethink the entire approach of the United States-backed Plan Colombia. Indeed, as the Push Into Southern Colombia proceeds, President Pastrana described how coca fields are shifting from the southern state of Putumayo to regions never used before for drug cultivation. The various armed factions in Colombia—the guerrilla groups, the paramilitaries, and the military forces and the Armed Forces—are now entering those regions, fighting for territorial control and bringing violence and death in their wake. And the expanded conflict has brought peace negotiations to a halt.

Rather than containing coca cultivation and decreasing the level of violence in Colombia, our policy is doing the opposite, and drawing Colombia and the United States into a wider conflict.

As we prepare for yet another war against an enemy that can either shift territory or forces, we need to remember that military force alone can’t win these campaigns.

Over $340 billion in military aid for the Pentagon alone won’t guarantee success.

I support the efforts of President Bush, Secretary of State Colin Powell, and the administration to create a global, multilateral effort to coordinate our diplomatic, economic, judicial, law enforcement, and intelligence resources. The United States cannot make a significant difference in overcoming the poverty, hunger, ignorance, illiteracy, and oppression, which are often the breeding grounds of civil unrest, conflict and terrorism.

And unless the United States is actively engaged in finding just and lasting solutions to the many long-standing conflicts around the globe, including the Middle East, terrorism will continue to flourish.

Now, more than ever, we must make serious efforts to advance justice, human dignity and the rule of law to every corner of the globe.

And lest we forget, our national security is grounded in our ability to provide our own citizens with quality education, health care, a sound infrastructure, economic opportunity, and fundamental civil liberties.

So, while we take up consideration today of this defense bill, I urge my colleagues to also support significant new investments in food and development aid, in diplomatic resources, and in strengthening our domestic and international justice, human rights, and law enforcement programs. The September 11 terrorist attacks were attacks against our freedoms and the prosperity of our nation and our communities. We must ensure both continue to advance if we are to genuinely thwart the intent behind these evil acts.

Ms. McKinney. Madam Chairman, I have grave concerns about this bill.

I would first like to say that I hope that reason and common sense prevail in any decisions on our Nation’s future response to terrorism.

Madam Chairman, I pray for God’s intervention in ensuring the safe return of our many young men and women who are now being sent off to fight this war against terrorism. They face tremendous dangers and uncertain futures and their families will endure many long and sleepless nights waiting for their return. We must remember them all and acknowledge the great personal sacrifices they are going to have to make on our behalf in the coming days.

BUDGET INCREASE AND COMPARISON

The passage of H.R. 2586, the National Defense Authorization Act of 2002, by the House Armed Services Committee represented a near $33 billion dollar increase from fiscal year 2001, and provides a total of $343.3 billion in budget authority to the Department of Defense for fiscal year 2002.

For the sake of comparison, the House of Representatives has passed an appropriation totaling $7.7 billion for the Department of State for fiscal year 2002, and the appropriation for Foreign Operations was passed by the House at $15.2 billion. The sum of these two appropriations—$22.9 billion—represents the amount allocated to diplomacy, international aid, and peace by the United States, rises only to 70 percent of the defense allocation increase and 6.7 percent of the entire defense budget.

With the financial mismanagement that continues to exist within the Department of Defense, increases should not be made to many programs until a system of financial responsibility is instituted to prevent future over-spending and fiscal waste and to address the lack of accountability.

The single largest portion of the budget increase is dedicated to the development and proliferation of missile defense systems. It should be apparent to us all that ballistic missiles are not our worst threat at this time.

The committee’s missile defense program is a carbon copy of the Bush administration proposal. It would dramatically increase the missile defense budget 57 percent—$3 billion to $8.3 billion. This accelerated missile defense program is virtually certain to lead China to increase the number of nuclear weapons pointed at United States cities and may discourage Russia from making deep cuts in its arsenal.

It should be apparent be apparent to us all that ballistic missiles are not our worst threat at this time. This program has also had seriously questionable success in operational tests to date, and functional operation of any missile defense is still in doubt.

NUCLEAR REDUCTIONS

Although both Russia and the United States have ratified START II, its implementation has become entangled in contradictory conditions by the Russian Duma and the U.S. Senate. I have been encouraged by President Bush’s proposal to unilaterally reduce the U.S. strategic arsenal, beginning with the 50 Peacekeeper (MX) missiles, which contain 500 nuclear warheads.

Unfortunately, current law prohibits the President from reducing the nuclear arsenal, other than through START II ratification. Current law also places unnecessary restrictions on the ability of the President to de-alert, or take off high-alert status, our nuclear weapons. Currently the United States and Russia have over 4,000 nuclear weapons aimed at each other—poised to be launched within minutes.

The committee unfortunately rejected the amendment by Representative Tom Allen to remove the restrictions in section 1302. It did allow a second, narrower amendment to remove the restrictions on the MX missile retirements. However, the committee denied the President the ability to negotiate deeper reductions with Russia by defeating the first Allen amendment.

The President, Secretary of Defense Rumsfeld, and the Joint Chiefs of Staff have all called for reductions in our strategic arsenal. Yet the majority party on our committee continues to cling to these weapons as cold war relics.

I was also disappointed that the committee rejected the amendment by Representative Ellen Tauscher that would have de-alerted the nuclear weapons in our arsenal that are already deployed for war. The first President Bush de-alerted thousands of nuclear weapons in 1991 as the Warsaw Pact disintegrated. The current President Bush has also supported the concept of taking nuclear weapons off hair-trigger alert. Unfortunately the committee once again missed the opportunity to demonstrate leadership in reducing the nuclear danger. In light of recent events, I think that it would be prudent to de-alert as many
nuclear missiles, and to retire as many as possible lest they become greater targets, or become threats against ourselves.

MEDICAL ACCESS AND GENDER

I regret that the committee did not support changing current law to permit service women and female dependents who serve or reside overseas to access military hospitals and other facilities for the purpose of privately funded abortions. Similar women who serve or reside within the United States have constitutionally protected right to access to legal and safe facilities that provide abortions. Left with no other option than to either seek an abortion in a potentially unsafe, foreign medical facility or to forgo an abortion altogether, this legal provision is tantamount to gender discrimination and should be changed. Not only does this threaten the health of such women, such a policy is seemingly unconstitutional, and further, it threatens retention and recruitment of soldiers. I urge my colleagues to support efforts to correct this discriminatory discrepancy.

VIQUEZ, PUERTO RICO

I find it unfortunate that the committee has sought to reduce the likelihood of the Navy's departure from the island of Vieques, PR, and that the Reyes amendment was defeated. The people of Vieques were provided last year with the opportunity to choose their own fate with regards to the Navy range, and through a nonbinding referendum on June 29, 2001, overwhelmingly issued their desire for the Navy to depart from their island. The continued bombing erodes the safety, environment and economy of this island and its people, and should cease. It is my hope that the administration is permitted to proceed with the Navy's planned withdrawal from Vieques in 2003, and that the unlikely discovery of another "suitable" alternate site not be held as prerequisite for this departure.

DOMESTIC USE OF INTELLIGENCE

There have been recent revelations about the use of military intelligence for domestic purposes, notably in its use in the surveillance of Dr. Martin Luther King, Jr., and Operation Lantern Spike. Evidence of such past activities give rise today to grave concerns about the constitutionality and due process of the individuals involved. The 1975 report written by the Select Committee on Intelligence Activities revealed practices "abhorrent in a free society." The Church Committee, named after its Chairman, Frank Church of Idaho, exposed that in the name of state security and program of manipulation, infiltration, surveillance, harassment, disruption, and murder was carried out with the consent of those at the highest levels of the United States government and against domestic and international law.

Proposals supporting the creation of a National Homeland Security Agency raise a specter of the most egregious aspects of the domestic program that deprived too many Americans of their constitutional rights and in some cases their lives. The military has an appropriate role in protecting the United States from foreign threats, and should remain in place to prevent and deter such threats. Domestic uses of the military have long been prohibited for good reason, and the same should continue to apply to all military functions, especially any and all military intelligence and surveillance.

INTERNATIONAL ASSISTANCE AND PROGRAMS

The escalating war on drugs is another problem that Congress must address. Though it was private contractors who were involved in this specific incident, our military resources are being used to train and support foreign nations in their efforts to curb drug production and distribution. As with the threats that resulted from training foreign militaries at the School of the Americas, human rights abuses can result from the training, arming, and empowerment of developing nations' armed forces. Further, we should be cautious that such actions do not escalate into difficult regional conflicts, and in light of the apparent failure of the war on drugs, the entire concept of military-based drug interdiction and its efficacy should be reconsidered.

As with the threats that resulted from training foreign militaries at the School of the Americas, human rights abuses can result from the training, arming, and empowerment of developing nations' armed forces. Further, we should be cautious that such actions do not escalate into difficult regional conflicts, and in light of the apparent failure of the war on drugs, the entire concept of military-based drug interdiction and its efficacy should be reconsidered.

QUALITY OF LIFE ISSUES

Despite my reservations with this legislation, it includes positive aspects that I applaud. I would like to commend the committee, and particularly the Personnel Subcommittee, for the increase in military pay and salaries. This is an appropriate step that not only provides our service men and women with sufficient compensation, but also achieves two other important goals: furthering the profession of the military and the responsibility inherent in the changing roles of the armed forces; and enhances the retention of service men and women. Similarly, increases in moving allowances, housing expenditures, provisions permitting concurrent receipt of retired pay and veteran's disability benefits, and efforts to protect voting rights of personnel are praise-worthy.

Much has changed since the committee passed this bill in August. Many of the nations that we perceive as a threat will respond to the expansion and proliferation of missile defense, the expanding role of the military in drug interdiction, and prevention of reductions in nuclear missiles. It is uncertain how these nations will respond, but I am confident that diplomacy and engagement will have much more positive effects on our national security than will an expanding defense budget. Similarly, the Department of Defense should be urged to respond to the trust that is instilled in it by placing fiscal management, reducing the obstruction that has plagued its history, and by eschewing involvement in domestic issues. I urge this body to prudently consider its role in developing not only national policy, but also international relations, and to realize that as the global leader we have a role not only in preparing for war, but also in promoting peace.

Mr. SOUDER. Madam Chairman, I rise in support of this bill at this particularly critical time for our Nation. As chairman of the Drug Policy Subcommittee and one of the cochairs of the Speaker's Task Force for a Drug-Free America, however, I wanted to express my desire to work with all interested parties with respect to critical counterdrug programs.

My subcommittee and the Speaker's Task Force have watched with some concern as significant changes to the Defense Department's counterdrug program and organization have been considered. This is an issue which deserves careful attention, and I very much appreciate the Armed Service's Committee's clear statement of its support for a robust counterdrug role for the Department. I also appreciate the committee's stated intention to continue to direct careful and continuing attention to departmental reorganization initiatives in this area.

Our counterdrug efforts are interagency efforts, and require cooperation and coordination from agencies across the Federal Government. It is critical that the Defense Department not unilaterally withdraw key support in this area or conduct fundamental reorganizations without consulting with the Office of National Drug Control Policy and other affected Federal agencies. Any policy changes in this area must be considered in light of the overall national drug control strategy issued by ONDCP.

I would also like to express my concern about a provision of this bill related to the Tethered Aerostat Radar System, or TARS. I intended to offer an amendment regarding this provision, but was not able to submit it due to the extremely early deadline set by the Rules Committee regarding the bill. The TARS system has been an important asset to our narcotics interdiction efforts along the southern border and the Caribbean and has been operated in cooperation between the Department of Defense and the U.S. Customs Service. TARS balloons provide a platform for radars to detect incoming aircraft attempting to smuggle drugs into the United States.

The Defense Department has determined that the TARS system is no longer needed for national defense purposes, and has now shut down virtually all of the aerostats which previously operated in the Caribbean and the Gulf of Mexico. However, the Customs Service strongly believes, as do I, that these assets remain critical to our drug interdiction efforts. The Department and the Customs Service have been attempting to reach an agreement to transfer the system completely to the Customs Service. Because of the change in administration, those discussions have been stalled. The relevant political officials have only recently started work at DOD, and we still do not have a confirmed Commissioner of Customs.

This bill contains a provision authorizing the Secretary of Defense to transfer the TARS system to the Customs Service, which I support. I am concerned, however, that the bill contains a specific deadline of the end of the next fiscal year by which the transfer must be completed or the system will be effectively inoperable. Since Pentagon officials have not yet been able to resume discussions with the Defense Department on this matter, I do not believe that it is wise either to mandate
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a specific date for the resolution of this matter, or to pass legislation which would relieve the Defense Department of its responsibility to operate this system without providing for a mechanism to ensure that the counterdrug mission will continue.

I ask the committee to consider removing this deadline in the final version of the legislation and look forward to working with all interested parties to reach an appropriate resolution of this matter.

Mr. GALLEGELY. Madam Chairman, I rise today to thank both subcommittee Chairman MCHUGH and Chairman STUMP for their help in including my legislation within the Defense Authorization Act to create a Korea Defense Service Medal for those members of the Armed Forces who served, and still serve, in Korea.

Madam Chairman, more than 40,000 members of the United States Armed Forces have served on the Korean Peninsula each year since the armistice was signed in 1953. Since then, an estimated 1,200 service men and women have died as a direct result of their service in Korea.

Service medals are given the veterans who serve in particular regions during times of hostility or the threat of hostility. For example, those who served in Berlin during the cold war were awarded a service medal. Since the Korean armistice was signed, there have been more than 40,000 breaches of the cease-fire, making it among the more dangerous places to serve. However, no campaign medal has been awarded for Korean service.

In light of the current crisis, it is appropriate that we honor the thousands of dedicated and brave men and women we have sent, and continue to send, to Korea. This recognition is long overdue.

On another note, I again want to thank Chairman STUMP for supporting several projects that will upgrade the Navy facilities at Pt. Mugu and Port Hueneme, CA. The chairman and his staff have been most helpful and his interest in these facilities and the welfare of our service men and women is greatly appreciated.

Mr. BILIRAKIS. Madam Chairman, some military retirees—individuals who are eligible for military retirement benefits as a result of a full service career—are also eligible for disability compensation from the VA based on a medical problem they incurred while in the service. Under present law, these service-disabled retirees must surrender a portion of their retired pay if they want to receive the disability compensation to which they are entitled. Congress enacted this law in 1953.

Think of two soldiers who joined the Army together and were wounded in the same battle. Joe left the Army after his 4-year stint and joined the Department of Justice as a civilian employee. Jim stayed on and made a career in the military.

Thirty years later, both men are receiving Federal longevity retired pay based on their careers. Both are also eligible for VA disability compensation as a result of the injuries they sustained while in the Army. The difference is that in order to get his disability compensation, Jim must forfeit an equal amount of his retired pay, while Joe collects the full amount of both benefits without a deduction in either.

Should the individual who chose a military career be penalized? One benefit is based on longevity in a career, the other on an injury sustained while in the service. Joe in this example is forced to take a one-time retirement credit for his four years in the military. Yet, Jim is branded a “double dipper.” This simply is not fair.

Nationwide, more than 500,000 disabled military retirees must give up their retired pay in order to receive their VA disability compensation. In effect, they must pay for their VA disability out of their military retirement—something no other Federal retiree must do. How can we possibly expect to maintain a viable national defense if service members realize that if they experience a service-connected disability, they cannot receive both VA disability compensation and military retirement pay?

The 106th Congress took the first steps toward addressing this inequity by authorizing the military to pay a monthly allowance to military retirees who are totally disabled or receive partial disability compensation. Under present law, these special compensation provisions do not correct the long-standing inequity of the current offset, they do move us one step closer to correcting this injustice once and for all.

In the beginning of the 107th Congress, once again introduced H.R. 303, the Retired Pay Restoration Act, to eliminate the current offset between military retired pay and VA disability compensation. I am pleased to report that my bill has received strong bipartisan support in the Armed Services Committee. I applaud Chairman MUGU, the ranking member, for his efforts to pass H.R. 303 in the Senate.

I would like to thank Military Personnel Sub-committee Chairman JOHN MCHUGH and full committee Chairman BOB STUMP for working with me this year to incorporate “concurrent receipt” language into H.R. 2586, the FY 2002 National Defense Authorization Act.

I also want to thank Representatives STEVE BUYER and CHARLIE BASS for their assistance. They have been stalwart supporters of eliminating the current offset.

H.R. 2586 includes a provision to authorize military retirees to receive VA disability compensation concurrently with military retired pay. This provision will take effect after the President submits legislation in an annual budget request and Congress enacts legislation to offset the cost of this initiative. While not perfect, I do believe that this language is an important step in our efforts to eliminate the current offset between military retired pay and VA disability compensation.

Each of the thousands of disabled military retirees answered when America called. Now it’s time for America to answer their call.

I urge colleagues to support H.R. 2586.

Mr. ORTIZ. Madam Chairman, as a nation, we have unfortunately witnessed firsthand the true threats to our Nation’s security. It is vital for every Member to support our men and women in uniform—and this bill. Right now, our troops are being sent into harm’s way to protect America. They are being asked to leave their families and defend this country against an enemy we do not fully understand, for an amount of time we cannot determine. For 8 long years, we neglected our forces.

For America to win the war against terrorism, our military must have the best equipment, the best training, and the best resources available.

Our lives have changed forever, but the role of our military is still the same—to protect America. It is time to give them what they need now. They deserve our help and support.

You know, we live in the greatest nation on Earth. And we have a President and Commander-in-Chief who believes in our strength and in our military’s might.

This bill today reflects that confidence. Rest assured, we can and will win this war against freedom.

Vote for freedom.

Vote for our men and women in uniform.

Vote for this bill.

Mr. ORTIZ. Madam Chairman, I rise in strong support of H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. I want to specifically address the provisions in the Act relating to military readiness.

First, I would like to express my appreciation to the Readiness Subcommittee leadership and to my colleagues, on both the subcommittee and the full committee, for the manner in which the readiness provisions of H.R. 2586 were developed this session. I want to express my personal thanks to my friend and colleague, CURT WELDON, for the extraordinary steps he took while serving as chairman of the Readiness Subcommittee to focus attention on the critical readiness issues facing our military and the Nation.

While we may differ on some policy and program objectives, we on the subcommittee were able to get a better appreciation of the challenges our military personnel and dedicated civilian employees face in trying to do more with less. For their effort, we can all be proud. I personally remain concerned about how long they will be able to keep up the pace.

Accepting the budget realities we are facing, the readiness provisions in the bill reflect some of the steps I believe are necessary, with the dollars available, to make their tasks easier. It does not provide all that is needed.

I remain perplexed when I reflect on the impact that the resource shortages are having on every facet of our military. That includes the stability of our dedicated civilian employees who are also being asked to remain productive while at the same time the Department appears to be trying to take away their jobs. I regret that we are unable to do more about the deplorable facilities our personnel must use to train and to maintain equipment. There is an immediate need for the administration and the Congress to scrub the budget to address this serious budget shortfall.

I am very concerned that what was thought to be a certain cut in the Department of Defense could turn out to be a hollow promise.

Madam Chairman, I want to make it very clear that I believe that the readiness policy provisions in H.R. 2586 represent a step in the right direction. We denied several policy modifications requested by the Department that would do harm to overall readiness. It is the dollar shortfall that raises my concern. I hope that as we continue with the passage of this
bill and go into conference with the Senate, we will continue to search for opportunities to increase the resources available for the readiness accounts. We cannot afford to fail in this endeavor.

I hope my colleagues will join me in supporting H.R. 2586.

Mr. STUMP. Madam Chairman, I would like to submit the following letters for the CONGRESSIONAL RECORD for H.R. 2586, the National Defense Authorization Act of 2001.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE


Hon. Bob Stump, Chairman,
Committee on Armed Services, Washington, DC.

Dear Mr. Chairman, This letter concerns the jurisdiction interest of the Committee on Transportation and Infrastructure in H.R. 2586, the Department of Defense Authorization Act for Fiscal Year 2002.

H.R. 2586, as ordered reported by the Committee on Armed Services, contains many provisions that the Committee on Transportation and Infrastructure has jurisdiction over. As in previous bills, these include all sections that affect the pay, benefits, and personnel of the United States Coast Guard and the United States Coast Guard Reserve.

Our Committee recognizes the importance of H.R. 2586 and the need for this legislation to move expeditiously. While we have a valid claim to jurisdiction over a number of provisions in the bill, including many that affect the United States Coast Guard, I do not intend to request a sequential referral of the bill. This, of course, conditional on our mutual understanding that nothing in this legislation waives or affects the jurisdiction of the Transportation Committee, that every effort will be made to include any agreements worked out by our staffs as the bill is taken to the Floor, and that a copy of this letter and your response will be included in the Committee Report and as part of the record during consideration of the bill by the House.

The Committee on Transportation and Infrastructure also has jurisdiction to be included as conferees on the provisions over which we have jurisdiction.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG,
Chairman.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON ARMED SERVICES


Hon. Don Young, Chairman,
Committee on Transportation and Infrastructure,
U.S. House of Representatives, Washington, DC.


I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. Of course, I do not intend to hold a hearing or markup on this legislation.

In agreeing to waive consideration by our Committee, I would expect you to agree that this procedural route should not be construed to prejudice the Committee on the Jurisdiction of the Judiciary's jurisdictional interest and prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the provisions within the Committee's jurisdiction is in no way diminished or altered, and that the Committee's right to the appointment of conferees during any conference on the bill is preserved. I would also expect your support in my request to the Speaker for the appointment of conferees by my Committee with respect to matters within the jurisdiction of my Committee should a conference with the Senate be convened on this or similar legislation.

Again, thank you for your cooperation on this important matter. I would appreciate your exchange of letters in your Committee's report to accompany H.R. 2586.

Sincerely,

F. JAMES SENSENBRENNER, JR.,
Chairman.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON ARMED SERVICES


Hon. F. James Sensenbrenner, Jr., Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.


I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, as you requested, this exchange of letters will be included in this report on the bill. Thank you for your cooperation in this matter.

Sincerely,

BOB STUMP,
Chairman.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON RESOURCES


Hon. Bob Stump, Chairman, Committee on Armed Services, Washington, DC.

Dear Mr. Chairman, I would expect you to agree that the procedural route should not be construed to prejudice the Committee on the Judiciary's jurisdictional interest or confer any jurisdictional prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG,
Chairman.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON EDUCATION AND THE WORKFORCE


Hon. Bob Stump, Chairman, Committee on Armed Services, Washington, DC.

Dear Chairman Stump, Thank you for your letter of August 31, 2001 regarding H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002, particularly:

1. Section 351, Assistance to Local Educational Agencies that Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employee

2. Section 342, Availability of Auxiliary Services of Defense Dependents education system for dependents who are home school students

3. Section 343, Report regarding Compensation for teachers employed in teaching positions in overseas schools operated by the Department of Defense

4. Section 509, ‘‘One-year Extension of expiration date for certain force management authorities’’

5. Section 584, ‘‘Clarification of military recruiter access to secondary school directory information about students.’’

As you know, these provisions are within the jurisdiction of the Education and the Workforce Committee. While I do not intend to seek sequential referral of H.R. 2586, the Committee does hold an interest in preserving its future jurisdiction with respect to issues raised in the aforementioned provisions and its jurisdictional prerogatives should the provisions of this bill or any Senate amendments thereto be considered in a conference with the Senate. We would expect to be appointed as conferees on these provisions should a conference with the Senate arise.

Again, I thank you for working with me in developing the amendments to H.R. 2586 and look forward to working with you on these issues in the future.

Sincerely,

JOHN BOEHNER,
Chairman.

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY


Hon. Bob Stump, Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.


I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. Of course, I do not intend to hold a hearing or markup on this legislation.

I understand the desire to have this legislation considered expeditiously by the House; therefore, I do not intend to hold a hearing or markup on this legislation.

In agreeing to waive consideration by our Committee, I would expect you to agree that this procedural route should not be construed to prejudice the Committee on the Jurisdiction of the Judiciary's jurisdictional interest and prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest.

Once again, I appreciate working with you and your staff on these matters, and look forward to urging my colleagues to support and pass H.R. 2586.

Sincerely,

JAMES V. HANSCH,
Chairman.
September 20, 2001  

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,  
Hon. Bob Stump,  
Chairman, Committee on Armed Services, U.S. House of Representatives, Washington, DC.  

Dear Chairman Stump:  
On August 1, 2001, the Committee on Armed Services ordered reported H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. As ordered reported by the Committee on Armed Services, this legislation contains a number of provisions that fall within the jurisdiction of the Committee on Energy and Commerce. These provisions include the following:  

Section 509—One-year extension of expiration date for certain force management authorities.  
Section 514—Improved disability benefits for certain reserve component members.  

Subtitle A of title 6—Pay and Allowances  
Section 611—One-year extension of certain bonus and special pay authorities for reserve forces.  
Section 612—One-year extension of certain bonus and special pay authorities for nurse officers, candidates, registered nurses, and nurse anesthetists.  

Section 2906—Environmental compliance and environmental response requirements.  
Section 3132—Organizational modifications for National Nuclear Security Administration.  

I understand that two provisions within my jurisdiction that are in the bill as ordered reported will be deleted in the reported version of H.R. 2586: (1) section 316, concerning the authority of the Department of Defense to accept and store mercury and sodium, and (2) section 712, listing requirements regarding a Presidential task force. Further, I understand that section 3134, dealing with the disposition of excess plutonium at the Savannah River Site in Aiken, South Carolina, will be modified to make clear that it only deals with military surplus plutonium, and therefore will not fall within my committee’s jurisdiction.  

Recognizing your interest in bringing this legislation before the House expeditiously, the Committee on Energy and Commerce agrees not to seek a sequential referral of the bill based on the provisions listed above. By agreeing not to seek a sequential referral, the Committee on Energy and Commerce does not waive its jurisdiction over these provisions or any other provisions of the bill that may fall within its jurisdiction. In addition, the Committee on Energy and Commerce reserves its right to seek conferences on any provisions within its jurisdiction which are considered in the House-Senate conference, and asks for your support in being accorded such conferences.  

I request you include this letter as part of the report on H.R. 2586 and as part of the Record during consideration of this bill by the House.  

Sincerely,  
W. J. "Billy" Tauzin,  
Chairman.  

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON GOVERNMENT REFORM,  
Hon. Bob Stump,  
Chairman, Committee on Armed Services, Washington, DC.  

Dear Mr. Chairman:  
The Committee on Government Reform has decided not to assert its jurisdiction over the following provisions of H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002 that fall within the Committee’s jurisdiction:  

Title III—Operation and Maintenance  
Section 353. Continuation of contractor reporting system in Department of the Army.  

Title V—Military Personnel Policy  
Section 519. Use of military leave for funeral honors duty by Reserve members and National Guardsmen.  

Section 586. Payment of FEHRP premiums for certain Reservists called to active duty in support of contingency operations.  

Title VIII—Acquisition Policy, Acquisition Management, and Related Matters  
Section 8103. Payment of expenses to obtain professional credentials.  

Section 8104. Retirement portability elections for certain Department of Defense and Coast Guard employees.  

Section 8105. Removal of requirement that granting civil service compensatory time be based on amount of irregular occasional overtime work.  

Section 8106. Applicability of certain laws to certain individuals assigned to work in the Federal Government.  

Section 8107. Limitation on premium pay.  

Section 8108. Use of common occupational and health standards as a basis for differential payments made as a consequence of exposure to asbestos.  

Section 8110. "Monopoly amendment" restored to its prior form.  

Title XXXII—Defense Nuclear Facilities Safety Board  
Section 3201. Organizational modifications for National Nuclear Security Administration.  

As you know, House Rule X, Establishment and Generally Applicable Clauses, grants the Committee on Government Reform wide jurisdiction over government management issues including matters related to Federal civil service, procurement policy, and property disposal. The Committee’s decision not to exercise its jurisdiction for these provisions is not intended or designed to curtail its jurisdiction over any future consideration of matters involved. I also intend to request that I be appointed as a conferee on all of the sections of the bill that fall within the jurisdiction of the Committee on Government Reform.  

Mr. Chairman, we appreciate your consultation with the Government Reform Committee on these matters.  

Sincerely,  
Dan Burton,  
Chairman.  

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
Hon. Bob Stump,  
Chairman, Committee on Armed Services, Washington, DC.  

Dear Mr. Chairman:  
I understand that on Wednesday, August 1, 2001, the Committee on Armed Services ordered favorably reported H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. As ordered reported, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.  

The text of the committee amendment in the nature of a substitute is as follows:  

17377
Be it enacted by the Senate and House of Representa-tives of the United States of America in Congress assembled,

SEC. 1. Short title; findings.

(a) T ABLE OF CONTENTS.—The table of contents for this Act is as follows:

(b) D IVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Au-thorizations.
(2) Division B—Military Construction Au-thorizations.
(3) Division C—Department of Energy Na-tional Security Authorizations and Other Au-thorizations.

(5) 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

Subtitle A—Authorization of Appropriations
Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.
Sec. 106. Chemical demilitarization program.
Sec. 107. Defense health programs.

Subtitle B—Army Programs
Sec. 111. Extension of multiyear contract for Family of Medium Tactical Vehi-cles.
Sec. 112. Repeal of limitations on bunker defeat munitions program.

Subtitle C—Air Force Programs
Sec. 121. Responsibility of Air Force for contracts for all defense space launches.
Sec. 122. Multi-year procurement of C-17 air-craft.

Subtitle D—Chemical Munitions Destruction
Sec. 141. Destruction of existing stockpile of lethal chemical agents and muni-tions.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations
Sec. 201. Authorization of appropriations.
Sec. 202. Amount for basic and applied re-search.

Subtitle B—Program Requirements, Restric-tions, and Limitations
Sec. 211. Cooperative Department of Defense-Department of Veterans Affairs medical research program.
Sec. 212. Advanced Land Attack Missile pro-gram.
Sec. 213. Collaborative program for development of advanced radar systems for naval applications.

Subtitle C—Ballistic Missile Defense
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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Army as follows:

(1) For aircraft, $1,967,491,000.

(2) For missiles, $1,097,286,000.

(3) For weapons and tracked combat vehicles, $2,367,046,000.

(4) For ammunition, $1,208,565,000.

(5) For other procurement, $4,133,966,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Navy as follows:

(1) For aircraft, $8,337,243,000.

(2) For weapons, including missiles and torpedoes, $1,476,692,000.

(3) For shipbuilding and conversion, $9,321,121,000.

(4) For other procurement, $4,157,313,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Marine Corps in the amount of $463,307,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Air Force as follows:

(1) For aircraft, $10,705,687,000.

(2) For missiles, $3,226,538,000.

(3) For space launch services, $1,025,624,000.

(4) For other procurement, $8,250,821,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2002 for Defense-wide procurement in the amount of $2,267,746,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 2002 for procurement for the Inspector General of the Department of Defense in the amount of $1,800,000.

SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 2002 the amount of $1,078,557,000 for:

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (30 U.S.C. 1211); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 110. DEFENSE HEALTH PROGRAMS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the Department of Defense for procurement for carrying out health care programs, projects, and activities of the Department of Defense in the total amount of $267,915,000.

Subtitle B—Army Programs

SEC. 111. EXTENSION OF MULTYEAR CONTRACT FOR FAMILY OF MEDIUM TACTICAL VEHICLES.

In order to ensure that an adequate number of vehicles of the “A1” variant of the Family of Medium Tactical Vehicles program continue to be fielded to the Army, the Secretary of the Army may extend for one additional year the existing multiyear procurement contract, authorized by section 112(b) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1648) and awarded on October 14, 1998, for procurement of vehicles under that program (notwithstanding the maximum period for such contracts otherwise applicable under section 20606(b) of title 10, United States Code) if the Secretary determines that it is necessary to do so in order to prevent a break in production of those vehicles.

SEC. 112. REPEAL OF LIMITATIONS ON BUNKER DEFECT MUNITIONS PROGRAM.


Subtitle C—Air Force Programs

SEC. 121. RESPONSIBILITY OF AIR FORCE FOR CONTRACTS FOR ALL DEFENSE SPACE LAUNCHES.

(a) IN GENERAL.—(1) Chapter 807 of title 10, United States Code, is amended by inserting after section 8062 the following new subsection:

"§8062. Contracts for space launches: responsibility of Air Force for all Department of Defense elements.

"(a) The Secretary of the Air Force shall ensure that contracts for space launch vehicles and space launch services for all elements of the Department of Defense are prepared, negotiated, executed, and managed in a manner that maximizes launch effectiveness, minimizes cost of launch services, provides clear visibility to all elements into contract costs and functions, and, where practicable, takes advantage of commercial space launch capabilities."

(b) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 8062 the following new item:

"8063. Contracts for space launches: responsibility of Air Force for all Department of Defense elements.".

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees and the congressional intelligence committees a report on the implementation of section 8063 of title 10, United States Code, as added by subsection (a).

SEC. 122. MULTI-YEAR PROCUREMENT OF C–17 AIRCRAFT.

If the Secretary of Defense certifies to the congressional defense committees before the enactment of this Act that it is in the interest of the Department of Defense to proceed with a follow-on contract for an additional C–17 aircraft, then the Secretary may, in accordance with section 2306b of title 10, United States Code, enter into a new multi-year procurement contract to extend the current multi-year procurement contract beginning in fiscal year 2002 to procure up to 60 additional C–17 aircraft in order to meet the Department’s airlift requirements.

Subtitle D—Chemical Munitions Destruction

SEC. 141. DESTRUCTION OF EXISTING STOCKPILE OF CHEMICAL AGENTS AND MUNITIONS.


(1) in subsection (b)—

(A) by inserting “for that site” after “in place”;

and

(B) by adding at the end the following new paragraphs:

“(4) Emergency preparedness and response capabilities have been established at the site and in the surrounding communities to respond to emergencies involving risks to public health or safety that are identified by the Secretary of Defense as being risks resulting from the storage or destruction of lethal chemical agents and munitions at the site.

“(5) The Under Secretary of Defense for Acquisition, Technology, and Logistics recommends initiation of destruction at the site after considering the recommendation by the board established by subsection (a) and

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

“(g) OVERSIGHT BOARDS.—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall convene, for each site at which the chemical munitions stockpile is stored, an independent oversight board composed of—

(A) the Secretary of the Army;

(B) the Director of the Federal Emergency Management Agency;

(C) the Administrator of the Environmental Protection Agency;

(D) the President of the National Academy of Sciences;

(E) the Governor of the State in which the site is located; and

(F) one individual designated by the Under Secretary from a list of three local representatives of the area in which the site is located, prepared jointly by the Member of the House of Representatives who represents the Congressional District in which the site is located and the Senators representing the State in which the site is located.

“(2) Not later than six months after each such board is convened, the board shall make a recommendation to the Under Secretary whether the destruction of the chemical munitions stockpile should be initiated at the site.

“(3) The Under Secretary may not recommend initiation of destruction of the chemical munitions stockpile at a site after considering a negative recommendation of the board until 90 days...
after the Under Secretary provides notice to Congress of the intent to recommend initiation of the [sections to be redacted].

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2002 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $6,749,025,000.
(2) For the Navy, $51,863,274,000.
(3) For the Air Force, $14,455,633,000.
(4) For Defense-wide activities, $15,591,978,000, of which $27,355,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC AND APPLIED RESEARCH.

(a) FISCAL YEAR 2002.—Of the amounts authorized to be appropriated under section 201, $4,973,843,000 shall be available for basic research and applied research projects.

(b) BASIC RESEARCH AND APPLIED RESEARCH DEFENSE ACTIVITIES.—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 committees.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. COOPERATIVE DEPARTMENT OF DEFENSE DEPARTMENT OF VETERANS AFFAIRS MEDICAL RESEARCH PROGRAM.

Of the funds authorized to be appropriated by section 201(4), $5,000,000 shall be available for the cooperative Department of Defense Department of Veterans Affairs medical research program. The Secretary of Defense shall transfer such amount to the Secretary of Veterans Affairs for such purpose not later than 30 days after the date of the enactment of this Act.

SEC. 212. ADVANCED LAND ATTACK MISSILE PROGRAM.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall establish a competitive program for the development of an advanced land attack missile for the DD-21 land attack demonstrator system.

(b) REPORT.—The Secretary of Defense shall submit to the congressional defense committees a joint report on the implementation of the program plan for the Advanced Land Attack Missile program, the schedule for that program, and funding required for that program.

(c) FUNDING.—Of the amount authorized to be appropriated under section 201, $217,355,000 is authorized for the Defense Advanced Research Projects Agency, $41,000,000 shall be available, subject to subsection (b), and at the discretion of the Secretary of the Navy, and the Director of Defense Research and Engineering, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency shall submit to the congressional defense committees a joint report on the implementation of the program under subsection (a). The report shall include the following:

(1) A description of the memorandum of agreement referred to in subsection (b).
(2) A schedule for the program.
(3) Identification of the funding required for fiscal year 2003 and for the future-years defense program to carry out the program.
(4) A list of program capability goals and objectives.

(d) FUNDING.—(1) Of the amount authorized to be appropriated for Defense-wide activities by section 201(4) for the Defense Advanced Research Projects Agency, $41,000,000 shall be available, subject to subsection (b), for the development of high frequency and high power wide band gap semiconductor electronics technology to carry out the program under subsection (a).

(2) Of the amount authorized to be appropriated by section 201(2) for the Department of the Navy, $15,500,000 shall be available to carry out the program under subsection (a).

Subtitle C—Ballistic Missile Defense

SEC. 213. TRANSFER OF RESPONSIBILITY FOR PROCUREMENT FOR BALLISTIC MISSILE PROGRAM FROM BALLISTIC MISSILE DEFENSE ORGANIZATION TO MILITARY DEPARTMENTS.

(a) BUDGETING OF MISSILE DEFENSE PROCUREMENT AUTHORITY.—(1) Subsection (a) of section 224 of title 10, United States Code, is amended by striking “procurement” both places it appears and inserting “research, development, test, and evaluation”.

(2) Such section is further amended by striking subsections (b) and (c) and inserting the following:

“(b) COVERED PROGRAMS.—Subsection (a) applies to any ballistic missile defense program for which research, development, test, and evaluation is carried out by the Ballistic Missile Defense Organization.

(3)(A) The heading of that section is amended to read as follows: “§224. Ballistic missile defense programs: display of amounts for military duties, research, development, test, and evaluation.”

(B) The item relating to section 224 in the table of sections at the beginning of chapter 9 of title 10 is amended to read as follows: “224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation.”

(b) TRANSFER CRITERIA.—The Secretary of Defense shall establish and submit to the congressional defense committees a transfer of ballistic missile defense programs from the Ballistic Missile Defense Organization to the military departments. Those criteria shall, at a minimum, address technical maturity of the program, availability of facilities for production, and service commitment to procurement funding.

(c) NOTIFICATION OF TRANSFER.—Before responsibility for a ballistic missile defense program shall be transferred from the Ballistic Missile Defense Organization to the Secretary of a military department, the Secretary of Defense shall submit to the congressional defense committees notice in writing of the Secretary’s intent to make that transfer. The Secretary shall include with such notice a certification that the program has met the criteria established under subsection (b) for such a transfer. The transfer may then be carried out after the end of the 60-day period beginning on the date of such certification.

(d) REQUIREMENT FOR MATCHING FUNDS FROM NNSA.—Funds shall be available as provided in subsection (a) only if the Administrator for Nuclear Security makes available matching funds for the activities referred to in subsection (a).

(e) MEMORANDUM OF UNDERSTANDING.—The activities referred to in subsection (a) shall be carried out under the memorandum of understanding entered into by the Secretary of Energy and the Secretary of Defense for the use of national laboratories for ballistic missile defense programs required by section 3132 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-45; 111 Stat. 2034) and modified pursuant to section 3132 of the Fiscal Year 2000 National Defense Authorization Act (Public Law 106-398; 114 Stat. 1644-45) to provide for joint projects funded.

SEC. 224. MISSILE DEFENSE TESTING INITIATIVE.

(a) TESTING INFRASTRUCTURE.—(1) The Secretary of Defense shall ensure that each annual budget request of the Department of Defense—

(A) is designed to provide for comprehensive testing of ballistic missile defense programs during early stages of development; and

(B) includes necessary funding to support and infrastructure and provide adequate test assets for the testing of such programs.

(2) The Secretary shall ensure that ballistic missile defense programs incorporate, to the greatest possible extent, operationally realistic test configurations (referred to as “test bed” configurations) to demonstrate system performance over a broad range of capabilities, and, during final stages of operational testing, to demonstrate reliable performance.

(3) The Secretary shall ensure that the test infrastructure for ballistic missile defense programs is capable of supporting continued testing of ballistic missile defense systems after deployment.

(b) REQUIREMENTS FOR EARLY STAGES OF SYSTEM DEVELOPMENT.—In order to demonstrate
acceptable risk and developmental stability, the Secretary of Defense shall ensure that any ballistic missile defense system incorporates to the maximum extent practicable, the following elements during the early stages of system development:

(1) Pursuit of parallel conceptual approaches and technological paths for all critical problematic components until effective and reliable solutions can be demonstrated.

(2) Comprehensive ground testing in conjunction with flight-testing for key elements of the proposed system that are considered to present high risk, with such ground testing to make use of existing facilities and combinations of facilities that support testing at the highest possible levels of integration.

(3) Where appropriate, expenditures to enhance the capabilities of existing test facilities, or to construct new test facilities, to support alternative complementary test methodologies.

(4) Use of forecast testing in conjunction with test event documentation to ensure measurement of all critical test events and, where possible, incorporation of mobile assets to enhance flexibility in test configuration.

(5) Incorporation into the program of sufficient schedule flexibility and expendable test assets, including missile interceptors and targets, to ensure the continued performance of test assets during test aborts that are repeated in a prudent, but expeditious manner.

(6) Incorporation into flight-test planning for the program, where possible, of:

(a) events to demonstrate multiple targets, “shoot—look—shoot”, and other planned operational concepts;

(b) events that demonstrate early development and demonstration of “family of systems” concepts.

(c) SPECIFIC REQUIREMENTS FOR GROUND-BASED MID-COURSE INTERCEPTOR SYSTEMS—For ground-based mid-course interceptor systems, the Secretary of Defense shall initiate steps during fiscal year 2002 to establish a flight-test capability of launching not less than three missile defense interceptors and not less than two ballistic missile targets to provide a realistic test infrastructure.

SEC. 235. MILITARY BALLISTIC DEFENSE SYSTEM TEST BED FACILITIES.

(a) AUTHORITY TO ACQUIRE OR CONSTRUCT FACILITIES.—(1) The Secretary of Defense, using funds appropriated to the Department of Defense for research, development, test, and evaluation for fiscal years after fiscal year 2001 that are available for programs of the Ballistic Missile Defense Organization, may carry out construction projects, or portions of construction projects, including projects for the acquisition, improvement, or construction of a general utility, to establish and operate the Missile Defense System Test Bed Facilities.

(2) The authority provided in (1) may be used prior to, during, or after a demonstration project, to provide for other acquisition, improvement, or construction activities under (1) to the extent practicable, in order to reduce costs per test event.

(b) TRANSFER OF PREDETER U/V ASSETS.—The Secretary of the Navy shall transfer or convey to the commander of the Joint Forces Command and the two Predator unmanned aerial vehicles currently undergoing operational testing by the Navy, together with associated payloads and antennas of the associated tactical control system (TCS) ground station.

(c) USE BY JOINT FORCES COMMAND.—The items transferred pursuant to subsection (a) may be used by the United States Joint Forces Command only through the independent joint operational test bed system established pursuant to subsection (b) for testing of those items, or further development of and associated tactical control system (TCS) ground station, other aspects of unmanned aerial vehicle interoperability, and participation in such experiments and exercises as the commander considers appropriate to the mission of that command.

(d) DEADLINE FOR TRANSFER.—The transfers required by subsection (b) shall be completed not later than 90 days after the date of the enactment of this Act.

(e) TRANSFER WHEN NO LONGER REQUIRED BY JOINT FORCES COMMAND.—Upon a determination by the commander of the United States Joint Forces Command that any of the items transferred pursuant to subsection (a) are no longer needed by that command for use as provided in subsection (c), those items shall be transferred to the Secretary of the Air Force.

SEC. 242. DEMONSTRATION PROJECT TO INCREASE SMALL BUSINESS AND UNIVERSITY PARTICIPATION IN OFFICE OF NAVAL RESEARCH EFFORTS TO EXTEND BENEFITS OF SCIENCE AND TECHNOLOGY RESEARCH TO FLEET.

(a) PROJECT REQUIRED.—The Secretary of the Navy, acting through the Chief of Naval Research, shall carry out a demonstration project to increase access to Navy facilities of small businesses and universities that are engaged in science and technology research beneficial to the fleet.

(b) PROJECT ELEMENTS.—In carrying out the demonstration project, the Secretary shall:

(1) establish and operate a Navy Technology Extension Center at a location to be selected by the Secretary;

(2) permit participants in the Small Business Innovation Research Program (SBIR) and Small Business Technology Transfer Program (STTR) who are awarded contracts by Office of Naval Research to use Navy facilities without charge for purposes of carrying out such contracts; and

(3) permit universities, institutions of higher education, and other entities to use Navy facilities.

(c) REPORT.—Not later than February 1, 2004, the Secretary shall submit to Congress a report on the demonstration project. The report shall include a description of the activities carried out pursuant to this section, a demonstration of the demonstration projects for the improvement or expansion of the demonstration project that the Secretary considers appropriate.

SEC. 243. MANAGEMENT RESPONSIBILITY FOR NAVY MINE COUNTERMEASURES PROGRAMS.


SEC. 244. PROGRAM TO ACCELERATE THE INTEGRATION OF ALIEN VEHICLE JOINT OPERATIONAL TEST BED SYSTEM.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a program to provide opportunities for the increased introduction of innovative and cost-saving technology in acquisition programs of the Department of Defense.

(b) REQUIRED TRANSFER OF PREDATOR UAV ASSETS.—The Secretary of the Navy shall transfer or convey to the commander of the Joint Forces Command the two Predator unmanned aerial vehicles currently undergoing operational testing by the Navy, together with associated payloads and antennas of the associated tactical control system (TCS) ground station.

(c) USE BY JOINT FORCES COMMAND.—The items transferred pursuant to subsection (a) may be used by the United States Joint Forces Command only through the independent joint operational test bed system established pursuant to subsection (b) for testing of those items, or further development of and associated tactical control system (TCS) ground station, other aspects of unmanned aerial vehicle interoperability, and participation in such experiments and exercises as the commander considers appropriate to the mission of that command.

(d) DEADLINE FOR TRANSFER.—The transfers required by subsection (b) shall be completed not later than 90 days after the date of the enactment of this Act.

(e) TRANSFER WHEN NO LONGER REQUIRED BY JOINT FORCES COMMAND.—Upon a determination by the commander of the United States Joint Forces Command that any of the items transferred pursuant to subsection (a) are no longer needed by that command for use as provided in subsection (c), those items shall be transferred to the Secretary of the Air Force.
(4) The Secretary of Defense shall ensure that the Panel, in carrying out review and evaluation of challenge proposals under this subsection, has the authority to call upon the technical resources of the laboratories, research, development, and engineering centers, test and evaluation activities, and other elements of the Department of Defense.

(d) FINDINGS OF SUBSTANTIAL SUPERIORITY.—If, after the full review of a challenge proposal is completed, the Panel finds that the challenge proposal will result in improvements in performance, affordability, manufacturability, or operational capability at the component, subsystem, or system level of the applicable acquisition program that are substantially superior to that of the incumbent, the Panel shall submit that finding to the Under Secretary.

(e) ACTION UPON FINDINGS.—Upon receiving a finding under subsection (d), the Under Secretary shall carry out a plan to acquire and implement the challenge proposal with respect to which the finding was made. The Secretary shall carry out such plan:

(1) After canceling the contract of any incumbent that would be displaced by the implementation of this section. The Secretary shall submit to Congress, with the submission of the budget request for fiscal year 2002, the transfer authority 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 2002 to fund the completion of the transfer of the range from military control.

(f) ELIMINATION OF CONFLICTS OF INTEREST.—In carrying out each review and evaluation under subsection (c), the Secretary shall ensure the elimination of conflicts of interest.

(g) FINDINGS.—The funds authorized to be appropriated by section 101(a) for defense-wide research, development, test, and evaluation shall be available in PE 630261DZ for the Challenge Program required by this section.

(h) REPORT.—The Secretary shall submit to Congress with the submission of the budget request for the Department of Defense for each fiscal year beginning with fiscal year 2003, a report on the implementation of this section. The report shall include a number and scope of challenge proposals submitted, reviewed and evaluated, found to be substantially superior, and implemented.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2002 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, $21,015,280,000.
(2) For the Navy, $26,387,962,000.
(3) For the Marine Corps, $2,898,114,000.
(4) For the Air Force, $25,811,462,000.
(5) For Defense-wide activities, $1,922,131,000.
(6) For the Army Reserve, $1,814,246,000.
(7) For the Naval Reserve, $1,003,690,000.
(8) For the Marine Corps Reserve, $144,023,000.
(9) For the Air Force Reserve, $2,017,866,000.
(10) For the Army National Guard, $3,705,359,000.
(11) For the Air National Guard, $3,967,361,000.
(12) For the Defense Inspector General, $152,021,000.
(13) For the United States Court of Appeals for the Armed Forces, $9,096,000.
(14) For Environmental Restoration, Army, $305,000,000.
(15) For Environmental Restoration, Navy, $257,517,000.
(16) For Environmental Restoration, Air Force, $385,437,000.
(17) For Environmental Restoration, Defense-wide, $23,492,000.
(18) For Environmental Restoration, Formerly Used Defense Sites, $190,525,000.
(19) For Overseas Humanitarian, Disaster and Civic Aid programs, $49,700,000.
(20) For Drug Interdiction and Counter-drug Activities, Defense-wide, $820,381,000.
(21) For the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, $25,000,000.
(22) For Defense Health Program, $17,570,730,000.
(23) For Cooperative Threat Reduction programs, $463,000,000.
(24) For Overseas Contingency Operations Transfer Fund, $2,844,226,000.
(25) Support for International Sporting Competitions, Defense, $15,800,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2002 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, $1,931,965,000.
(2) For the National Defense Sealift Fund, $407,708,000.

SEC. 303. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2002 from the Armed Forces Retirement Home Trust Fund the sum of $71,440,000 for the operation of the Armed Forces Retirement Home, 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 2002 to fund the completion of the transfer of the range from military control.

(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 same purposes and period as, the transfer authority provided in subsection (a) and shall be included with the information required by subsection (b)(2) to be maintained for the range.

(c) SITE PRIORITIZATION.—(1) With respect to each former military range included in the inventory, the Secretary of Defense shall maintain a relative priority for response activities based on the overall conditions at the range.

(2) In assigning the response priority for a former military range, the Secretary of Defense shall primarily consider factors relating to safety and environmental hazard potential, such as the following:

(A) Whether there are known, versus suspected, abandoned military munitions on all or any portion of the range and the types of munitions present or suspected to be present.

(B) Whether public access to the range is controlled, and the effectiveness of these controls.

(C) The potential for direct human contact with abandoned military munitions at the range and evidence of people entering the range.

(D) Whether a response action has been or is being undertaken at the range under the Formerly Used Defense Sites program or other programs.

(E) The planned or mandated dates for transfer of the range from military control.

(F) The extent of any documented incidents involving abandoned military munitions at or from the range. In this subparagraph, the term ‘incidents’ means any or all of the following: explosions, discoveries, injuries, reports, and investigations.

(G) The potential for drinking water contamination or the release of weapon components into the air.

(H) The potential for destruction of sensitive ecosystems and damage to natural resources.

(d) UPDATE AND AVAILABILITY.—(1) The Secretary of Defense shall annually update the inventory and site prioritization list to reflect...
new information that becomes available. The inventory shall be available in published and electronic formats, and shall be inspected by the minimum standards set forth by the Secretary of Defense.

"(2) The Secretary of Defense shall work with adjacent communities to provide information concerning conditions at the former military range and, when appropriate, civil defense or emergency management agencies.

(2) The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

"2710. Former military ranges: inventory of explosive risk sites; use of inventory; public safety issues.".

(b) INITIAL INVENTORY.—The inventory required by section 2710 of title 10, United States Code, as added by subsection (a), shall be completed and made available not later than one year after the date of the enactment of this Act.

SEC. 312. NATIONAL SECURITY IMPACT STATEMENTS.

(a) EVALUATION OF NATIONAL SECURITY IMPACTS REQUIRED.—(1) Chapter 1063 of title 10, United States Code, as added by subsection (a), shall be amended by inserting after section 2710, as added by section 311, the following new section:

"§2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives

"(a) AGENCY ACTION.—Whenever an environmental impact statement or environmental assessment is required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) to be prepared in connection with a proposed Department of Defense action, the Secretary of Defense shall include a part of the environmental impact statement or environmental assessment a detailed evaluation of the impact of the proposed action, and each alternative to the proposed action considered in the statement or assessment on national security, including the readiness, training, testing, and operations of the armed forces.

"(b) DOD INSTRUCTIONS.—The Secretary of Defense shall also include the evaluation required by subsection (a) in any input provided by the Department of Defense as a cooperating agency to a lead agency preparing an environmental impact statement or environmental assessment."

(2) The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

"2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives.".

(b) EFFECTIVE DATE.—Section 2711 of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and apply with respect to any environmental impact statement or environmental assessment prepared by the Secretary of Defense that has not been released in final form as of that date.

SEC. 313. REIMBURSEMENT FOR CERTAIN COSTS IN CONNECTION WITH HOOPER SANDS SITE, SOUTH BERWICK, MAINE.

Using amounts authorized to be appropriated by section 301(15) for environmental restoration for the purposes for which the Secretary of the Navy may pay $1,005,478 to the Hooper Sands Special Account within the Hazardous Substance Superfund established by section 9506 of the Internal Revenue Code of 1986 (26 U.S.C. 9507) to reimburse the Environmental Protection Agency in full for certain response costs incurred by the Environmental Protection Agency for actions taken pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) at the Hooper Sands site in South Berwick, Maine, pursuant to an interagency agreement entered into by the Department of the Navy and the Environmental Protection Agency in January 2001.

SEC. 314. RIVER MITIGATION STUDIES.

(a) POTOMAC RIVER.—The Secretary of Defense may conduct a study regarding mitigation needs in connection with protruding structures or submerged objects remaining in the Potomac River.

(b) PHILADELPHIA NAVAL SHIPYARD, DELAWARE RIVER.—The Secretary of Defense may conduct a study regarding mitigation needs in connection with floating and partially submerged debris related to the Philadelphia Naval Shipyard in that portion of the Delaware River from Philadelphia to the mouth of the river which create navigational hazards along the river.

(c) USE OF EXISTING INFORMATION.—In conducting the studies authorized in this section, the Secretary shall take into account any information available from other studies conducted in connection with the same navigation channel.

(d) CONSULTATION.—The Secretary shall conduct the studies authorized by this section with the appropriate State and local government agencies.

(e) REPORT ON STUDY RESULTS.—Not later than April 30, 2002, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that summarizes the results of the studies conducted under this section.

(f) COST SHARING.—Nothing in this section is intended to require non-Federal cost sharing of the costs incurred by the Secretary of Defense to conduct the studies authorized in this section.

(g) REMOVAL AUTHORITY.—Consistent with existing laws, using funds authorized to be appropriated for these purposes, and after providing notice to the Committees of Congress, the Secretary of Defense may work with the other Federal, State, local, and private entities—

(1) to remove drowning structures and protruding structures and submerged debris in the Delaware River and surrounding the Port of Orange that resulted from the abandonment of the building industry and Navy installation in Orange, Texas; and

(2) to remove floating and partially submerged debris in the portion of the Delaware River subject to the study under subsection (b).

(h) RELATION TO OTHER LAWS AND AGREEMENTS.—This section is not intended to modify any authorities provided to the Secretary of the Army under the Water Resources Development Act of 1986 (33 U.S.C. 2201 et seq.), nor is it intended to modify any non-Federal cost-sharing responsibilities outlined in any local cooperation agreement.

SEC. 315. ELIMINATION OF ANNUAL REPORT ON CONTRACTOR REIMBURSEMENT FOR COSTS OF GOVERNMENTAL RE-SPOUSE ACTIONS.

Section 2706 of title 10, United States Code, is amended by striking subsection (c).

SEC. 316. SUSPENSION OF FULL-TIME EQUIVALENT POSITIONS REVIEWED.—During fiscal year 2002, the total number of full-time equivalent positions considered for possible change to performance of a workforce review may not exceed the following:

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) by inserting after the section heading the following new subsections:

(a) ELIGIBILITY.—Subject to subsection (c), the Secretary concerned shall authorize members of the Ready Reserve described in subsection (b) to have 24 days of eligibility to use commissary stores of the Department of Defense for any calendar year.

(b) COVERED MEMBERS.—Subsection (a) applies with respect to the following members of the Ready Reserve:

"(1) A member of the Selected Reserve who is satisfactorily participating in required training as prescribed in section 1047(a)(1) of this title or section 902(a) of title 32 in that calendar year.

"(2) A member of the Ready Reserve (other than a member described in paragraph (1)) who satisfactorily completes 30 or more points creditable under section 1272(a)(2) of this title in that calendar year.

(c) REDUCED NUMBER OF COMMISSARY VISITS FOR NEW MEMBERS.—The number of commissary visits authorized for a member of the Selected Reserve described in subsection (b)(1) who enters the Selected Reserve after the beginning of the calendar year shall be twice the number of full months remaining in the calendar year."

SEC. 322. REIMBURSEMENT FOR NONCOMMISary USE OF COMMISary FA CILITIES.

Section 2685 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) REIMBURSEMENT FOR NONCOMMISARY USE OF COMMISARY FACILITIES.—(1) If the Secretary concerned uses noncommisary facilities for execution of any contract, the reimbursement shall be calculated consistent with any use of commissary facilities. In addition, the amounts may be in whole or in part using the proceeds of adjustments or surcharges authorized by subsection (a) or revenues referred to in subsection (e). The Secretary shall reimburse the commissary as appropriate for the depreciation value of the investment made with such proceeds and revenues.

"(g) In paragraph (1), the term ‘construction’ has the meaning given the term in subsection (d)(2)."

SEC. 323. CIVIL RECOVERY FOR NON-APPROPRIATED FUND INSTRUMENTALITY COSTS RELATED TO SHIP-LIFTING.

Section 3701(b)(9) of title 31, United States Code, is amended by inserting before the comma at the end the following: “; including actual and administrative costs related to shiplifting, threat detection, and threat prevention.”

Subtitle D—Workforce and Depot Issues

SEC. 331. FISCAL YEAR 2002 LIMITATIONS ON WORKFORCE REVIEWS.

(a) WORKFORCE REVIEW DEFINED.—In this section, the term ‘workforce review’ has the meaning given the term in section 2461a(a) of title 10, United States Code.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS REVIEWED.—During fiscal year 2002, the total number of full-time equivalent positions considered for possible change to performance by the private sector through the performance of a workforce review may not exceed the following:

(1) by striking subsection (a);
SEC. 322. APPLICABILITY OF CORE LOGISTICS CAPABILITY REQUIREMENTS TO NUCLEAR AIRCRAFT CARRIERS.  
Section 2464(a)(3) of title 10, United States Code, is amended by striking “nuclear aircraft carriers” and inserting “nuclear refueling of aircraft carriers.”

SEC. 333. CONTINUATION OF CONTRACTOR MAN-POWER REPORTING SYSTEM IN DEFENSE OF THE ARMY.  
Section 343 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 568) is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):  
“(a) REPORTING REQUIREMENT FOR DEPARTMENT OF THE ARMY.—(1) Not later than March 1 of each fiscal year, the Secretary of the Army shall submit to Congress a report describing the use during the previous fiscal year of non-Federal entities to provide services to the Department of the Army.  
“(2) The data collection required to prepare the report is deemed to be in compliance with the requirements of chapter 35 of title 44, United States Code, commonly known as the Paperwork Reduction Act.  
“(3) The report required by this section is needed to comply with sections 115a and 129a of title 10, United States Code, and is not a procurement action.”;  

(2) by adding at the end the following new subsection:  
“(d) GAO EVALUATION.—Not later than 60 days after the Secretary submits to Congress the report required under subsection (a) for a fiscal year, the Comptroller General shall submit to Congress an evaluation of the report.”.

SEC. 334. LIMITATION ON EXPANSION OF WHOLESALE LOGISTICS MODERNIZATION PROGRAM.  
(a) LIMITATION.—The Secretary of the Army may not authorize the expansion of the Wholesale Logistics Modernization Program beyond the original legacy systems included in the scope of the contract awarded in December 1999 until the Secretary certifies to Congress that the original legacy systems have been successfully replaced:  

(b) GAO EVALUATION.—Not later than 60 days after the Secretary of the Army submits to Congress the certification required under subsection (a), the Comptroller General shall submit to Congress the certification.

SEC. 335. PILOT PROJECT FOR EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.  
Section 2474 of title 10, United States Code, is amended by adding at the end the following new subsection:  
“(g) PILOT PROJECT FOR EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.—  
“(1) AMOUNTS EXCLUDED.—Amounts expended out of funds described in paragraph (2) for the performance of a depot-level maintenance and repair workload by non-Federal Government personnel at a Center of Industrial and Technical Excellence named in paragraph (4) shall not be counted for the purposes of section 2466(a) of this title if the personnel are provided by private industry pursuant to a public-private partnership undertaken by the Center under subsection (b).  
“(2) FUNDS FOR FISCAL YEARS 2002 THROUGH 2006.—The funds referred to in paragraph (1) are funds available to the Air Force for depot-level maintenance and repair workloads for fiscal year 2002, 2003, 2004, 2005, or 2006, and shall not exceed 10 percent of the total funds available in any single year.  
“(3) REPORTING REQUIREMENTS.—All funds covered by paragraph (1) shall be included as a separate item in the reports required under paragraphs (1), (2), and (3) of section 2466(e) of this title.  
“(4) COVERED CENTERS.—(A) The Centers of Industrial and Technical Excellence referred to in paragraph (1) are the following:  
“(i) Oklahoma City Air Logistics Center, Oklahoma.  
“(ii) Warner-Robins Air Logistics Center, Georgia.  
“(B) The Secretary of the Air Force shall designate as a Center of Industrial and Technical Excellence under this section any of the air logistics centers named in subparagraph (A) that have not previously been so designated and shall specify the core competencies for which the center is designated.  

SEC. 336. PROTECTIONS FOR PURCHASERS OF ARTICLES AND SERVICES MANUFACTURED OR PERFORMED BY WORKING-CAPITAL FUNDED INDUSTRIAL FACILITIES OF THE DEPARTMENT OF DEFENSE.  
(a) GENERAL RULE.—Section 2563(c) of title 10, United States Code, is amended—  

(1) in paragraph (1)(B), by striking “in any case of willful misconduct” and inserting “as provided in paragraph (1)” and  

(2) by adding at the end the following new paragraph:  
“(3) Paraphraph (1)(B) does not apply in any case of willful misconduct or gross negligence or in the case of a claim by a purchaser of articles or services under this section that damages or injury arose from the failure of the Government to comply with quality, schedule, or cost performance requirements in the contract to provide the articles or services.”.

(b) CONFORMING AMENDMENT.—Section 2474(e)(2)(B)(i) of such title is amended by striking “in ‘any case of willful conduct or gross negligence’” and inserting “under the circumstances described in section 2563(c)(3) of this title’”.

Subtitle E—Defense Dependents Education  
SEC. 341. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE EMPLOYEES.  
(a) EDUCATIONAL AGENCIES ASSISTANCE.—(A) the amount authorized to be appropriated by section 301(5) for operation and maintenance for Defense-agency activities, $30,000,000 shall be available only for funds allocated for educational agencies assistance under paragraph (b) to local educational agencies.  

(b) NOTIFICATION.—Not later than June 30, 2002, the Secretary of Defense shall notify each local educational agency that is eligible for educational agencies assistance for fiscal year 2002 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 380(b) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–148; 10 U.S.C. 7119(b)).  

(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)).
(1) by striking “The Secretary” and inserting “(1) The Secretary”; and
(2) by adding at the end the following new paragraph:
“(2) The Secretary of Defense may make excess nonlethal supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.”;
(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows—
§ 2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitar-
ian relief”.

(2) The table of sections at the beginning of chapter 146 of such title is amended by striking the item relating to section 2557 and inserting the following new item:
“2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitar-
ian relief.”.

SEC. 352. CONTINUATION OF LIMITATIONS ON IM-
PLEMENTATION OF NAVY-MARINE CORPS INTRA-
NET CONTRACT.
(a) EXCLUSION OF MARINE CORPS.—Subsection (c) of section 814 of the Floyd D. Spence Na-
(1) by striking “PROHIBITION ON INCREASE OF RATES CHARGED.” and inserting “PROHIBI-
TIONS.”;
(2) by striking “fiscal year 2001” and inserting “fiscal year 2002”; and
(3) by adding at the end the following new paragraph:
“(2) The Navy Intranet contract may not in-
clude any activities of the Marine Corps.”;
(b) LIMITATION ON PHASED IMPLEMENTA-
TION.—Subsection (b)(4) of such section is amended—
(1) by striking “fiscal year 2001” both places it appears and inserting “fiscal year 2002”; and
(2) by striking “Marine Corps, the naval ship-
yards, or” both places it appears and inserting “naval shipyards or”.

SEC. 353. COMPLETION AND EVALUATION OF CUR-
RENT DEMONSTRATION PROGRAMS TO IMPROVE QUAL-
ITY OF PERSONNEL PROPERTY SHIPMENTS OF MEMBERS.
(a) COMPLETION.—The Secretary of Defense shall con-
clude completion all demonstration programs in the Department of Defense that design-
ed to improve the movement of household goods of members of the Armed Forces and were being conducted or authorized as of October 1, 2000,
(b) EVALUATION.—Not later than August 31, 2002, the Secretary of Defense shall submit to Congress a report evaluating whether the demon-
stration programs referred to in subsection (a), as implemented, satisfy the goals (as con-
tained in the General Accounting Report NSID 97–49) that such demonstration programs pro-
viously agreed upon between the Department of Defense and representatives of private sector en-
tities involved in the transportation of household goods for members of the Armed Forces.
(c) INTERIM REPORTS.—Not later than Janu-
ary 15, 2002, and April 15, 2002, the Secretary shall submit to Congress interim reports regard-
ing the implementation of the demonstration programs referred to in subsection (a).

SEC. 354. EXPANSION OF ENTITIES ELIGIBLE FOR LOAN, GIFT, AND EXCHANGE OF PERSONAL PROPERTY SHIP-
MENTS CURRENT DEMONSTRATION PROGRAMS.
Section 2572(a)(1) of title 10, United States Code, is amended by inserting before the period at the end the following: “, county, or other po-
titical subdivision of a State”.

Subtitle G—Service Contracting Reform

SEC. 361. SHORT TITLE
This subtitle may be cited as the “Department of Defense Service Contracting Reform Act of 2001”.

SEC. 362. REQUIRED COST SAVINGS LEVEL FOR CHANGE OF FUNCTION TO CON-
TRACT PERFORMANCE.
Section 2461(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:
“(5)(A) A commercial or industrial type function of the Department of Defense may not be changed to performance by the private sector unless, as a result of the cost comparison examination required under paragraph (3)(A), that employed the most efficient organization process described in Office of Management and Budget Circular A–76 or any successor administrative regulation or policy, at least a 10-percent cost savings would be achieved by performance of the function by the private sector over the term of the contract.
“(B) The cost savings requirement specified in subparagraph (A) does not apply to any con-
tracts for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and tech-
nical services related to (but not in support of) research and development, and depot-level maintenance and repair services.
“(C) The Secretary of Defense may waive the cost savings requirement if—
“(i) the written waiver is prepared by the Secre-
tary of Defense, or the relevant Assistant Secre-
tary or agency head; and
“(ii) the written waiver is accompanied by a detailed determination that national security in-
terests are so compelling as to preclude compli-
ance with the requirement for a cost comparison examination.
“(D) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.”.

SEC. 363. APPLICABILITY OF STUDY AND REPORT-
ING REQUIREMENTS TO NEW COM-
MERCIAL OR INDUSTRIAL TYPE Func-
TIONS.
(a) NEW FUNCTIONS.—Section 2461(a) of title 10, United States Code, is amended—
(1) by striking “CHANGE IN OR INITIATION OF PER-
FORMANCE.” and inserting “CHANGE IN OR INITIATION OF PERFORMANCE.”;
(2) by adding at the end the following new paragraph:
“(2) In the case of a commercial or industrial type function of the Department of Defense not previously performed by Department of Defense civilian employees or a contractor, the performance of the function by the private sector may not be initiated until—
“(A) the Secretary of Defense conducts a cost comparison examination that employs the most efficient organization process described in Office of Management and Budget Circular A–76, and its supplemental guidance or successor admin-
istrative regulation or policy; and
“(B) a determination is made that perform-
ance of the function by the private sector would be less costly over the term of the contract than performance by Department of Defense civilian employees during that same period.
“(C) This subsection does not apply to the fol-
lowing contracts:
“(A) a contract between the Department of Defense and the private sector for work with a contract value of less than $1,000,000 so long as the work was not designed, modified, or in any way changed for the purpose of avoiding the re-
quirements of this section.
“(B) a contract for special studies and anal-
yses, construction services, architectural serv-
ices, engineering services, medical services, sci-
entific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.
“(4) The Secretary of Defense may waive the appli-
cability of this section if—
“(A) the written waiver is prepared by the Secre-
tary of Defense, or the relevant Assistant Secre-
tary or agency head; and
“(B) the written waiver is accompanied by a detailed determination that—
“(i) there is no reasonable expectation that ci-
vilian employees would win a public-private competition for the function; and
“(ii) the issuance of a waiver would not serve to reduce significantly the level of or quality of competition in the future award or performance of work.
“(5) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.”.

(b) MINIMAL LEVELS OF PUBLIC-PRIVATE COM-
PETITION FOR NEW WORK.—(1) Notwithstanding the use of the waiver authority provided in sec-
tion 2461 of title 10, United States Code, as amended by this section, not less than the per-
centage specified in paragraph (2) of the total dollars expended during a specified fiscal year for conversion to, or initiation of, contractor or 
industrial type functions of the Depart-
ment of Defense not previously performed by Department of Defense civilian employees or the private sector (that is to say, any contract for a function not exempt from comparison under such section) shall be expended for service contracts that are awarded after the completion of cost comparison exami-
nation.
(2) The requirements of paragraph (1) apply as follows:
(A) Not less than 10 percent, for fiscal year 2000.
(B) Not less than 20 percent, for fiscal year 2004.
(C) Not less than 30 percent, for fiscal year 2005.
(c) CLERICAL AMENDMENTS.—(1) The heading of such section 2461 is amended to read as fol-
lows—
§ 2461. Commercial or industrial type func-
tions: required studies and reports before conversion to, or initiation of, contractor or 
civilian employee performance”.

(2) The item relating to such section in the table of sections at section 2461(b) of such chapter 146 of title 10, United States Code is amended to read as follows:
“2461. Commercial or industrial type functions: required studies and reports before conversion to, or initiation of, contractor or 
civilian employee performance.”.

SEC. 364. REPEAL OF WAIVER FOR SMALL Func-
TIONS.
Section 2461 of title 10, United States Code, is amended by striking subsection (d).

SEC. 365. REQUIREMENT FOR EQUITY IN PUBLIC-
PRIVATE COMPETITIONS.
Section 2461 of title 10, United States Code, is amended by inserting after subsection (c) the following new subsection:
“(d) EQUITY IN PUBLIC-PRIVATE COMPET-
ITION.—(1) For any fiscal year in which commer-
cial or industrial type functions of the Depart-
ment of Defense performed by Department of Defense civilian employees are studied for poss-
ible change to private sector performance, the Secretary of Defense shall subject approximately the same number of positions held by non-
Federal employees under contracts with the Depart-
ment of Defense to the same cost comparison ex-
imination described in subsection (b)(3), subject to the completion of the terms of those contracts.
“(2) To the extent possible, the Secretary of Defense should, in complying with this sub-
section, select those contract positions held by
non-Federal employees under contracts with the Department of Defense that are associated with commercial or industrial type functions that have an internal system for aggregating billable hours in the direct or indirect pools, or an internal payroll accounting system, and does not otherwise have to ever provide this information to the Government. A contractor may not claim an exemption on the sole basis that the contractor is a foreign contractor, that services are provided pursuant to a firm fixed price contract, or that the payroll system of the contractor is performed by another person, or that the contractor has too many subcontractors. The Secretary concerned shall require each defense agency to establish and maintain the requirements imposed by this section subject to audit and verification by the Secretary concerned.

(g) REPORT TO CONGRESS AND COMPTROLLER GENERAL ACTIONS.—The Secretary concerned shall submit the information collected under subsection (c) to Congress not later than October 1 of each year for the prior fiscal year. No later than March 1 of each year, the Comptroller General will review the information submitted to Congress under this subsection and the effectiveness of Department of Defense initiatives to integrate this information into its budgeting process.

(h) PUBLICATION OF REPORTS.—After completion of the Comptroller General review under subsection (h), the Secretary concerned shall take steps to make the nonproprietary compilations of the data public on websites using the publication standard expressed by the Department of the Army pursuant to 668 of title 32, Code of Federal Regulations.

(2) The table of sections at the beginning of each chapter is amended by inserting after the item relating to section 2461a the following new item:

"2461b. Use of private sector to perform commercial or industrial type function: contractor reporting requirements."

(b) EFFECTIVE DATE.—Section 2461b of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 2001.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

SUBTITLE A—ACTIVE FORCES

401. END STRENGTHS FOR ACTIVE FORCES

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2002, as follows:

(1) The Army, 480,000.
(2) The Navy, 376,000.
(3) The Marine Corps, 172,600.
(4) The Air Force, 358,800.

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 "372,000" and inserting "376,000";
(2) in paragraph (4), by striking "357,000" and inserting "358,800";

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SUBTITLE B—RESERVE FORCES

411. END STRENGTHS FOR SELECTED RESERVE FORCES

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel as of September 30, 2002, as follows:

(1) The Army National Guard of the United States, 350,000.
(2) The Army Reserve, 305,000.
(3) The Air Force Reserve, 87,000.
(4) The Marine Corps Reserve, 39,558.
(6) The Army Reserve Force, 74,700.
(7) The Coast Guard Reserve, 8,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized 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 component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.
Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of major, lieutenant colonel, and colonel may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Number of officers of that reserve component who may be serving in the grade of:</th>
<th>Major</th>
<th>Lieutenant Colonel</th>
<th>Colonel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army Reserve:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10,000</td>
<td>1,390</td>
<td>740</td>
<td>230</td>
</tr>
<tr>
<td>11,000</td>
<td>1,529</td>
<td>803</td>
<td>242</td>
</tr>
<tr>
<td>12,000</td>
<td>1,668</td>
<td>864</td>
<td>252</td>
</tr>
<tr>
<td>13,000</td>
<td>1,804</td>
<td>924</td>
<td>262</td>
</tr>
<tr>
<td>14,000</td>
<td>1,940</td>
<td>984</td>
<td>272</td>
</tr>
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<td>1,044</td>
<td>282</td>
</tr>
<tr>
<td>16,000</td>
<td>2,210</td>
<td>1,104</td>
<td>291</td>
</tr>
<tr>
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<td>2,345</td>
<td>1,164</td>
<td>300</td>
</tr>
<tr>
<td>18,000</td>
<td>2,479</td>
<td>1,223</td>
<td>309</td>
</tr>
<tr>
<td>19,000</td>
<td>2,613</td>
<td>1,282</td>
<td>318</td>
</tr>
<tr>
<td>20,000</td>
<td>2,747</td>
<td>1,341</td>
<td>327</td>
</tr>
<tr>
<td>21,000</td>
<td>2,877</td>
<td>1,400</td>
<td>336</td>
</tr>
<tr>
<td>Army National Guard:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20,000</td>
<td>1,500</td>
<td>850</td>
<td>325</td>
</tr>
<tr>
<td>22,000</td>
<td>1,650</td>
<td>930</td>
<td>350</td>
</tr>
<tr>
<td>24,000</td>
<td>1,790</td>
<td>1,010</td>
<td>370</td>
</tr>
<tr>
<td>26,000</td>
<td>1,930</td>
<td>1,085</td>
<td>385</td>
</tr>
<tr>
<td>28,000</td>
<td>2,070</td>
<td>1,160</td>
<td>400</td>
</tr>
<tr>
<td>30,000</td>
<td>2,200</td>
<td>1,235</td>
<td>405</td>
</tr>
<tr>
<td>32,000</td>
<td>2,330</td>
<td>1,305</td>
<td>408</td>
</tr>
<tr>
<td>34,000</td>
<td>2,450</td>
<td>1,375</td>
<td>411</td>
</tr>
<tr>
<td>36,000</td>
<td>2,570</td>
<td>1,445</td>
<td>411</td>
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<tr>
<td>38,000</td>
<td>2,670</td>
<td>1,515</td>
<td>411</td>
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<tr>
<td>40,000</td>
<td>2,770</td>
<td>1,580</td>
<td>411</td>
</tr>
<tr>
<td>42,000</td>
<td>2,877</td>
<td>1,644</td>
<td>411</td>
</tr>
<tr>
<td>Marine Corps Reserve:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,100</td>
<td>106</td>
<td>56</td>
<td>20</td>
</tr>
<tr>
<td>1,200</td>
<td>110</td>
<td>60</td>
<td>21</td>
</tr>
<tr>
<td>1,300</td>
<td>114</td>
<td>63</td>
<td>22</td>
</tr>
<tr>
<td>1,400</td>
<td>118</td>
<td>66</td>
<td>23</td>
</tr>
<tr>
<td>1,500</td>
<td>121</td>
<td>69</td>
<td>24</td>
</tr>
<tr>
<td>1,600</td>
<td>124</td>
<td>72</td>
<td>25</td>
</tr>
<tr>
<td>1,700</td>
<td>127</td>
<td>75</td>
<td>26</td>
</tr>
<tr>
<td>1,800</td>
<td>130</td>
<td>78</td>
<td>27</td>
</tr>
<tr>
<td>1,900</td>
<td>133</td>
<td>81</td>
<td>28</td>
</tr>
<tr>
<td>2,000</td>
<td>136</td>
<td>84</td>
<td>29</td>
</tr>
<tr>
<td>2,100</td>
<td>139</td>
<td>87</td>
<td>30</td>
</tr>
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<td>90</td>
<td>31</td>
</tr>
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<td>2,300</td>
<td>143</td>
<td>92</td>
<td>32</td>
</tr>
<tr>
<td>2,400</td>
<td>145</td>
<td>94</td>
<td>33</td>
</tr>
<tr>
<td>2,500</td>
<td>147</td>
<td>96</td>
<td>34</td>
</tr>
<tr>
<td>2,600</td>
<td>149</td>
<td>98</td>
<td>35</td>
</tr>
<tr>
<td>Air Force Reserve:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>500</td>
<td>83</td>
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<td>50</td>
</tr>
<tr>
<td>1,000</td>
<td>155</td>
<td>165</td>
<td>95</td>
</tr>
<tr>
<td>1,500</td>
<td>220</td>
<td>240</td>
<td>135</td>
</tr>
<tr>
<td>2,000</td>
<td>285</td>
<td>310</td>
<td>170</td>
</tr>
<tr>
<td>2,500</td>
<td>350</td>
<td>369</td>
<td>263</td>
</tr>
<tr>
<td>3,000</td>
<td>413</td>
<td>429</td>
<td>230</td>
</tr>
<tr>
<td>3,500</td>
<td>473</td>
<td>484</td>
<td>230</td>
</tr>
<tr>
<td>4,000</td>
<td>530</td>
<td>500</td>
<td>240</td>
</tr>
<tr>
<td>4,500</td>
<td>585</td>
<td>529</td>
<td>247</td>
</tr>
<tr>
<td>5,000</td>
<td>638</td>
<td>550</td>
<td>254</td>
</tr>
<tr>
<td>5,500</td>
<td>688</td>
<td>565</td>
<td>261</td>
</tr>
<tr>
<td>6,000</td>
<td>735</td>
<td>575</td>
<td>268</td>
</tr>
<tr>
<td>7,000</td>
<td>770</td>
<td>595</td>
<td>280</td>
</tr>
</tbody>
</table>
Whenever the number of officers serving in any component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Total number of members of a reserve component serving on full-time reserve component duty</th>
<th>Number of officers of that reserve component who may be serving in the grade of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major</td>
<td>Lieutenant Colonel</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>8,000</td>
<td>805</td>
</tr>
<tr>
<td>10,000</td>
<td>835</td>
</tr>
</tbody>
</table>

Air National Guard:

<table>
<thead>
<tr>
<th>Total number of members of a reserve component serving on full-time reserve component duty</th>
<th>Number of officers of that reserve component who may be serving in the grade of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Major</td>
<td>Lieutenant Colonel</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>5,000</td>
<td>333</td>
</tr>
<tr>
<td>6,000</td>
<td>403</td>
</tr>
<tr>
<td>7,000</td>
<td>472</td>
</tr>
<tr>
<td>8,000</td>
<td>539</td>
</tr>
<tr>
<td>9,000</td>
<td>606</td>
</tr>
<tr>
<td>10,000</td>
<td>673</td>
</tr>
<tr>
<td>11,000</td>
<td>740</td>
</tr>
<tr>
<td>12,000</td>
<td>807</td>
</tr>
<tr>
<td>13,000</td>
<td>873</td>
</tr>
<tr>
<td>14,000</td>
<td>939</td>
</tr>
<tr>
<td>15,000</td>
<td>1,005</td>
</tr>
<tr>
<td>16,000</td>
<td>1,067</td>
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<tr>
<td>17,000</td>
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<td>18,000</td>
<td>1,185</td>
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<tr>
<td>19,000</td>
<td>1,235</td>
</tr>
<tr>
<td>20,000</td>
<td>1,283</td>
</tr>
</tbody>
</table>

**Total number of members of Naval Reserve who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:**

<table>
<thead>
<tr>
<th>Total number of members of Naval Reserve serving on full-time reserve component duty</th>
<th>Number of officers who may be serving in the grade of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lieutenant commander</td>
<td>Commander</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>10,000</td>
<td>807</td>
</tr>
<tr>
<td>11,000</td>
<td>867</td>
</tr>
<tr>
<td>12,000</td>
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<td>13,000</td>
<td>980</td>
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<td>18,000</td>
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<td>19,000</td>
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<td>20,000</td>
<td>1,334</td>
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<tr>
<td>21,000</td>
<td>1,384</td>
</tr>
<tr>
<td>22,000</td>
<td>1,430</td>
</tr>
<tr>
<td>23,000</td>
<td>1,470</td>
</tr>
</tbody>
</table>

**Determination by Interpolation.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the Secretary concerned shall set the corresponding strengths for the grades shown in that table at the same proportion as is reflected in the nearest limit shown in the table.**

**Reallocation to Lower Grades.—Whenever the number of officers serving in any grade for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.**

**Secretarial Waiver.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve officers that may be on full-time reserve component duty for a reserve component in a grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.**

**(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.**

**(b) Full-time Reserve Component Duty Defined.—In this section, the term ‘full-time reserve component duty’ means the following duty:**

**(1) Active duty described in sections 10211, 10292, 10303, 10304, 10305, 12319, or 12402 of title 32.**

**(2) Full-time National Guard duty (other than for training) under section 502(f) of title 32.**

**(3) Active duty described in section 708 of title 32.**

**(b) Senior Enlisted Members.—The text of section 12012 of title 10, United States Code, is amended to read as follows:**

**Limitations.—Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members in each of pay grades of E-8 and E-9 who may be serving on active duty**
under section 10211 or 12310, or on full-time Na-

tional Guard duty under the authority of section 902(f) of title 32 (other than for training) in

connection with organizing, administering, recruiting, instructing, or training the reserve components or the National Guard may not, as

of the end of that fiscal year, exceed the number determined in accordance with the following table:

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<table>
<thead>
<tr>
<th>Army Reserve:</th>
<th>Number of members of that reserve component who may be serving in the grade of:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>E-8</td>
</tr>
<tr>
<td>10,000</td>
<td>1,052</td>
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<td>11,000</td>
<td>1,126</td>
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<tr>
<td>12,000</td>
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<td>1,519</td>
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<td>20,000</td>
<td>1,711</td>
</tr>
<tr>
<td>21,000</td>
<td>1,775</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Army National Guard:</th>
</tr>
</thead>
<tbody>
<tr>
<td>20,000</td>
</tr>
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<td>22,000</td>
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<tr>
<td>24,000</td>
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<tr>
<td>26,000</td>
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<td>28,000</td>
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<td>30,000</td>
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<td>32,000</td>
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<td>34,000</td>
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<td>38,000</td>
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<td>40,000</td>
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<tr>
<td>42,000</td>
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<table>
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<th>Naval Reserve:</th>
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<tbody>
<tr>
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<table>
<thead>
<tr>
<th>Marine Corps Reserve:</th>
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<tbody>
<tr>
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<td>1,400</td>
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<td>1,500</td>
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<td>2,500</td>
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<tr>
<td>2,600</td>
</tr>
</tbody>
</table>
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“(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the table in subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the table in subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in the table at the same proportion as is reflected in the nearest limit shown in the table.

"(c) REALLOCATIONS TO LOWER GRADE.—Whenever the number of officers serving in pay grade E-9 for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for pay grade E-8.

"(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve enlisted members that may be on active duty or full-time National Guard duty as described in subsection (a) for a reserve component in a pay grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for that grade and reserve component in the table.

"(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

"(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term 'full-time reserve component duty' has the meaning given in the term in section 12011(e) of this title.

"(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 422. ACTIVE DUTY END STRENGTH EXEMPTION FOR NATIONAL GUARD AND RESERVE PERSONNEL PERFORMING FUNERAL HONORS FUNCTIONS.

Section 115(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(10) Members of reserve components on active duty to prepare for and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

“(11) Members on full-time National Guard duty to prepare for and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.”.

SEC. 423. INCREASE IN AUTHORIZED STRENGTHS FOR AIR FORCE OFFICERS ON ACTIVE DUTY IN THE GRADE OF MAJOR.

The table in section 523(a)(1) of title 10, United States Code, is amended by striking the figures under the heading “Major” in the portion of the table relating to the Air Force and inserting the following:

Air Force Reserve:

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<th>Number of Members</th>
<th>E-8</th>
<th>E-9</th>
</tr>
</thead>
<tbody>
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<td>3,000</td>
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<td>370</td>
</tr>
<tr>
<td>10,000</td>
<td>800</td>
<td>400</td>
</tr>
</tbody>
</table>

Air National Guard:

<table>
<thead>
<tr>
<th>Number of Members</th>
<th>E-8</th>
<th>E-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,000</td>
<td>1,020</td>
<td>405</td>
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<td>695</td>
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<tr>
<td>20,000</td>
<td>1,770</td>
<td>712</td>
</tr>
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</table>
CONGRESINAL RECORD—HOUSE

September 20, 2001

17394

*9,861

10,727

11,593

12,460

13,326

14,192

15,058

15,925

16,792

17,657

18,524

19,389

20,256

21,123

21,989

22,855

23,721

24,588

25,454

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 or for certain other new officers Act of fiscal year 2002.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—General Personnel Management

SEC. 501. ENHANCED FLEXIBILITY FOR MANAGEMENT OF SENIOR GENERAL AND FLAG OFFICER POSITIONS.

(a) REPEAL OF LIMIT ON NUMBER OF OFFICERS ON ACTIVE DUTY IN GRADES OF GENERAL AND ADMIRAL.—Section 528 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 32 of such title is amended by striking the item relating to section 528.

SEC. 502. ORIGINAL APPOINTMENTS IN REGULAR GRADES FOR ACADEMY GRADUATES AND CERTAIN OTHER NEW OFFICERS.

(a) REPEAL OF REQUIREMENT FOR ONE YEAR OF ACTIVE DUTY IN A RESERVE GRADE.—Section 532(e) of title 10, United States Code, is repealed.

(b) MILITARY ACADEMY GRADUATES.—Section 433(b) of such title is amended to read as follows:

‘‘(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Army as may be prescribed by the Secretary of the Army shall, upon graduation, be appointed a second lieutenant in the Regular Army under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.’’. (c) NAVY ACADEMY GRADUATES.—Section 4376 of such title is amended—

(1) by inserting ‘‘(a)’’ before ‘‘Under regulations’’;

(2) by adding at the end the following:

‘‘(b) A midshipman who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the naval service as may be prescribed by the Secretary of the Navy shall, upon graduation, be appointed an ensign in the Regular Navy or a second lieutenant in the Regular Marine Corps under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.’’. (d) AIR FORCE ACADEMY GRADUATES.—Section 533(b) of such title is amended to read as follows:

‘‘(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Air Force as may be prescribed by the Secretary of the Air Force shall, upon graduation, be appointed a second lieutenant in the Regular Air Force under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.’’. (e) ROTC DISTINGUISHED GRADUATES.—Section 2106(a) of such title is amended by adding at the end the following new item: ‘‘(c)(1) ‘‘(c) A distinguished Graduates of officer commissioning programs other than service academies and ROTC

‘‘A person who is selected for an original appointment as a commissioned officer in the Army, Navy, Air Force, or Marine Corps as a result of satisfactory completion of an officer commissioning program other than the course of instruction at one of the service academies named in section 541 of this title or the Senior Reserve Officers’ Training Corps program and who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate (or the equivalent) shall be appointed as a regular officer.’’. (f) OTHER COMMISSIONING PROGRAMS.—(1) Chapter 33 of such title is amended by adding at the end the following new section: ‘‘§542. Distinguished Graduates of officer commissioning programs other than service academies and ROTC

‘‘A person who is selected for an original appointment as a commissioned officer in the Army, Navy, Air Force, or Marine Corps as a result of satisfactory completion of an officer commissioning program other than the course of instruction at one of the service academies named in section 541 of this title or the Senior Reserve Officers’ Training Corps program and who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate (or the equivalent) shall be appointed as a regular officer.’’. (g) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 503. TEMORARY REDUCTION OF TIME-IN-GRADE REQUIREMENT FOR ELIGIBILITY FOR PROMOTION FOR CERTAIN OFFICERS.

(a) AUTHORITY.—Subsection (a) of section 619 of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by inserting before the period at the end the following: ‘‘, or such shorter period as may be in effect under paragraph (6)’’; and

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

‘‘(6)(A) When the needs of the service require, the Secretary of the military department concerned may reduce to eighteen months the period of service in grade applicable for purposes of paragraph (1)(B) in the case of officers who are serving in a position that is authorized for officers in the grade of captain or, in the case of the Navy, lieutenant.

(6)(B) If the Secretary of the military department concerned uses the authority provided in subparagraph (A), the number of captains or, in the case of the Navy, lieutenants on the active-duty list may not exceed the number of positions for which officers in that grade are authorized by more than one percent.

(C) The authority under subparagraph (A) and the limitation under subparagraph (B) expire on September 30, 2005.’’. (b) STYLISH AMENDMENTS.—Such section is further amended as follows:

(1) Subsection (a) is amended by striking ‘‘(4)(1)’’ and inserting ‘‘(1) TIME-IN-GRADE REQUIREMENTS.—(1)’’. (2) Subsection (d) is amended by striking ‘‘(4)(1)’’ and inserting ‘‘(4) CONTINUED ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED OF SELECTION.—’’. (3) Subsection (e) is amended by striking ‘‘(4)(1)’’ and inserting ‘‘(4) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1)’’. (4) Subsection (d) is amended by striking ‘‘(4) OFFICERS NOT TO BE CONSIDERED.— after ‘‘(d)’’.

(c) TECHNICAL AMENDMENT.—Subsection (a)(4) of such section is amended by striking ‘‘clause (A)’’ and inserting ‘‘paragraph (A)’’.

SEC. 504. INCREASE IN SENIOR ENLISTED ACTIVE DUTY GRADE LIMIT FOR NAVY, MARINE CORPS, AND AIR FORCE.

(a) MEMBERS IN PAY GRADE E-8.—Section 517(a) of title 10, United States Code, is amended by striking ‘‘2 percent (or, in the case of the Army, 2.5 percent)’’ and inserting ‘‘2.5 percent’’.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

SEC. 505. AUTHORITY FOR LIMITED EXTENSION OF MEDICAL DEFERMENTS AND MANDATORY RETIREMENT OR SEPARATION.

(a) SECTION 12305 STOP-LOSS AUTHORITY.—Section 12305 of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(c) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned may, for a period of up to 90 days after the date of such suspension, extend such suspension to the date of the termination of the suspension or, if such suspension was before the date of the termination of the suspension or within 90 days of the date of such suspension, the date of the termination of the suspension or within 90 days of the date of such suspension.’’. (b) SECTION 123 STOP-LOSS AUTHORITY.—Section 123 of title 10, United States Code, is amended by adding at the end the following new subsection:

‘‘(c) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by
up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended promotion acts amended by striking
the decision date, but for the suspension, would have been before the date of the termination of the suspension or within 90 days of the date of such
termination.

SEC. 507. CLARIFICATION OF DISABILITY SEVER-
ANCE PAY COMPUTATION.
(a) CLARIFICATION.—Section 1212(a)(2) of title
10, United States Code, is amended by striking
“for promotion” in subsection (C) and the first
place it appears in subparagraph (D).
(b) EFFECTIVE DATE.—The amendments made
by subsection (a) shall apply with respect to
members separated under section 1202 or 1206 of
title 10, United States Code, on or after date of
the enactment of this Act.

SEC. 508. OFFICER IN CHARGE OF UNITED
NATION NAVY BAND.
(a) DETAIL AND GRADE.—Section 6221 of
title 10, United States Code, is amended to read as
follows:

§ 6221. United States Navy Band; officer in
charge. (a) There is a Navy band known as the
United States Navy Band.
(b) An officer of the Navy designated for
limited duty under section 5589 or 5596 of this title
who is serving in a grade not below lieutenant
commander may be detailed by the Secretary of the
Navy in Charge of the United States Navy Band.
While so serving, an officer so
detailed shall hold the grade of captain if
recommended by the Secretary of the Navy for
appointment at that grade and appointed to
that grade by the President, by and with the
advice and consent of the Senate. Such an
appointment may be made notwithstanding section
5596(d) of this title.
(c) CLERICAL AMENDMENT.—The item relating
to section 6221 in the table of sections at the
beginning of chapter 565 of such title is amended to
read as follows:

“6221. United States Navy Band; officer in
charge.”

SEC. 509. ONE-YEAR EXTENSION OF EXPIRATION
DATE FOR CERTAIN FORCE MANAGE-
MENT AUTHORITIES.
(a) EARLY RETIREMENT AUTHORITY FOR AC-
ITIVE FORCE MEMBERS.—Section 4403(i) of the
Year 1993 (10 U.S.C. 12681 note) is amended by
striking “December 31, 2001” and inserting “De-
cember 31, 2002.”
(b) SSB AND VSI.—Sections 1174a(h)(1) and
1175(d)(3) of title 10, United States Code, are
amended by striking “December 31, 2001” and
inserting “December 31, 2002.”
(c) SELECTIVE EARLY RETIREMENT BOR-
DS.—Section 638a(a) of such title is amended by
striking “December 31, 2001” and inserting “De-
cember 31, 2002.”
(d) TIME-IN-GRADE REQUIREMENT FOR RE-
TENTION OF GRADE UPON VOLUNTEER-
REirement.—Section 1370 of such title is amended by
striking “December 31, 2001” and inserting “De-
cember 31, 2002.”
(e) MINIMUM COMMISSIONED SERVICE FOR
VOLUNTARY RETIREMENT AS AN OFFICER.—Sec-
tions 3911(b), 6232(a)(2), and 9111(b) of such title
are amended by striking “December 31, 2001” and
inserting “December 31, 2002.”
(f) MINIMUM COMMISSIONED SERVICE FOR
VOLUNTARY RETIREMENT AS AN OFFICER.—Sec-
tions 3911(b), 6232(a)(2), and 9111(b) of such title
are amended by striking “December 31, 2001” and
inserting “December 31, 2002.”
(g) EDUCATIONAL LEAVE FOR PUBLIC AND
COMMUNITY SERVICE.—Section 4663(f) of the Na-
tional Defense Authorization Act for Fiscal
Year 1993 (10 U.S.C. 114a note) is amended by
striking “December 31, 2001” and inserting “De-
cember 31, 2002.”

SEC. 511. PLACEMENT ON ACTIVE-DUTY LIST OF
CERTAIN RESERVE OFFICERS ON AC-
TIVE DUTY FOR A PERIOD OF THREE
YEARS OR LESS.
(a) CLARIFICATION OF EXEMPTION.—Sec-
tion 6411(D) of title 10, United States Code, is
amended to read as follows:

“(D) on active duty under section 12301(d) of
this title, other than as provided under subpara-
grah (C), if the call or order to active duty, in
the judgment of the Secretary concerned, specifies a period of three years or
less and continued placement on the reserve ac-
tive-status list;”

(b) RETROACTIVE APPLICATION.—(1) The Sec-
retary of the military department concerned
may provide that an officer who was excluded
from the active-duty list under section 6411(D) of
10 U.S.C. 1204, as amended by section
511(a)(2)(D) of the FY 2001 National
Defense Authorization Act, is amended to read as follows:

“§ 6221. United States Navy Band; officer in
charge—
(3) in subsection (b)(1), by striking “from in or
above the promotion zone”;

(4) in subsection (a)(1), by striking “for selec-
tion for promotion from in or above the
promotion zone” after “for consideration”; and

(5) in subsection (a)(2), by inserting “for selec-
tion for promotion from in or above the
promotion zone”.

(c) EFFECTIVE DATE.—The amendments made
by subsection (a) shall apply to any Reserve offi-
cers who was not considered for promotion be-
cause the person no longer meets the quali-
fication for promotion but not selected because of material
error, under part III of subtitle E of title 10,
United States Code, on or after October 1, 1996.

SEC. 513. EXTENSION TO RACALLAUREATE DE-
GREE REQUIREMENT FOR APPOINT-
MENT OF RESERVE OFFICERS TO GRADES ABOVE FIRST LIEUTENANT.
Section 1212(a)(3) of title 10, United States
Code, is amended—
(1) by redesigning paragraphs (4) and (5) as
paragraphs (5) and (6), respectively; and
(2) by inserting after paragraph (3) the fol-
lowing paragraph (4):

“(4) The appointment to a grade in the Army
Reserve of a person whose original appoint-
mation was an enlisted member on active duty.”

SEC. 514. IMPROVED DISABILITY BENEFITS FOR CERTAIN RESERVE COMPONENT MEMBERS.
(a) MEDICAL AND DENTAL CARE.—Sections
10714a(a)(3) and 10716(b)(2)(C) of title 10, United
States Code, are each amended by striking “if
the” and all that follows through “member’s residence”.
(b) ELIGIBILITY FOR DISABILITY RETIRE-
MENT OR SEPARATION.—Sections 1202(b)(1)(ii)
and 1206(2)(B)(iii) of title 10, United States
Code, are each amended by striking “if the” and all
that follows through “member’s residence”.
(c) RETIREMENT, CARE, AND VIABLE STATUS RE-
MAINS.—Section 1411(a)(2)(D) of title 10, United
States Code, is amended by striking “if the site
is outside reasonable commuting distance from the
member’s residence”.
(d) PAY.—Sections 204(g)(1)(D), 204(h)(1)(B),
and 206(a)(3)(C) of title 37, United States
Code, are each amended by striking “if the site is
outside reasonable commuting distance from the
member’s residence”.

SEC. 515. TIME-IN-GRADE REQUIREMENT FOR RE-
SERVE COMPONENT OFFICERS WITH NON-SERVICE CONNECTED DIS-
ABILITY.
Section 1370(d)(3)(B) of title 10, United
States Code, is amended to read as follows:

“(B) A person covered by subparagraph (A)
who has completed at least six months of satis-
factory service in grade may be credited with
satisfactory service in the grade in which serv-
ing at the time of transfer or discharge, with-
standing failure of the person to complete three
years of service in that grade, if that person—
(1) is transferred from an active status or dis-
charged as a reserve status list if the transfer or discharge
is due to the requirements of a nondiscretionary
provision of law requiring that transfer or dis-
charge due to the person’s age or years of serv-
e; or

(2) is retired under chapter 1223 of this title
because the person no longer meets the quali-
fication for membership in the Ready Reserve
solely because of a physical disability, as deter-
mined, at a minimum, by a medical evalua-
tion board.”
SEC. 516. RESERVE MEMBERS CONSIDERED TO BE DEPLOYED FOR PURPOSES OF PERSONNEL MANAGEMENT.

Section 991(b) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ‘‘active’’ before ‘‘service’’;

and

(B) by adding at the end the following: ‘‘For the purposes of the preceding sentence, a member who is not on active duty or on a full-time National Guard duty shall be considered to be either the housing the member normally occupies when on garrison duty or the member’s permanent civilian residence;’’;

(2) by striking paragraph (2);

(3) by redesigning paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (3) (as so redesignated), by striking ‘‘in paragraphs (1) and (2)’’ and inserting ‘‘in paragraph (1)’’.

SEC. 517. FUNERAL HONORS DUTY PERFORMED BY NATIONAL GUARD AND GUARD MEMBERS TO BE TREATED AS INACTIVE-DUTY TRAINING FOR CERTAIN PURPOSES.

(a) RESERVE MEMBERS.—Section 12503(a) of title 10, United States Code, is amended by adding at the end the following new sentence: ‘‘Performance of funeral honors duty by a Reserve officer or warrant officer on active duty or on full-time National Guard duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 435 of title 37.’’;

(b) NATIONAL GUARD MEMBERS.—Section 115(a) of title 32, United States Code, is amended by adding at the end the following new sentence: ‘‘Performance of funeral honors duty by a National Guard member on active duty or on full-time National Guard duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 435 of title 37.’’;

(c) EFFECTIVE DATE.—The amendments made by this section apply to funeral honors duty performed on or after October 30, 2000.

SEC. 518. MEMBERS OF THE NATIONAL GUARD PERFORMING FUNERAL HONORS DUTY WHILE IN NON-FEDERAL STATUTORY RESERVE.

Section 149(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(1) A member of the Army National Guard of the United States or the Air National Guard of the United States who serves as a member of a funeral honors detail while in a duty status authorized under State law shall be considered to be a member of the armed forces for the purposes of the first sentence of section 218 of title 32, United States Code.”

SEC. 519. USE OF MILITARY LEAVE FOR FUNERAL HONORS DUTY BY RESERVE MEMBERS AND NATIONAL GUARD MEMBERS.

Section 612(a)(1) of title 10, United States Code, is amended—

(1) by striking ‘‘duty (as described in section 12503 of title 10 and section 115 of title 32),’’ after ‘‘(as defined in section 101 of title 37),’’

(2) by inserting ‘‘and personal leave (as defined in section 6001 of this title)’’ in place of ‘‘and personal leave’’ immediately preceding the period at the end of subsection (a), and

(3) in subsection (b)(2), by striking ‘‘and other leave’’ and inserting ‘‘and other leave, including personal leave, annual leave, and emergency leave’’.

SEC. 520. NOMINATIONS FOR JOINT SPECIALTY.

Provided that officer or warrant officer on active duty or on full-time National Guard duty shall be considered to be either the housing the member normally occupies when on garrison duty or the member’s permanent civilian residence.

(1) in paragraph (1)—

(A) by inserting ‘‘active’’ before ‘‘service’’;

and

(B) by adding at the end the following new subparagraph:

‘‘(B) The number of officers with the joint specialty, by grade and branch or specialty and by education;’’;

(2) in paragraph (2)—

(A) by striking ‘‘(A)’’ and ‘‘(B)’’ and inserting ‘‘(A)’’;

(3) by adding after (B) the following:

‘‘(2) ‘The Secretary may waive subparagraph (1) or (2) in the following circumstances:’

‘‘(A) in subparagraph (A) and (B), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

‘‘(B) by inserting ‘‘and’’ at the end of subparagraph (D);’’;

(4) in paragraph (4)(A), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

(5) in paragraph (4)(B) and (C), by striking ‘‘(A)’’ and ‘‘(1)’’;

(6) in paragraph (16), by striking ‘‘section 664(i)’’ in the matter preceding subparagraph (A) and in subparagraph (B) and inserting ‘‘subparagraphs (E) and (F) of section 664(i)’’.

SEC. 521. JOINT DUTY CREDIT.

Paragraph (4) of section 664(i) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking ‘‘The’’ and inserting ‘‘Except as provided in subparagraph (F), the’’;

and

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

‘‘(F) Service in a temporary joint task force assignment not involved in combat or combat-related operations may not be credited for the purposes of joint duty, unless, and only if—

‘‘(i) the service of the officer and the nature of the joint task force not only meet all criteria of this section, except subparagraph (E), but also any additional criteria the Secretary may establish;

‘‘(ii) the Secretary has specifically approved the operation conducted by the joint task force as one that qualifies for joint service credit, and

‘‘(iii) the operation is conducted by the joint task force in an environment where an extremely fragile state of peace and high potential for hostilities coexist.’’.”

SEC. 522. RETROACTIVE JOINT SERVICE CREDIT FOR DUTY IN CERTAIN JOINT TASK FORCES.

(a) AUTHORITY.—In accordance with section 664(i) of title 10, United States Code, as amended by section 522, the Secretary of Defense may award joint service credit to any officer who served on the staff of a United States joint task force headquarters in an operation and during the period set forth in subsection (b) and who meets the criteria specified in such section. To determine which officers qualify for such retroactive credit, the Secretary shall undertake a case-by-case review of the records of officers.

(b) ELIGIBLE OPERATIONS.—Service in the following operations, during the specified periods, may be considered as joint duty in accordance with this section:

(1) Operation Northern Watch, during the period beginning on August 1, 1992, and ending on a date to be determined:

(2) Operation Southern Watch, during the period beginning on August 27, 1992, and ending on a date to be determined.

(3) Operation Joint Endeavor, during the period beginning on December 25, 1995, and ending on December 19, 1996.

(4) Operation Joint Guard, during the period beginning on December 20, 1996, and ending on June 20, 1998.


(9) Operation Joint Guardian, beginning on June 11, 1999, and ending on a date to be determined.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Congress a report of the numbers, by service, grade, and location, of officers who have received joint service credit in accordance with this section.

SEC. 524. REVISION TO ANNUAL REPORT ON JOINT OFFICER MANAGEMENT.

Section 667 of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ‘‘A’’ after ‘‘(1)’’; and

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

‘‘(B) The number of officers who meet the criteria for selection for the joint specialty but were not selected, together with the reasons why.’’;

(2) by amending paragraph (2) to read as follows:

‘‘(2) The number of officers with the joint specialty, shown by grade and branch or specialty and by education;’’;

(3) in paragraph (3)—

(A) in subparagraph (A) and (B), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

(B) by inserting ‘‘and’’ at the end of subparagraph (D);’’;

(4) in paragraph (4)(A), by striking ‘‘nominated’’ and inserting ‘‘selected’’;

(5) in paragraph (4)(B) and (C), by striking ‘‘(A)’’ and ‘‘(1)’’;

(6) in paragraph (16), by striking ‘‘section 664(i)’’ in the matter preceding subparagraph (A) and in subparagraph (B) and inserting ‘‘subparagraphs (E) and (F) of section 664(i)’’.

SEC. 525. REQUIREMENT FOR SELECTION FOR JOINT SPECIALTY BEFORE PROMOTION TO GENERAL OR FLAG OFFICER GRADE.

(a) REQUIREMENT.—Subsection (a) of section 619a of title 10, United States Code, is amended by striking ‘‘unless’’ and all that follows and inserting ‘‘unless—

‘‘(1) the officer has completed a full tour of duty in a joint duty assignment (as described in section 664(i) of this title) during the period set forth in subsection (a), and

‘‘(2) for appointments after September 30, 2007, the officer has been selected for the joint specialty in accordance with section 661 of this title.’’

(b) WAIVER AUTHORITY.—Subsection (b) of that section is amended by striking ‘‘may waive subsection (a) in the following circumstances:’’ and inserting ‘‘may waive paragraph (1) or paragraph (2) of subsection (a), or both paragraphs (1) and (2) of subsection (a), in the following circumstances (except that paragraph (2) of subsection (a) may not be waived by reason of paragraph (4)):’’.

(c) PROPOSED LEGISLATIVE CHANGES.—Not later than December 1, 2002, the Secretary of Defense shall submit to Congress a draft proposal for such legislative changes as the Secretary considers needed to implement the amendment made by subsections (a) and (b).

SEC. 526. INDEPENDENT STUDY OF JOINT OFFICER MANAGEMENT AND JOINT PROFESSIONAL MILITARY EDUCATION FORMS.

(a) STUDY.—The Secretary of Defense shall provide for an independent study of the joint officer management system and the joint professional military education system. The Secretary shall ensure that the entity conducting the study is provided such information and support as required. The Secretary shall include in the study a requirement that the entity conducting the study submit a report to Congress on the study not later than June 30, 2002.

(b) MATTERS TO BE INCLUDED WITH RESPECT TO JOINT OFFICER MANAGEMENT.—With respect to
to the joint officer management system, the entity conducting the independent study shall provide for:

(1) Assessment of implications for joint officer education, development, and management that would result from proposed joint organizational restructurings (such as standing joint task forces) and from emerging officer management and personnel reforms (such as longer careers and more stabilization), that are under consideration by the Secretary of Defense.

(2) Assessment of the effectiveness of the current joint officer management system to develop and use joint specialty qualified officers in meeting both current and future requirements for joint specialty officers.

(3) Recommendations, based on empirical and other data, to improve the effectiveness of the joint officer management system, especially with regard to the following:

(A) The proper mix and sequencing of education assignments and experience assignments (to include, with respect to both types of assignments, consideration of the type and quality, and the length of, such assignments) to qualify an officer as a joint specialty officer, as well as the implications of adopting a variable joint duty tour length and the advisability and implications of a system of qualifying officers as joint specialty officers that uses multiple shorter qualification assignments as a joint specialty officer than are now codified.

(B) The system of using joint specialty officers, including the continued utility of such measures as—

(i) the required fill of positions on the joint duty assignment list, as specified in paragraphs (1) and (4) of section 661(d) of title 10, United States Code;

(ii) the fill by such officers of a required number of critical billets, as prescribed by section 661(d)(3) of such title;

(iii) the mandated fill by general and flag officers of a minimum number of critical billets, as prescribed by section 661(d)(3) of such title;

(iv) current promotion policy objectives for officers with the joint specialty, officers serving on the Joint Staff, and officers serving in joint duty assignment list positions, as prescribed by section 662 of such title.

(C) Any new policy and law required to provide officers the required joint specialty qualification before promotion to general or flag officer grade.

(4) Examination of the number of reserve component officers who would be qualified as a joint specialty officer by reason of experience or education if the standards of existing law, including waiver authorities, were applied to them, and recommendations for a process for qualifying and employing future reserve component officers as joint specialty officers.

(c) MATTERS TO BE INCLUDED WITH RESPECT TO JOINT PROFESSIONAL MILITARY EDUCATION.—With respect to the joint professional military education, the entity conducting the independent study shall provide for the following:

(1) The number of officers who under the current system (A) qualified as joint specialty officers by attending joint professional military education programs before their first joint duty assignment, (B) qualified as joint specialty officers by attending a joint duty assignment but before completing that assignment, and (C) qualified as joint specialty officers without any joint professional military education.

(2) Recommended initiatives (include changes in officer personnel management law, if necessary) to provide incentives and otherwise facilitate attendance at joint professional military education programs before an officer’s first joint duty assignment.

(3) Recommended goals for attendance at the Joint Forces Staff College en route to a first joint duty assignment.

(4) An assessment of the continuing utility of statutory requirements for use of officers following joint professional military education, as prescribed by section 662(d) of title 10, United States Code.

(5) Determination of whether joint professional military education programs should remain principal in-resident, multi-service experience and what role non-resident or distributive learning can or should play in future joint professional military education programs.

(f) Examination of options for the length of and increased capacity at Joint Forces Staff College, and whether other in-resident joint professional military education sources should be open principally in non-resident, multi-service experience and what role non-resident or distributive learning can or should play in future joint professional military education programs.

(2) As executive agent for funding professional development education at the National Defense University to the Joint Forces Staff College, the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, shall prepare the annual budget for professional development education at the National Defense University and set forth that request as a separate budget request in the materials submitted to Congress in support of the budget request for the Department of Defense. Nothing in the preceding sentence affects policies in effect on the date of the enactment of this paragraph with respect to budgeting for the funding of logistical and base operations support for components of the National Defense University through the military departments.

(c) FUNDING SOURCE.—(1) Section 2165 of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) SOURCE OF FUNDS FOR PROFESSIONAL DEVELOPMENT EDUCATION OPERATIONS.—Funding for the professional development education operations of the National Defense University shall be provided from funds made available to the Secretary of Defense from the annual appropriation for ‘‘Operation and Maintenance, Defensewide’’.

(2) Subsection (d) of section 2165 of title 10, United States Code, as added by paragraph (1), shall become effective beginning with fiscal year 2003.

SEC. 528. AUTHORITY FOR NATIONAL DEFENSE UNIVERSITY FOR EDUCATION FOR CERTAIN PRIVATE SECTOR CITIZIANS.

(a) IN GENERAL.—(1) Chapter 108 of title 10, United States Code, is amended by adding after ‘‘SEC. 1085. National Defense University: admissions for private sector employees’’ the following new section:

"§2167. National Defense University: admission for private sector citizens to professional military education program

(1) AUTHORITY FOR ADMISSION.—The Secretary of Defense may permit eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University in accordance with the following:

(A) Instruction may be provided to any eligible private sector employee who has demonstrated a need to receive instruction that is relevant to national security to receive instruction at the National Defense University.

(B) An eligibility determination is made by the Secretary of Defense or the Secretary of a military department.

(C) The Secretary of Defense or the Secretary of a military department determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees who work in organizations relevant to national security is in the national interest.

(d) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of subsection (b), an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services or whose work product is relevant to national security policy or strategy. A private sector employee admitted for instruction at the National Defense University remains eligible for such instruction only so long as that person remains employed by the same firm.

(e) CERTIFICATION BY SECRETARY OF DEFENSE.—Private sector employees may receive instruction at the National Defense University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further national security interests of the United States.

(2) PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(1) the curriculum for the professional military education program in which private sector employees may be enrolled under this section is not readily available through other schools and
SEC. 353. AUTHORITY FOR THE MARINE CORPS UNIVERSITY TO AWARD DEGREE OF MASTER OF STRATEGIC STUDIES.

(a) MARINE CORPS UNIVERSITY DEGREE.—Section 7102 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

``(b) MARINE CORPS WAR COLLEGE.—Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.''

(b) CONFIRMATORY AMENDMENTS.—(1) Section 4344 of title 10, United States Code, is amended—

(A) by striking the last sentence of paragraph (a), and

(B) by inserting the following in its place:

``(2) The table of sections at the beginning of chapter 609 of such title is amended to read as follows:

§ 7102. Marine Corps University: masters degree; board of advisors.

(B) EFFECTIVE DATE.—Section 2167 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 2002.

SEC. 529. CONTINUATION OF RESERVE COMPONENT PROFESSIONAL MILITARY EDUCATION TESTING.

(a) CONTINUATION OF CONCEPT VALIDATION TEST.—During fiscal year 2002, the Secretary of Defense shall continue the concept validation test of Reserve component joint professional military education that was begun in fiscal year 2001 at the National Defense University.

(b) PILOT PROGRAM.—If the Secretary of Defense determines that the results of the concept validation test referred to in subsection (a) warrant conducting a pilot program of the concept validation test that was the subject of the test, the Secretary shall conduct such a pilot program during fiscal year 2002.

(c) FUNDING.—The Secretary shall provide funds for the concept validation test under subsection (a) and for any pilot program under subsection (b) from funds appropriated for the operations of the National Defense University.

Subtitle D—Military Education and Training

SEC. 531. DEFENSE LANGUAGE INSTITUTE FOR MINORITY MILITARY STUDENTS.

(a) AUTHORITY TO CONFER ASSOCIATE OF ARTS DEGREE.—Chapter 108 of title 10, United States Code, is amended by adding after section 2167, as added by section 526(a)(2), the following new section:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

``(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2167, as added by section 526(a)(2), the following new item:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language."'

``2167. National Defense University: admission of private sector civilians to professional military education program."'

SEC. 532. AUTHORITY FOR THE MARINE CORPS UNIVERSITY TO AWARD DEGREE OF MASTER OF STRATEGIC STUDIES.

(a) MARINE CORPS UNIVERSITY DEGREE.—Section 7102 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

``(b) MARINE CORPS WAR COLLEGE.—Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.

(b) CONFIRMATORY AMENDMENTS.—(1) Section 4344 of title 10, United States Code, is amended—

(A) by striking the last sentence of paragraph (a), and

(B) by inserting the following in its place:

``(2) The table of sections at the beginning of chapter 609 of such title is amended to read as follows:

§ 7102. Marine Corps University: masters degree; board of advisors.

(B) EFFECTIVE DATE.—Section 2167 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 2002.

SEC. 529. CONTINUATION OF RESERVE COMPONENT PROFESSIONAL MILITARY EDUCATION TESTING.

(a) CONTINUATION OF CONCEPT VALIDATION TEST.—During fiscal year 2002, the Secretary of Defense shall continue the concept validation test of Reserve component joint professional military education that was begun in fiscal year 2001 at the National Defense University.

(b) PILOT PROGRAM.—If the Secretary of Defense determines that the results of the concept validation test referred to in subsection (a) warrant conducting a pilot program of the concept validation test that was the subject of the test, the Secretary shall conduct such a pilot program during fiscal year 2002.

(c) FUNDING.—The Secretary shall provide funds for the concept validation test under subsection (a) and for any pilot program under subsection (b) from funds appropriated for the operations of the National Defense University.

Subtitle D—Military Education and Training

SEC. 531. DEFENSE LANGUAGE INSTITUTE FOR MINORITY MILITARY STUDENTS.

(a) AUTHORITY TO CONFER ASSOCIATE OF ARTS DEGREE.—Chapter 108 of title 10, United States Code, is amended by adding after section 2167, as added by section 526(a)(2), the following new section:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

``(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2167, as added by section 526(a)(2), the following new item:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language."'

``2167. National Defense University: admission of private sector civilians to professional military education program."'

SEC. 532. AUTHORITY FOR THE MARINE CORPS UNIVERSITY TO AWARD DEGREE OF MASTER OF STRATEGIC STUDIES.

(a) MARINE CORPS UNIVERSITY DEGREE.—Section 7102 of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

``(b) MARINE CORPS WAR COLLEGE.—Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.

(b) CONFIRMATORY AMENDMENTS.—(1) Section 4344 of title 10, United States Code, is amended—

(A) by striking the last sentence of paragraph (a), and

(B) by inserting the following in its place:

``(2) The table of sections at the beginning of chapter 609 of such title is amended to read as follows:

§ 7102. Marine Corps University: masters degree; board of advisors.

(B) EFFECTIVE DATE.—Section 2167 of title 10, United States Code, as added by subsection (a), shall take effect on January 1, 2002.

SEC. 529. CONTINUATION OF RESERVE COMPONENT PROFESSIONAL MILITARY EDUCATION TESTING.

(a) CONTINUATION OF CONCEPT VALIDATION TEST.—During fiscal year 2002, the Secretary of Defense shall continue the concept validation test of Reserve component joint professional military education that was begun in fiscal year 2001 at the National Defense University.

(b) PILOT PROGRAM.—If the Secretary of Defense determines that the results of the concept validation test referred to in subsection (a) warrant conducting a pilot program of the concept validation test that was the subject of the test, the Secretary shall conduct such a pilot program during fiscal year 2002.

(c) FUNDING.—The Secretary shall provide funds for the concept validation test under subsection (a) and for any pilot program under subsection (b) from funds appropriated for the operations of the National Defense University.

Subtitle D—Military Education and Training

SEC. 531. DEFENSE LANGUAGE INSTITUTE FOR MINORITY MILITARY STUDENTS.

(a) AUTHORITY TO CONFER ASSOCIATE OF ARTS DEGREE.—Chapter 108 of title 10, United States Code, is amended by adding after section 2167, as added by section 526(a)(2), the following new section:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

``(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 2167, as added by section 526(a)(2), the following new item:

``2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language."'
(3) by designating the sentence following subparagraph (F), as so redesignated, as paragraph (2); and
(4) by adding at the end the following new paragraph:

“(3) In the case of a cadet under this section at a military junior college, the Secretary may, at any time and with the consent of the cadet concerned, modify an agreement described in paragraph (1)(F) submitted by the cadet to reduce or eliminate the troop program unit service obligation specified in the agreement and to establish, in lieu of that obligation, an active duty service obligation. Such a modification may be made only if the Secretary determines that it is in the best interests of the United States to do so.”

(b) RETROACTIVE APPLICATION.—The authority of the Secretary of Defense under section 2107(a)(3) of title 10, United States Code, as added by subsection (a), may be exercised with regard to any agreement described in subsection (b)(1)(F) (including agreements related to participation in the Advanced Course of the Army Reserve Officers’ Training Corps at a military college or civilian institution) entered into during the period beginning on January 1, 1991 and ending on July 12, 2000.

(c) TECHNICAL AMENDMENT.—Subsection (b) of such section is amended by striking “military college” in the second sentence and inserting “military junior college”.

SEC. 537. MODIFICATION OF NURSE OFFICER CANDIDATE ACCESSION PROGRAM RESTRICTION ON STUDENTS ATTENDING EDUCATIONAL INSTITUTIONS NOT BEING DEPENDENT RESERVE OFFICERS’ TRAINING CORPS PROGRAMS.

Section 2130a of title 10, United States Code, is amended—
(1) in subsection (a)(2), by striking “that does not have a Senior Reserve Officers’ Training Program established under section 2102(b) of this title”; and
(2) in subsection (b)(1), by inserting before the semicolon at the end “or that has a Senior Reserve Officers’ Training Program for which the student is ineligible.”

SEC. 538. REPEAL OF LIMITATION ON NUMBER OF JUNIOR RESERVE OFFICERS’ TRAINING CORPS UNITS.

Section 2021(a)(1) of title 10, United States Code, is amended by striking the second sentence.

SEC. 539. RESERVE HEALTH PROFESSIONALS STIPEND PROGRAM EXPANSION.

(a) PURPOSE OF PROGRAM.—Subsection (a) of section 16201 of title 10, United States Code, is amended—
(1) by striking “specialties critically needed in wartime”; and
(2) by striking “training in such specialties” and inserting “training that leads to a degree in medicine or dentistry or training in a health profession skill which has been designated by the Secretary of Defense as a critically needed wartime skill.”

(b) MEDICAL AND DENTAL STUDENT STIPEND.—Such section is further amended—
(1) by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively; and
(2) by inserting after subsection (a) the following new subsection (b):

“(b) MEDICAL AND DENTAL STUDENT STIPEND.—(1) Under this program, the Secretary of Defense may make such grants to full-time students at medical or dental schools to encourage enrollment in an institution in a course of study that results in a degree in medicine or dentistry; “(C) signs an agreement that, unless sooner separated, the person will—
“(ii) complete the educational phase of the program; “(iii) accept a reappointment or redesignation within the person’s reserve component, if ten- dered, based upon the person’s health profession, following satisfactory completion of the educational and intern programs; and “(iv) participate in a residency program, and (D) the participant shall not be eligible to re- ceive such stipend before appointment, designa- tion, or assignment as an officer in the Ready Reserve; “(E) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for medical or dental school officers serving in the Ready Reserve; “(F) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six months, or part thereof, for which the stipend was provided. In the case of a participant who enters into a subsequent agreement under subsection (c) and successfully completes residency training in a specialty designated by the Secretary of Defense as a specialty critically needed by the military department in wartime, the requirement to serve in the Selected Reserve may be reduced to one year for each year, or part thereof, for which the stipend was provided while enrolled in medical or dental school;”

SEC. 540. HOUSING ALLOWANCE FOR THE CHAPLAIN FOR THE CORPS OF CADETS.

(a) AUTHORITY.—The second sentence of section 4337 of title 10, United States Code, is amended to read as follows: “Notwithstanding any other provision of law, the chaplain is entitled to the same basic allowance for housing allowed to a lieutenant colonel, and to fuel and light for quarters in kind.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act.

SEC. 541. AUTHORITY FOR AWARD OF THE MEDAL OF HONOR TO CERTAIN JEWISH AMERICAN AND HISPANIC AMERICAN WAR VETERANS.

(a) WAIVER OF TIME LIMITATION.—Notwithstanding the time limitations specified in section 3744 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the mili- tary service, the President may award the Medal of Honor under section 3744 of title 10 to a person described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) COVERED JEWISH AMERICAN WAR VETERANS.—The Jewish American war veterans and Hispanic American war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Jewish American war veteran or Hispanic American war veteran who was awarded the Distinguished Service Cross, the Navy Cross, or the Air Force Cross before the date of the enactment of this Act.

(2) Any other Jewish American war veteran or Hispanic American war veteran whose name is submitted to the Secretary concerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(3) Any Jewish American war veteran or Hispanic American war veteran whose name is submitted to the Secretary concerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(4) ANY OTHER JEWISH AMERICAN WAR VETERAN OR HISPANIC AMERICAN WAR VETERAN.—Any other Jewish American war veteran or Hispanic American war veteran, that the award of the Medal of Honor to that veteran is war- ranted, the Secretary shall submit to the Presi- dent a recommendation that the President award the Medal of Honor to that veteran.

(c) AUTHORITY TO AWARD MEDAL OF HONOR.—A Medal of Honor may be awarded to a Jewish American war veteran or Hispanic American war veteran in accordance with a rec- ommendation of the Secretary concerned under subsection (a).

(a) WAIVER OF TIME LIMITATION.—An award of the Medal of Honor may be made under subsection (e) without regard to—
(1) section 3744, 6248, or 8744 of title 10, United States Code, as applicable; and
(2) any other provision or other administrative re- striction on—

(3) the time for awarding the Medal of Honor; or
(4) the awarding of the Medal of Honor for service for which a Distinguished Service Cross, Navy Cross, or Air Force Cross has been award- ed.

(d) DEFINITION.—For purposes of this section, the term “Jewish American war veteran” means...
any person who served in the Armed Forces during World War II or a later period of war and who is known by himself or herself as Jewish on his or her military personnel records.

SEC. 543. AUTHORITY TO ISSUE DUPLICATE MEDAL OF HONOR.

(a) ARMY.—(1) Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

‘‘§3754. Medal of honor: duplicate medal.

‘‘A person awarded a medal of honor shall, upon written application of that person, be issued, one duplicate medal of honor with ribbons and appurtenances. Each duplicate medal of honor shall be marked, in such manner as the Secretary of the Army may determine, as a duplicate or for display purposes only.’’. (2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

§3754. Medal of honor: duplicate medal.

(b) NAVY.—(1) Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

§504. Medal of honor: duplicate medal.

(a) The Secretary of the Navy shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Navy or Marine Corps served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for award of the Korea Defense Service Medal.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Navy shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) Chapter 567 of title 10, United States Code, as amended by section 543(b)(2), is further amended by adding at the end the following new section:

§8754. Korea Defense Service Medal.

(a) The Secretary of the Army shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Army served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for award of the Korea Defense Service Medal.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) The table of sections at the beginning of such chapter, as amended by section 543(c)(2), is further amended by adding at the end the following new item:

§8755. Korea Defense Service Medal.

(a) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) The table of sections at the beginning of such chapter, as amended by section 8754(c)(2), is further amended by adding at the end the following new item:

§8754. Korea Defense Service Medal.

(a) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) The table of sections at the beginning of such chapter, as amended by section 8754(c)(2), is further amended by adding at the end the following new item:

§8755. Korea Defense Service Medal.

(a) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) The table of sections at the beginning of such chapter, as amended by section 8754(c)(2), is further amended by adding at the end the following new item:

§8754. Korea Defense Service Medal.

(a) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(d) The table of sections at the beginning of such chapter, as amended by section 8754(c)(2), is further amended by adding at the end the following new item:

§8755. Korea Defense Service Medal.

(a) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

(b) In this section, the term ‘KDSM eligibility period’ means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.
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Subtitle F—Matters Relating to Voting

SEC. 551. VOTING ASSISTANCES AND ASSISTANCE TO MEMBERS OF THE UNITED STATES CONGRESS

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by adding at the end the following new section:

"§1566. Voting assistance: compliance assessments and assistance.

"(a) INSPECTOR GENERAL ASSESSMENTS.—(1) The Department of Defense Inspector General shall conduct an annual and unannounced effectiveness review of the Inspector General of the Department of Defense of the compliance at those installations with—

"(A) the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.); and

"(B) Department of Defense regulations regarding that Act and the Federal Voting Assistance Program carried out under that Act; and

"(2) other requirements of law regarding voting by members of the armed forces.

"(b) REGULAR MILITARY DEPARTMENT ASSESSMENTS.—The Secretary of each military department shall include in the set of issues and programs to be reviewed during any management review or effectiveness review an assessment of compliance with the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) and with Department of Defense regulations regarding the Federal Voting Assistance Program.

"(c) VOTING ASSISTANCE OFFICERS.—Voting assistance officers appointed or assigned under the Federal Regulations regarding the Federal Voting Assistance Program shall be appointed or appointed with the expectation of serving in that capacity for a minimum of 30 months. A member of the armed forces assigned to such a position may not be assigned other duties that would not be considered part of the member's primary military duties, except when a commander determines that insufficient personnel are available to fulfill all additional duty requirements. Performance evaluation reports pertaining to a member who has been assigned to serve as a voting assistance officer shall comment on the performance of the member as a voting assistance officer.

"(d) DELIVERY OF MAIL FROM OVERSEAS PREVICE.—The Department of Defense shall carry out a demonstration project under this section through cooperative agreements with State election officials of States that agree to participate in the project.

"(e) ABSENT UNIFORMED SERVICES VOTER DESIGNATIONS.—In this section, the term "absent uniformed services voter" means a person who serves outside the United States and overseas where military resources are available to fulfill all additional duty requirements for job training and education.

"(f) COORDINATION WITH STATE ELECTION OFFICIALS.—The Secretary shall carry out the demonstration project under this section through cooperation agreements with State election officials of States that agree to participate in the project.

Sec. 552. ELECTION VOTING DEMONSTRATION PROJECT

(a) DEMONSTRATION PROJECT.—The Secretary of Defense shall carry out a demonstration project to examine voting in Federal elections by absent uniformed services voters through a long-distance electronic voting system. The demonstration project shall be carried out for voting in the regularly scheduled general election for Federal office in November 2002. Under the demonstration project, absent uniformed services voters participating in the project shall be provided a means, with the cooperation and assistance of State election officials of States that agree to participate in the project, to cast their ballots in that election through a long-distance electronic voting method.

"(b) SCHEDULE OF ACTIVITIES.—The Secretary shall determine the scope of the demonstration project under this section, including the absent uniformed services voters authorized to participate in the project. The Secretary shall also determine the extent of participation of sufficient numbers of absent uniformed services voters so that the results are statistically relevant.

"(c) COORDINATION WITH STATE ELECTION OFFICIALS.—The Secretary shall include in the report any recommendations the Secretary considers appropriate for continuing the project on an expanded basis during the next regularly scheduled general election for Federal office.

Sec. 553. IMPROVED FINANCIAL AND OTHER ASSISTANCE TO MILITARY SPOUSES FOR JOB TRAINING AND EDUCATION

(a) EXAMINATION OF EXISTING EMPLOYMENT ASSISTANCE PROGRAMS.—(1) The Secretary of Defense shall examine existing Department of Defense and other Federal, State, and non-governmental programs with the objective of improving retention of military personnel by increasing the employability of military spouses for those spouses to obtain financial and other assistance for job training and education.

"(2) In conducting the examination, the Secretary shall give priority to facilitating and increasing the effectiveness of existing Department of Defense, Federal, State, and non-governmental programs for the types of financial assistance set forth in paragraph (1), but shall also specifically assess whether the Department of Defense should begin a program for direct financial assistance to military spouses for some or all of those types of assistance and whether such a program of direct financial assistance would enhance retention.

"SEC. 548. OPTION TO CONVERT AWARD OF ARMED FORCES EXPEDITIONARY MEDAL AWARDED FOR OPERATION FREQUENT WIND TO VIETNAM SERVICE MEDAL.

(a) IN GENERAL.—The Secretary of the military department concerned shall, upon the application of an individual who is an eligible Vietnam evacuation veteran, award that individual the Vietnam Service Medal, notwithstanding any other applicable requirements for the award of that medal.

(b) ELIGIBLE VIETNAM EVACUATION VETERAN.—For purposes of this section, the term "eligible Vietnam evacuation veteran" means a member of the Armed Forces who was awarded the Armed Forces Expeditionary Medal for participation in military operations designated as Operation Frequent Wind arising from the evacuation of Vietnam on April 29 and 30, 1975.
SEC. 565. AMENDMENTS TO CHARTER OF DEFENSE TASK FORCE ON DOMESTIC VIOLENCE—In the case of an accused convicted of an offense specified in subsection (f) of section 825a of this title (article 25a), the number of members shall be seven or more, or, in a case in which the accused may be sentenced to a penalty of death, the number of members shall be at least nine, the number of members being determined under section 825a of this title (article 25a).".

(b) NUMBER OF MEMBERS REQUIRED.—(1) Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 825 (article 25) the following new section:

"§825a. Art. 25a. Number of members in capital cases.—In a case in which the accused may be sentenced to a penalty of death, the number of members shall be at least 12, unless 12 members are not reasonably available because of physical conditions or military exigencies, in which case the convening authority may specify a lesser number of members not less than five, and the court may be assembled and the trial held with not less than five members so specified. In such a case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.".

(2) The table of sections at the beginning of subchapter V of such chapter is amended by inserting after the item relating to section 825 (article 25) the following new item:

"§825a. Art. 25a. Number of members in capital cases;".

(c) ABSENT AND ADDITIONAL MEMBERS.—Section 829(b) of such title (section 29 of the Uniform Code of Military Justice) is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by striking "both places it appears and inserting "the applicable minimum number of members"; and

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

"In a case in which the term "applicable minimum number of members" means five members or, in a case in which the accused may be sentenced to a penalty of death, the number of members so specified.".

(d) APPLICABILITY.—The amendments made by this section shall be applicable to offenses committed on or after April 24, 2003.
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“(b) This section shall not apply with respect to an offense for which the death penalty may be adjourned by the President, and shall have been previously referred to trial as a noncapital case.”.

“(2) The table of sections at the beginning of subchapter VII of such chapter is amended by inserting at the end the following section:—

SEC. 583. PERMANENT AUTHORITY FOR USE OF MILITARY RECRUITING FUNDS FOR PURPOSES OF THE NATIONAL GUARD CHALLENGE PROGRAM.

(a) REPEAL OF TERMINATION PROVISION.—Section 520c of title 10, United States Code, is amended by striking subsection (c).

(b) TECHNICAL AMENDMENTS.—Subsection (a) of such section is amended—

(1) in paragraph (4), by striking “recruiting events” and inserting “recruiting functions”;

(2) in paragraph (5), by striking “recruiting efforts” the first place it appears and inserting “recruiting functions”.

SEC. 584. CLARIFICATION OF MILITARY RECRUITER ACCESS TO SECONDARY SCHOOL DIRECTORY INFORMATION ABOUT STUDENTS.

Section 500c(1) of title 10, United States Code, is amended by striking “purposes,” and all that follows and inserting the following:

“(A) the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students; and

“(B) secondary educational information concerning those students as is provided to a post-secondary educational institution upon an indication by a secondary school student that the student has not enrolled or intends to enroll at that institution.”.

SEC. 585. REPEAL OF REQUIREMENT FOR FINAL REPORT ON DEPARTMENT OF DEFENSE PERSONAL PROPERTY.


SEC. 586. POSTHUMOUS ARMY COMMISSION IN THE GRADE OF CAPTAIN IN THE CHAPLAINS CORPS TO ELLA E. GIBSON FOR SERVICE AS CHAPLAIN OF THE FIRST WISCONSIN HEAVY ARTILLERY REGIMENT DURING THE CIVIL WAR.

The President is authorized and requested to posthumously appoint the late Ella E. Gibson to the grade of captain in the Chaplains Corps of the Army, the commission to issue as of the date of her appointment as chaplain to the First Wisconsin Heavy Artillery regiment during the Civil War and to be considered to have been in effect during the time during which she faithfully performed the services of a chaplain to that regiment and for which she was awarded the Medal of Honor by Congress by Executive Order 7003 (20 U.S.C. 351).”.

SEC. 587. NATIONAL GUARD CHALLENGE PROGRAM.

SEC. 588. PAYMENT OF VEHICLE STORAGE COSTS

SEC. 589. 18-MONTH ENLISTMENT PILOT PROGRAM.

SEC. 590. CHANGE OF STATION MOVES WITHIN THE UNITED STATES.

SEC. 591. PERMANENT AUTHORITY FOR USE OF MILITARY RECRUITING FUNDS FOR PURPOSES OF THE NATIONAL GUARD CHALLENGE PROGRAM.

SEC. 592. PAYMENT OF VEHICLE STORAGE COSTS IN ADVANCE.

SEC. 593. PERMANENT AUTHORITY FOR USE OF MILITARY RECRUITING FUNDS FOR PURPOSES OF THE NATIONAL GUARD CHALLENGE PROGRAM.
submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the program under this section. In each such report, the Secretary shall set forth the views of the Secretary on the success of the program in meeting the objectives stated in subsection (a) and whether the program should be continued and, if so, whether it should be modified or expanded.

(2) The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

"3264. 18-month enlistment pilot program."

(b) IMPLEMENTATION REPORT.—The Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the Secretary’s plan for implementation of section 3264 of title 10, United States Code, as added by subsection (a). Such report shall be submitted not later than March 1, 2002.

SEC. 590. PER DIEM ALLOWANCE FOR LENGTHY OR NUMEROUS DEPLOYMENTS.

(a) FUNDING SOURCE FOR ALLOWANCE.—Section 436(a) of title 37, United States Code, is amended by adding at the end the following new sentence: "The Secretary shall pay the allowance from appropriations available for operating and maintenance for the armed force in which the member serves."

(b) EXPANSION REPORT REGARDING MANAGEMENT OF INDIVIDUAL MEMBER DEPLOYMENTS.—Section 574(d) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654–138) is amended in the second sentence by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces and the payment of the per diem allowance for lengthy or numerous deployments in accordance with section 436 of title 37, United States Code;

"(2) specific comments regarding the effect of section 991 of title 10, United States Code, and section 436 of title 37, United States Code, on the readiness of the Navy and Marine Corps given the deployment intensive mission of these services;

"(3) any recommendations for revision of section 991 of title 10, United States Code, or section 436 of title 37, United States Code, that the Secretary considers appropriate."

SEC. 591. CONGRESSIONAL REVIEW PERIOD FOR CHANGE IN GROUND COMBAT EXCLUSION POLICY.

Section 542(b) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C. 113 note) is amended—

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(1) in paragraph (1)—

(A) by striking "not less than 90 days"; and

(B) by adding at the end the following new sentence: "Such a change may then be implemented only after the end of a period of 60 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) following the date on which the report is received."; and

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

"(c) For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.".

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2002.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2002 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2002, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

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<tr>
<th>Pay Grade</th>
<th>2 or less</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>O–1E ...</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>O–9 .....</td>
<td>10,147.50</td>
<td>10,293.60</td>
<td>10,504.80</td>
<td>10,873.80</td>
<td>11,418.80</td>
</tr>
<tr>
<td>O–7 .....</td>
<td>7,966.90</td>
<td>8,217.90</td>
<td>8,527.70</td>
<td>8,837.70</td>
<td>9,515.70</td>
</tr>
<tr>
<td>O–5 .....</td>
<td>5,087.00</td>
<td>5,358.00</td>
<td>5,628.00</td>
<td>5,908.00</td>
<td>6,586.00</td>
</tr>
<tr>
<td>O–4 .....</td>
<td>4,395.90</td>
<td>4,696.30</td>
<td>4,996.30</td>
<td>5,256.30</td>
<td>5,936.30</td>
</tr>
<tr>
<td>O–31 .....</td>
<td>3,995.90</td>
<td>4,296.30</td>
<td>4,596.30</td>
<td>4,856.30</td>
<td>5,556.30</td>
</tr>
<tr>
<td>O–23 .....</td>
<td>3,435.90</td>
<td>3,736.30</td>
<td>4,036.30</td>
<td>4,296.30</td>
<td>4,996.30</td>
</tr>
<tr>
<td>O–15 .....</td>
<td>2,416.00</td>
<td>2,751.90</td>
<td>3,036.10</td>
<td>3,229.10</td>
<td>3,858.30</td>
</tr>
</tbody>
</table>

Notes:

1. Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned officers in pay grades O–1 through O–10 may not exceed the rate of pay for level III of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

2. Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, the rate of basic pay for this grade is $13,394.10, regardless of cumulative years of service computed under section 265 of title 37, United States Code.

3. This table does not apply to commissioned officers in pay grade O–1, O–2, or O–3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.
### COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

Years of service computed under section 205 of title 37, United States Code

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O-3E</td>
<td>4,070.10</td>
<td>4,232.40</td>
<td>4,441.20</td>
<td>4,617.00</td>
</tr>
<tr>
<td>O-2E</td>
<td>3,450.30</td>
<td>3,630.60</td>
<td>3,768.90</td>
<td>3,872.40</td>
</tr>
<tr>
<td>O-1E</td>
<td>2,922.30</td>
<td>3,038.50</td>
<td>3,133.20</td>
<td>3,276.30</td>
</tr>
<tr>
<td>Over 18</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O-3E</td>
<td>4,855.20</td>
<td>4,855.20</td>
<td>4,855.20</td>
<td>4,855.20</td>
</tr>
<tr>
<td>O-2E</td>
<td>3,872.40</td>
<td>3,872.40</td>
<td>3,872.40</td>
<td>3,872.40</td>
</tr>
<tr>
<td>O-1E</td>
<td>3,276.30</td>
<td>3,276.30</td>
<td>3,276.30</td>
<td>3,276.30</td>
</tr>
</tbody>
</table>

### WARRANT OFFICERS

Years of service computed under section 205 of title 37, United States Code

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W-5</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>W-4</td>
<td>2,889.60</td>
<td>3,108.60</td>
<td>3,198.00</td>
<td>3,285.90</td>
</tr>
<tr>
<td>W-3</td>
<td>2,638.80</td>
<td>2,862.00</td>
<td>2,862.00</td>
<td>2,898.90</td>
</tr>
<tr>
<td>W-2</td>
<td>2,321.40</td>
<td>2,454.00</td>
<td>2,569.80</td>
<td>2,726.40</td>
</tr>
<tr>
<td>W-1</td>
<td>2,049.90</td>
<td>2,217.60</td>
<td>2,330.10</td>
<td>2,511.90</td>
</tr>
<tr>
<td>Over 18</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>W-5</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>W-4</td>
<td>3,872.40</td>
<td>3,872.40</td>
<td>3,872.40</td>
<td>3,872.40</td>
</tr>
<tr>
<td>W-3</td>
<td>3,276.30</td>
<td>3,276.30</td>
<td>3,276.30</td>
<td>3,276.30</td>
</tr>
<tr>
<td>W-2</td>
<td>2,674.20</td>
<td>2,737.80</td>
<td>2,850.00</td>
<td>3,067.10</td>
</tr>
<tr>
<td>W-1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### ENLISTED MEMBERS

Years of service computed under section 205 of title 37, United States Code

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Over 2</th>
<th>Over 3</th>
<th>Over 4</th>
<th>Over 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-9</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>E-8</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>E-7</td>
<td>1,986.90</td>
<td>2,169.00</td>
<td>2,251.50</td>
<td>2,332.50</td>
</tr>
<tr>
<td>E-6</td>
<td>1,701.00</td>
<td>1,870.80</td>
<td>1,953.60</td>
<td>2,033.70</td>
</tr>
<tr>
<td>E-5</td>
<td>1,561.50</td>
<td>1,665.30</td>
<td>1,745.70</td>
<td>1,828.50</td>
</tr>
<tr>
<td>E-4</td>
<td>1,443.60</td>
<td>1,527.70</td>
<td>1,609.80</td>
<td>1,692.30</td>
</tr>
<tr>
<td>E-3</td>
<td>1,303.50</td>
<td>1,385.40</td>
<td>1,468.50</td>
<td>1,551.60</td>
</tr>
<tr>
<td>E-2</td>
<td>1,239.30</td>
<td>1,239.30</td>
<td>1,239.30</td>
<td>1,239.30</td>
</tr>
<tr>
<td>E-1</td>
<td>3,110.50</td>
<td>3,110.50</td>
<td>3,110.50</td>
<td>3,110.50</td>
</tr>
<tr>
<td>Over 18</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E-9</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>E-8</td>
<td>3,422.90</td>
<td>3,422.90</td>
<td>3,422.90</td>
<td>3,422.90</td>
</tr>
<tr>
<td>E-7</td>
<td>2,858.10</td>
<td>2,940.60</td>
<td>3,017.70</td>
<td>3,110.10</td>
</tr>
<tr>
<td>E-6</td>
<td>2,562.90</td>
<td>2,645.10</td>
<td>2,726.40</td>
<td>2,820.60</td>
</tr>
<tr>
<td>E-5</td>
<td>2,234.50</td>
<td>2,337.30</td>
<td>2,437.40</td>
<td>2,531.60</td>
</tr>
<tr>
<td>E-4</td>
<td>2,090.10</td>
<td>2,192.30</td>
<td>2,294.30</td>
<td>2,388.30</td>
</tr>
<tr>
<td>E-3</td>
<td>1,873.80</td>
<td>1,976.30</td>
<td>2,079.30</td>
<td>2,173.30</td>
</tr>
<tr>
<td>E-2</td>
<td>1,665.50</td>
<td>1,768.50</td>
<td>1,871.50</td>
<td>1,965.50</td>
</tr>
<tr>
<td>E-1</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
<td>1,105.50</td>
</tr>
</tbody>
</table>

1. Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.

2. Subject to the preceding footnote, while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is $5,382.90, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

3. In the case of members in pay grade E-1 who have served less than 4 months on active duty, the rate of basic pay is $1,022.70.
SEC. 602. BASIC PAY RATE FOR CERTAIN RESERVE
COMMISSIONED OFFICERS WITH PAST SERVICE AS AN
ENLISTED MEMBER OR WARRANT OFFICER.
Section 203(d) of title 37, United States Code, is amended—
(1) by inserting “(1)” after “(4)”; (2) by striking “who is credited” and all that follows through “member” and inserting “is described in paragraph (1)”; and (3) by inserting after the first sentence the following new paragraph:
“(2) A member who elects to serve an unaccompanied tour of duty because the movement or a deployment of the member’s permanent station is denied for certified medical reasons is entitled to an allowance under subsection (a)(1)(A).

b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002. Paragraph (2) of section 427(c) of title 37, United States Code, as amended by subsection (a), shall apply with respect to pay periods beginning on or after that date for a member of the uniformed services covered by such paragraph regardless of the date on which the member first made the election to serve an unaccompanied tour of duty.

Subtitle B—Bonuses and Special Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN
BONUS AND SPECIAL PAY AUTHORITY
FOR RESERVE FORCES.

(a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SHORTAGES.—Section 302b(f) of such title is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

b) SELECTED RESERVE ENLISTMENT BONUS.—Section 308e(c) of such title is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

c) SELECTED RESERVE ENLISTMENT BONUS.—Section 308e(c) of such title is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

SEC. 614. CONFORMING ACCESSION BONUS FOR
DENTAL OFFICERS AUTHORITY WITH OTHER SPECIAL
PAY AND BONUSES.
Section 302h(a)(1) of title 37, United States Code, is amended by striking “the date of the enactment of this section, and ending on September 20, 2002” and inserting “September 23, 1996, and ending on December 31, 2002”.

SEC. 615. ADDITIONAL TYPE OF DUTY RESULTING IN ENHANCED HAZARDOUS DUTY INCENTIVE PAY.

(a) PERFORMANCE OF MARITIME BOARD AND SEARCH OPERATIONS.—Section 301(a) of title 37, United States Code, is amended—
(1) by striking “(10)” and inserting “(11)”; and
(2) by redesigning paragraph (11) as paragraph (12); and
(b) EFFECTIVE DATE; APPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply to duty described in the amendment made by subsection (a)(2) on or after that date.

SEC. 616. EQUIVALENT TREATMENT OF RESERVISTS PERFORMING INACTIVE-DUTY TRAINING FOR RECEIPT OF AVIATION CAREER INCENTIVE PAY.

(a) INCENTIVE PAY EQUITY FOR RESERVISTS.—Subsection (d) of section 301(a) of title 37, United States Code, is amended to read as follows:
“(d) MEMBERS PERFORMING INACTIVE-DUTY TRAINING.—Under regulations prescribed by the President and to the extent provided by appropriations, in the case of a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, and who performs, under orders, duty described in subsection (a), the member is entitled to compensatory time off for the performance of that duty in the same manner as a member with corresponding years of aviation service who is entitled to basic pay.

(b) AVIATION OFFICER RETENTION BONUS.—Section 301(b) of title 37, United States Code, is amended by striking “December 31, 2001” and inserting “December 31, 2002”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2002, and apply to duty described in the amendment made by subsection (a)(2) on or after that date.
as provided in subsection (a). This subsection does not apply to a member who is entitled to basic pay under section 323 of title 37, United States Code, by reason of an agreement made under subsection (a)(2) on or after that date.

SEC. 617. SECRETARIAL DISCRETION IN PRESCRIBING SUBMARINE DUTY INCENTIVE PAY RATES.

(a) AUTHORITY OF SECRETARY OF THE NAVY; MAXIMUM RATE.—Section 301c of title 37, United States Code, is amended by striking subsection (b) and inserting the following new subsection:

"(b) MONTHLY RATES.—(1) Subject to paragraph (2), a member who meets the requirements prescribed in subsection (a) is entitled to monthly rates established as defined in paragraph (2), of section 322 of such title before that date, but who has not received the lump sum payment by that date, an opportunity to make the election authorized by subsection (d) of such section, as amended by subsection (a)(2) of this section.

SEC. 620. ACCESSION BONUS FOR NEW OFFICERS.

(a) BONUS AUTHORIZED.—Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

"$324. Special pay: accession bonus for new officers—

"(a) ACCESSION BONUS AUTHORIZED.—Under regulations prescribed by the Secretary concerned, a person who executes a written agreement to accept a commission as an officer of the armed forces and serve on active duty for the period specified in the agreement may, upon acceptance of the agreement by the Secretary concerned, receive 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 $1,000,000.

"(c) PAYMENT.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement shall specify whether the accession bonus will be paid by the Secretary in a lump sum or installments.

SEC. 619. INSTALLMENT PAYMENT AUTHORITY FOR 15-YEAR CAREER STATUS BONUS.

(a) MEMBER ELECTION.—Section 322(d) of title 37, United States Code, is amended—

(1) by striking "and who" and inserting "which is qualified in a skill or speciality designated by the Secretary concerned as critically short to meet wartime requirements, and who"; and

(2) by striking "a combat or combat support skill of".

(b) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2002.

SEC. 618. IMPOSITION OF CRITICAL WARTIME SKILL REQUIREMENT FOR ELIGIBILITY FOR INDIVIDUAL READY REERVE BONUS.

Section 308h(a)(1) of title 37, United States Code, is amended—

(1) by inserting "who" and inserting "which"; and

(2) by striking paragraph (2) and inserting "The lump sum payment of the bonus, and the first installment payment in the case of members who elect to receive the bonus in installments,";

(3) by inserting after paragraph (1) the following new paragraphs:

"(2) A member electing to receive the bonus under this section and elect one of the following payment options:

"(A) A single lump sum of $30,000.

"(B) Two installments of $15,000 each.

"(C) Three installments of $10,000 each.

"(D) Four installments of $7,500 each.

"(3) If a member elects installment payments under paragraph (2), the second installment (and subsequent installments, as applicable) shall be paid on the earlier of the following dates:

"(A) The annual anniversary date of the payment of the first installment.

"(B) January 15 of each succeeding calendar year.

"(c) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on the date of the enactment of this Act. The Secretary concerned (as defined in section 101S) of title 37, United States Code) shall extend to each member of the uniformed services who has executed the written agreement required by subsection (a)(2) of such title before that date, but who has not received the lump sum payment by that date, an opportunity to make the election authorized by subsection (d) of such section, as amended by subsection (a)(2) of this section.

SEC. 621. MINIMUM PER DIEM RATE FOR TRAVEL AND TRANSPORTATION ALLOWANCE FOR TRAVEL PERFORMED UPON A CHARGE TO A DEPARTMENT OF THE NAVY STATION AND CERTAIN OTHER TRAVEL.

(a) ESTABLISHMENT OF RATE.—Section 404(d) of title 37, United States Code, is amended by adding the following new paragraph:

"(5) The per diem rates established under paragraph (2)(A) for travel performed in connection with a change of permanent station or for travel described in paragraphs (2)(A) or (2)(B) of subsection (a) shall be equal to the standard per diem rates established in the Federal travel regulation for travel within the continental United States for federal civilian employees and their dependents, unless the Secretaries concerned determine that a higher rate for members is more appropriate.

"(b) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply to travel covered by such amendment that is performed on or after that date by members of the uniformed services and their dependents.

SEC. 631. MINIMUM PER DIEM RATE FOR TRAVEL AND TRANSPORTATION ALLOWANCE FOR TRAVEL PERFORMED UPON A CHARGE TO A DEPARTMENT OF THE NAVY STATION AND CERTAIN OTHER TRAVEL.

(a) ESTABLISHMENT OF RATE.—Section 404(d) of title 37, United States Code, is amended by adding the following new subparagraph:

"(5) The per diem rates established under paragraph (2)(A) for travel performed in connection with a change of permanent station or for travel described in paragraphs (2)(A) or (2)(B) of subsection (a) shall be equal to the standard per diem rates established in the Federal travel regulation for travel within the continental United States for federal civilian employees and their dependents, unless the Secretaries concerned determine that a higher rate for members is more appropriate.

"(b) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2003, and apply to travel covered by such amendment that is performed on or after that date by members of the uniformed services and their dependents.

SEC. 622. PAYMENT OR REIMBURSEMENT OF TEMPORARY SUBSISTENCE EXPENSES.

(a) INCLUSION OF OFFICERS.—Subsection (a)(2)(C) of section 404a of title 37, United States Code, is amended by striking "an enlisted member" and inserting "a member or a member and his dependent.

(b) INCREASE IN MAXIMUM DAILY AUTHORIZED RATE.—Subsection (e) of such section is amended by striking "$100" and inserting "$100.00".

SEC. 632. E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply with respect to an order in connection with a change of permanent station issued on or after that date.

SEC. 633. INCREASED WEIGHT ALLOWANCE FOR TRANSPORTATION OF RAGGAGE AND HOUSEHOLD EFFECTS FOR JUNIOR ENLISTED MEMBERS.

(a) INCREASED WEIGHT ALLOWANCES.—The table in section 406(b)(1)(C) of title 37, United States Code, is amended—

(1) by striking the two footnotes; and

(2) by striking the items relating to pay grade E-1 through E-4 and inserting the following new items:

<table>
<thead>
<tr>
<th>Pay Grade</th>
<th>Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-1</td>
<td>5,000</td>
</tr>
<tr>
<td>E-2</td>
<td>7,500</td>
</tr>
<tr>
<td>E-3</td>
<td>10,000</td>
</tr>
<tr>
<td>E-4</td>
<td>15,000</td>
</tr>
</tbody>
</table>

"(b) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2002, and apply with respect to an order in connection with a change of temporary or permanent station issued on or after that date.

SEC. 634. REIMBURSEMENT OF MEMBERS FOR MANDATORY PET QUARANTINE FEES FOR HOUSEHOLD PETS.

Section 406(a)(1) of title 37, United States Code, is amended in the last sentence by striking "$25" and inserting "$350.00".

SEC. 635. AVAILABILITY OF DISLOCATION ALLOWANCE FOR MARRIED MEMBER, WHOSE SPOUSE IS A MEMBER, ASSESSED TO MILITARY FAMILY HOUSING.

(a) ALLOWANCE AVAILABLE.—Section 407(d)(2) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

"(F) A member married to another member, both of whom are without other dependents, who actually moves to a new permanent duty station where the member is assigned to family housing provided by the United States, except that only one dislocation allowance may be paid to the married couple with respect to the move.";

"(b) E FFECTIVE DATE; A PPLICATION.—The amendments made by this section shall take effect on January 1, 2003, and apply with respect to an order to move for a member of a uniformed service issued on or after that date.

SEC. 636. ELIMINATION OF DISLOCATION ALLOWANCE BY MEMBERS ORDERED TO FIRST TEMPORARY STATION.

(a) ALLOWANCE AVAILABLE.—Section 407(e) of title 37, United States Code, is amended—

(1) by striking "FIRST OR LAST DUTY STATION" and inserting "ORDER OF DISPLACEMENT ALLOWANCE."; and
SEC. 641. CONTINGENT AUTHORITY FOR CONCUR- RENT BILINGUAL MILITARY RETIRED PAY AND VETERANS’ DISABILITY COMPENSATION.

(a) RESTORATION OF RETIRED PAY BENEFITS.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

"§1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans’ disability compensation; contingent authority

(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Subject to subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans’ disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38, subject to the enactment of qualifying offsetting legislation as specified in subsection (c)."

(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service other than creditable under section 1405 of this title at the time of the member’s retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the member’s retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled under any other provision of law based upon the member’s service in the uniformed services if the member had not been retired under chapter 61 of this title.

(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service other than creditable under section 1405 of this title at the time of the member’s retirement.

(d) DEFINITIONS.—In this section:

"(1) The term ‘retired pay’ includes retainer pay, emergency officers’ retirement pay, and naval pension,

"(2) The term ‘veterans’ disability compensation’ has the meaning given the term ‘compensation’ in section 101(12) of title 38.

"(c) EFFECTIVE DATE.—The provisions of subsection (a) shall take effect on—

"(1) the first day of the first month beginning after the date of the enactment of such qualifying offsetting legislation; or

"(2) the first day of the fiscal year that begins in the calendar year in which such legislation is enacted, if that date is later than the date specified in paragraph (1).

[(e) EFFECTIVENESS CONTINGENT ON ACTI- MENT OF OFFSETTING LEGISLATION.—(1) The provisions of subsection (a) shall be effective only if—

(A) the President, in the budget for any fiscal year, specifies the enactment of legislation that, if enacted, would be qualifying offsetting legislation; and

(B) after that budget is submitted to Congress, there is enacted qualifying offsetting legislation.

FRS. 701. IMPLEMENTING COST-EFFECTIVE PAY- MENT RATES UNDER THE TRICARE PROGRAM.

Not later than January 1, 2002, the Secretary of Defense shall, with respect to categories of health care providers or services for which the Secretary has not already done so and to the extent that the Secretary determines is practicable—

(1) implement the payment rates used under medicare, or similar rates based on medicare payment methods, to health care services provided by institutional and noninstitutional providers under the TRICARE program; and

(2) as a condition of participation in the TRICARE program, prohibit balance billing of
covered beneficiaries by institutional providers and limit balance billing by noninstitutional providers (except as the Secretary determines appropriate) consistent with the limiting charge percentage under medicare.

SEC. 702. WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION REQUIREMENT.

(a) IN GENERAL.—Section 721 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106-398; 114 Stat. 1654A-184) is amended—

(1) in the matter preceding paragraph (1) in subsection (a), by striking “new”;

(2) by striking subsection (c) and inserting the following:

“(c) EXCEPTIONS.—(1) Subject to paragraph (2), the Secretary may provide that subsection (a) shall not apply for a period of up to one year if—

“(A) the Secretary—

“(i) demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facility or facilities;

“(ii) determines that a specific procedure must be provided at the affected military medical treatment facility or facilities to ensure the proficiency levels of the practitioners at the facility or facilities;

“(iii) determines that the lack of nonavailability statement data would significantly interfere with TRICARE contract administration;

“(B) the Secretary provides notification of the Secretary’s intent to make an exception under this subsection to covered beneficiaries who receive care at the military medical treatment facility or facilities that will be affected by the decision to make an exception under this subsection;

“(C) the Secretary provides notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary’s intent to make an exception under this subsection, the reason for making an exception, and the date that a nonavailability statement will be required; and

“(D) 60 days have elapsed since the date of the notification described in subparagraph (C).

“(2) Except as provided in subparagraph (C), the Secretary may make an exception under this subsection with respect to—

“(i) one or more services performed at a military medical treatment facility or facilities; or

“(ii) services performed in a TRICARE region.

“(B) With respect to maternity care, the Secretary may make an exception under this subsection with respect to a military medical treatment facility.

“(C) In the case of health care provided in conjunction with a graduate medical education program, the period of nonapplicability described in paragraph (1) shall be, instead of one year, the period for which a residency review committee approves the program.”;

and

(1) in paragraph (1)—

(A) by striking “The” and inserting “Except as determined by the Secretary”;

(B) by striking “contract.” and all that follows through “as soon as practicable after the award of the”;

and

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

“(3) The Secretary may reduce the nine-month start-up period required under paragraph (1) by—

“(A) the Secretary—

“(i) determines that a shorter period is sufficient to ensure the implementation of all contract requirements; and

“(ii) submits notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary’s intent to reduce the nine-month start-up period; and

“(B) 60 days have elapsed since the date of such notification.”

SEC. 704. SUB-ACUTE AND LONG-TERM CARE PROGRAM REFORM.

(a) IN GENERAL.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074i the following new section:

“§ 1074j. Sub-acute care program

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish an effective, efficient, and integrated sub-acute care benefits program under this chapter (hereafter referred to in this section as the ‘program’). Except as otherwise provided in this section, the types of health care authorized under the program shall be the same as those provided under section 1074f of this title. The Secretary, after consultation with the other administering Secretaries, shall promulgate regulations to carry out this section.

“(b) BENEFITS.—(1) The program shall include a uniform skilled nursing facility benefit that shall be provided in the manner and under the conditions described in section 1861(h) and (i) of the Social Security Act (42 U.S.C. 1395l(h) and (i)), except that the limitation on the number of days of coverage under section 1812(a) and (b) of such Act (42 U.S.C. 1395n(a) and (b)) shall not apply under the program. Skilled nursing facility care for each spell of illness shall continue to be provided for as long as medically necessary and appropriate.

“(2) In this section—

“(A) The term ‘skilled nursing facility’ has the meaning given such term in section 1819(a) of the Social Security Act (42 U.S.C. 1395d(a)); and

“(B) The term ‘spell of illness’ has the meaning given such term in section 1819(a) of such Act (42 U.S.C. 1395d(a)).

“(3) The program shall include a comprehensive, intermittent home health care benefit that shall be provided in the manner and under the conditions described in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)).

“(4) The table of sections at the beginning of such chapter is amended by inserting the following text after the item relating to section 1074f the following new text:

“1074j. Sub-acute care program.”;

and

(b) EXTENDED BENEFITS FOR CERTAIN DEPENDENTS.—Section 1079 of such title is amended by adding at the end the following new paragraphs:

“(d) EXTENDED BENEFITS FOR CERTAIN DEPENDENTS.—Section 1079 of such title is amended by adding—

(1) in paragraph (1)—

(A) by striking “on active duty for a period of more than 30 days” and inserting “willing to provide the care.”;

(2) by adding a new paragraph (17) to read as follows:

“(17) members of the patient’s family are unwilling to provide the care.”;

and

(3) in this subsection—

(A) The term ‘eligible dependent’ means a dependent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, who has a qualifying condition.

(B) The term ‘qualifying condition’ means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, has an extraordinary physical or psychological condition.

(c) EXTENDED BENEFITS FOR CERTAIN ELIGIBLE BENEFICIARIES.—Section 1127 of such title is amended by striking the authorization of the Individual Case Management Program by substituting (d), the Secretary of Defense shall, in any case in which the Secretary makes the determination described in paragraph (2), continue to provide payment as if such program

(3) in this subsection—

(A) the term ‘eligible dependent’ means a dependent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, who has a qualifying condition.

(B) the term ‘qualifying condition’ means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, has an extraordinary physical or psychological condition.

(c) EXTENDED BENEFITS FOR CERTAIN ELIGIBLE BENEFICIARIES.—Section 1127 of such title is amended by striking the authorization of the Individual Case Management Program by substituting (d), the Secretary of Defense shall, in any case in which the Secretary makes the determination described in paragraph (2), continue to provide payment as if such program

(3) in this subsection—

(A) the term ‘eligible dependent’ means a dependent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, who has a qualifying condition.

(B) the term ‘qualifying condition’ means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, has an extraordinary physical or psychological condition.
were in effect for home health care or custodial care services provided to an eligible beneficiary that would otherwise be excluded from coverage under regulations implementing chapter 55 of title 10, United States Code.

(2) The determination referred to in paragraph (1) or a determination that discontinuation of payment for services not otherwise provided under such chapter would result in the provision of services inadequate to meet the needs of an eligible beneficiary and would be unjust to such beneficiary.

(3) For purposes of this subsection, ‘‘eligible beneficiary’’ means a covered beneficiary (as that term is defined in section 1072 of title 10, United States Code) who, before the effective date of this section, was provided custodial care services under the Individual Case Management Program for which the Secretary provided payment.

(4) Report on Initiatives Regarding Long-Term Care.—The Secretary of Defense shall, no later than April 1, 2002, submit to Congress a report on the feasibility and desirability of establishing new initiatives, taking into account chapter 90 of title 5, United States Code, to improve the availability of long-term care for members and retired members of the uniformed services and their families.

(a) Reference in Title 10—Long-Term Care Program in Title 5.—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1074(a) the following new section:

§1074k. Long-term care insurance

‘‘Provisions regarding long-term care insurance for members and certain former members of the uniformed services and their families are set forth in chapter 90 of title 5.’’.

(b) Use of Fees Collected.—The pilot program under section 1207 of title 10, United States Code, is amended by inserting after section 1074(2) as added by subsection (a)(1) the following new section:

§1074k. Long-term care insurance—

(1) by inserting ‘‘(a)’’ before ‘‘Funds’’; and

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

‘‘(b) The Secretary of Defense may waive the prohibition in this section with respect to a specific research project to advance the development of a product necessary to the armed forces if the research project is carried out in accordance with all other applicable laws.’’.

SEC. 713. ENHANCEMENT OF MEDICAL PRODUCT DEVELOPMENT.

Section 980 of title 10, United States Code, is amended—

(1) by inserting ‘‘(a)’’ before ‘‘Funds’’; and

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

‘‘(b) The Secretary of Defense may waive the prohibition in this section with respect to a specific research project to advance the development of a product necessary to the armed forces if the research project is carried out in accordance with all other applicable laws.’’.

SEC. 714. REPEAL OF ORSOME REPORT REQUIREMENT.


SEC. 715. CLARIFICATIONS AND IMPROVEMENTS REGARDING THE DEPARTMENT OF DEFENSE MEDIARE-ELIGIBLE RE-TIREE HEALTH CARE FUND.

(a) Clarification Regarding Coverage.—Subsection (b) of section 1111 of title 10, United States Code, is amended to read as follows:

‘‘(b) In this chapter:

‘‘(1) The term ‘Department of Defense retiree health care programs’ means the provisions of this title not including any law creating an entitlement to or eligibility for health care under a Department of Defense or uniformed services program for a member or former member of a participating uniformed service who is entitled to retired or retainer pay, and an eligible dependent under such program.

‘‘(2) The term ‘designated Department of Defense health care program’ means a program described in paragraph (1) of this subsection that is designated under section 1113(c).

‘‘(3) The term ‘eligible dependent’ means a dependent (as such term is defined in section 1072(2)) described in section 1076. Whether an individual is entitled to benefits under a program shall be determined by the Secretary of Defense in accordance with regulations prescribed by the Secretary.’’

(2) The term ‘ mediare-eligible’ with respect to any person, means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).
CONGRESSIONAL RECORD—HOUSE

SEC. 802. ACQUISITION WORKFORCE QUALIFICATION AND MANUFACTURING DEVELOPMENT

(a) In subsection (a)(1), by striking “engineering and manufacturing development” and inserting “‘system development and demonstration’”;

(b) In subsection (c)(1)(A), (A)(2), (A)(4) and (A)(5), by striking “Milestone II” each place such term appears and inserting “Milestone B”;

(3) in section 4252—

(A) in subsection (b), by striking “engineering and manufacturing development” and inserting “‘system development and demonstration’”;

(B) in subsection (c)(1), by striking “dem- onstration and validation” and inserting “‘system development and demonstration’”; and

(C) in subsection (c)(2), by striking “engineering and manufacturing development” and inserting “‘production and deployment’”; and

(D) in subsection (c)(3), by striking “production and deployment” and inserting “‘full rate production’”.

(b) OTHER LAWS.—(1) Section 811(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–211) is amended—

(A) by striking “Milestone I” and inserting “Milestone B”;

(B) by striking “Milestone II” and inserting “Milestone C”;

(C) by striking “Milestone III” and inserting “full rate production”; and

(2) Section 8102(b) of the Department of Defense Appropriations Act, 2001 (Public Law 106–259; 114 Stat. 968) is amended—

(A) by striking “Milestone I” and inserting “Milestone B”;

(B) by striking “Milestone II” and inserting “Milestone C”;

(C) by striking “Milestone III” and inserting “full rate production”.

SEC. 802. ACQUISITION WORKFORCE QUALIFICATIONS

(a) QUALIFICATIONS.—Section 1724 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the matter preceding paragraph (3) and inserting the following:

“(a) CONTRACTING OFFICERS.—The Secretary of Defense shall require that, in order to qualify to serve in an acquisition position as a contracting officer with authority to award or administer contracts for amounts above the simplified acquisition threshold referred to in section 2304 of this title, an employee of the Department of Defense or member of the armed forces (other than the Coast Guard) must, except as provided in subsections (c) and (d)—

(i) by striking “mandatory” and

(ii) by striking “at the grade level” and all that follows and inserting “(A) in the case of an employee, serving in the position within the grade of the Senior Executive Schedule in which the employee is serving, and (B) in the case of a member of the armed forces, in the member’s grade”;

and

(C) in paragraph (3)(A), by inserting a comma after “business”;

(2) by striking subsection (b) and inserting the following subsection:

“(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—(1) The Secretary of Defense shall require that in order to qualify to serve in a position in the Department of Defense that is in the GS–1102 occupational series an employee or potential employee of the Department of Defense meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to be selected for such an occupational series a member meet any of the requirements of paragraphs (1) and (2) of that subsection.

(2) The Secretary of Defense shall require that in order for a member of the armed forces to be selected for an occupational specialty within the armed forces that (as determined by the Secretary) is similar to the GS–1102 occupational series a member meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to be selected for such an occupational specialty a member meet any of the requirements of paragraphs (1) and (2) of that subsection.”;

(A) by striking subsection (c) and (d) inserting the following new subsections:

“(c) EXCEPTIONS.—The qualification requirements imposed by the Secretary of Defense pursuant to subsections (a) and (b) shall not apply to an employee of the Department of Defense or member of the armed forces who—

(1) served as a contracting officer with authority to award or administer contracts in excess of the simplified acquisition threshold on or before September 30, 2000;

(2) served, on or before September 30, 2000, in a position as an employee described in paragraph (1) or as a member of the armed forces in similar occupational specialty;

(3) is in the contingency contracting force; or

(4) is described in subsection (e)(1)(B).

(D) separate from the civil service after a three-year probationary period any individual appointed under this subsection who, as determined by the Secretary, fails to complete satisfactory any program described in subparagraph (A)

(2) To qualify for any developmental program described in paragraph (1)(A), an individual shall have—

(A) been awarded a baccalaureate degree from an accredited institution of higher education authorized to grant baccalaureate degree; or

(B) completed at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

(3) CONTINGENCY CONTRACTING FORCE.—The Secretary shall establish qualification requirements for the contingency contracting force consisting of members of the armed forces whose mission is to deploy in support of contingency contracting force operations in other countries other than the United States.

(a) SERVICES TO BE PERFORMED IN THE UNITED STATES.—

(A) In GENERAL.—Chapter 141 of title 10, United States Code, is amended by inserting after section 2381 the following new section:

“§ 2382. Contracts for services to be performed outside the United States.

“The Secretary of Defense may enter into contracts to employ individuals or organizations to perform services in countries other than the United States without regard to laws regarding the selection, training, and performance of contracts and performance of work in the country. The Secretary may not be used for the procurement of an article described in subsection (b) if the item is not otherwise available to the Department of Defense or member of the armed forces (other than the Coast Guard) must, except as provided in subsections (c) and (d) for purposes of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management, but the Secretary may determine the applicability to such individuals of any other law administered by the Secretary concerning employment of such individuals in countries other than the United States.”;

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by striking “2382. Contracts for services to be performed outside the United States.”;

SEC. 803. TWO-YEAR EXTENSION OF PROGRAM APPROPRIATIONS ACT FOR FISCAL YEAR 2001 TO CERTAIN COMMERCIAL ITEMS.

Section 4202(c) of the Clinger-Cohen Act of 1996 (divisions D and E of Public Law 104–106; 110 Stat. 554; 10 U.S.C. 2302(c)) is amended by striking “February 1, 2004” and inserting “January 1, 2004”.

SEC. 804. CONTRACTS FOR SERVICES TO BE PERFORMED OUTSIDE THE UNITED STATES.

(a) In GENERAL.—Chapter 141 of title 10, United States Code, is amended by inserting after section 2381 the following new section:

“§ 2382. Contracts for services to be performed outside the United States.

“The Secretary of Defense may enter into contracts to employ individuals or organizations to perform services in countries other than the United States without regard to laws regarding the selection, training, and performance of contracts and performance of work in the country. The Secretary may not be used for the procurement of an article described in subsection (b) if the item is not otherwise available to the Department of Defense or member of the armed forces (other than the Coast Guard) must, except as provided in subsections (c) and (d) for purposes of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management, but the Secretary may determine the applicability to such individuals of any other law administered by the Secretary concerning employment of such individuals in countries other than the United States.”;

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by striking “2382. Contracts for services to be performed outside the United States.”;

SEC. 805. CODIFICATION AND MODIFICATION OF BERRY AMENDMENT REQUIREMENTS.

(a) BERRY AMENDMENT REQUIREMENTS.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2353 the following new section:

“§ 2353a. Requirement to buy certain articles from American sources; exceptions

(a) REQUIREMENT.—Except as provided in subsections (c) through (g), funds appropriated or otherwise available to the Department of Defense may not be used for the procurement of an article described in subsection (b) if the item is not grown, processed, reprocessed, reused, or produced in the United States.

(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

(1) Clothing or fabric of—

(A) food; and

(B) clothing;

(2) tents, tarpsaulins, parachutes, or covers;

(3) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn
for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas, canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles); or

(2) Specialty metals, including stainless steel flatware.

(3) Hand or measuring tools.

(c) EXCEPTION.—The Secretary of Defense or the Secretary of the military department concerned may waive the requirement in subsection (a) if—

(1) such Secretary determines that satisfactory quality and sufficient quantity of any such article or item described in subsection (b)(1) or specialty metals (including stainless steel flatware) grown, reprocessed, reused, or produced in the United States cannot be procured as and when needed at United States market prices;

(2) such Secretary has provided notice to the public regarding the waiver;

(3) the Secretary has notified the Committees on Appropriations, Armed Services, and Small Business of the House of Representatives and the Senate regarding the waiver and provided justification to such committees for the waiver; and

(4) 30 days have elapsed since the date of the notification of such committees.

(d) APPLICABILITY TO PROCUREMENTS OUTSIDE THE UNITED STATES.—Subsection (a) does not apply to the following:

(1) Procurements outside the United States in support of combat operations.

(2) Procurements by vessels in foreign waters.

(3) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment.

(e) EXCEPTION FOR SPECIALTY METALS AND CHEMICAL WARFARE PROTECTIVE CLOTHING.—Subsection (a) does not preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States if—

(1) such procurement is necessary—

(A) to comply with agreements with foreign governments in which both such governments agree to remove barriers to purchases of specialty metals or chemical warfare protective clothing produced outside the United States at United States if—

(B) the purchase of such specialty metals or chemicals is for use in such clothing produced outside the United States;

(2) the remainder of that total amount, in—

(A) the case of specialized items of personal protective equipment when the equipment is produced outside the United States for the personnel attached to such establishment;

(B) the case of cotton, linens, or other textiles, for personal protective equipment produced outside the United States for the personnel attached to such establishment; and

(C) the case of personal protective equipment produced outside the United States for the personnel attached to such establishment;

(3) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment; and

(4) any agreement with a foreign government, or—

(a) to furnish supplies to United States to purchase supplies from foreign sources for the purpose of offsetting sales made by the United States; and

(b) any other agreement with a foreign government or instrumentality operated by such government with which the United States has signed a memorandum of understanding for the purpose of offsetting sales made by the United States; and

(f) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not preclude the procurement of a total amount in excess of $500,000,000 in a fiscal year shall carry out a cost-effective program for identifying any errors made in paying the contractors and for recovering any amounts erroneously paid to the contractors.

(b) RECOVERY AUDITS AND ACTIVITIES.—A program of an executive agency under subsection (a) shall include recovery audits and recovery activities. The head of the executive agency shall, in accordance with guidance provided under subsection (c), the classes of contracts to which recovery audits and recovery activities are appropriately applied.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall issue guidance for the conduct of programs under subsection (a). The guidance shall include the following:

(1) Definitions of the terms “recovery audit” and “recovery activity” for the purposes of the programs.

(c) OTHER DISPOSITIONS.—Of the total amount collected under such a program of an executive agency that is to be disposed of under this subsection—

(1) up to 25 percent of such amount may be expended by the head of the executive agency for carrying out any management improvement program of the executive agency under section 815; and

(2) the remainder of that total amount, including amount not expended under paragraph (1), shall be deposited in the Treasury as miscellaneous receipts.

(d) PRIORITY OF OTHER AUTHORIZED DISPOSITIONS.—Notwithstanding subsections (b) and (c), the amounts under such subsections may not be exercised to use, credit, or deposit funds collected under such a program as provided in those subsections to the extent that any other provision of law requires or authorizes the crediting of such funds to a nonappropriated fund instrumentality, revolving fund, working-capital fund, trust fund, or other fund.

(e) SOURCES OF RECOVERY SERVICES.—(1) AVAILABLE RECOVERY RESOURCES.—In carrying out a program under section 812, the head of an executive agency may use any available resources or services to carry out such program.

(2) OTHER SOURCES.—The resources considered by the head of an executive agency for carrying out the program and the executive agency for carrying out the program under section 812 shall be available to the head of an executive agency for carrying out such program under section 812(a)(5).

SEC. 813. SOURCES OF RECOVERY SERVICES.

(a) AVAILABILITY OF FUNDS FOR RECOVERY AUDITS AND RECOVERY ACTIVITIES PROGRAM.—Funds collected under a program carried out by an executive agency under section 812 shall be available to the executive agency, in such amounts as are provided in advance in appropriations Acts, for the following purposes:

(1) To reimburse the actual expenses incurred by the executive agency in the administration of the program.

(2) To pay contractors for services under the program in accordance with the guidance issued under section 812(c)(3).

(b) FUNDS NOT USED FOR PROGRAM.—Any amounts erroneously paid by an executive agency that are recovered under such a program of an executive agency and are not used to reimburse expenses or pay contractors under subsection (a)—

(1) shall be credited to the appropriations from which the erroneous payments were made that remain available for obligation as of the time such amounts were collected, shall be merged with other amounts in those appropriations, and shall be available for the purposes and periods for which such appropriations are available; or

(2) if no such appropriation remains available for obligation at that time, shall be deposited as provided in subsection (c).

(c) OTHER DISPOSITIONS.—Of the total amount collected under such a program of an executive agency that is to be disposed of under this subsection—

(1) the amount not expended under paragraph (1), shall be deposited in the Treasury as miscellaneous receipts.

(2) the amounts not expended under paragraph (1) shall be deposited in the Treasury as miscellaneous receipts.

SEC. 814. SOURCES OF RECOVERY SERVICES.

(a) INFORMATION REQUIRED TO RECOVER.—The head of an executive agency for carrying out the program shall consider all resources available to such agency for the purposes of performing the contract or, when the head of an executive agency for carrying out the program shall include the resources available to such agency for such purpose from the following sources:

(1) The executive agency.

(2) Other departments and agencies of the United States.
in the DOD/CIA report, except that the alternative architectures assessed in the revised report would be limited to architectures that include the participation of all Federal agencies involved in the collection of intelligence. The revised report would also include a draft of legislation sufficient to codify the reference architecture identified in the revised report.

(c) OFFICIALS TO BE CONSULTED.—The revised report shall be prepared after consultation with all appropriate Federal officials, including the following:

(1) The Secretary of the Treasury.
(2) The Secretary of Commerce.
(3) The Secretary of State.
(4) The Attorney General.
(5) The Director of the Federal Bureau of Investigation.

(6) The Administrator of the Drug Enforcement Administration.
(7) The Director of the Defense Threat Reduction Agency.
(8) The Director of the Defense Information Systems Agency.


SEC. 904. ELIMINATION OF TRIENNIAL REPORT REQUIREMENT.

(a) REPEAL OF REQUIREMENT FOR SEPARATE REPORT BY CHAIRMAN OF THE JOINT CHIEFS OF STAFF ON ROLES AND MISSIONS OF THE ARMED FORCES.—Subsection 118(e) of title 10, United States Code, is amended by striking subsection (b).


SEC. 905. REPEAL OF REQUIREMENT FOR SEMI-ANNUAL REPORTS THROUGH MARCH 2003 ON ACTIVITIES OF JOINT REQUIREMENTS OVERSIGHT COUNCIL.


SEC. 906. CORRECTION OF REFERENCES TO AIR MOBILITY COMMAND.

(a) REFERENCES IN TITLE 10, UNITED STATES CODE.—Sections 2554(d) and 2555(a) of title 10, United States Code, are each amended by striking “Air Mobility Command” and inserting “Military Airlift Command”.

(b) REPEAL OF OBSOLETE PROVISION.—Section 8054 of such title is amended by striking subsection (c).

(c) REFERENCES IN TITLE 37, UNITED STATES CODE.—Sections 430(c) and 432(b) of title 37, United States Code, are each amended by striking “Military Airlift Command” and inserting “Air Mobility Command”.

...
Annex.

Section 503(a) of title 10, United States Code, is amended by striking "Office of the Deputy Chief of Naval Operations, for Resources, Warfare Requirements, and Assessments" and inserting "office of the Deputy Chief of Naval Operations with responsibility for warfare requirements and programs."

**TITLE X—GENERAL PROVISIONS**

**Subtitle A—Financial Matters**

**SEC. 1001. TRANSFER AUTHORITY.**

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that each authorization is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2002 between any such authorizations for that fiscal year (or any subdivisions thereof).

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that are not funded in 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 on Armed Services of the House of Representatives accompanying its report on the bill H.R. 2586 of the One Hundred Seventh Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF ACT.—The amounts specified in the Classified Annex are not in addition to amounts 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 an appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

**SEC. 1003. USE OF CLASSIFIED FUNDS FOR BOSNIA AND KOSOVO PEACEKEEPING OPERATIONS FOR FISCAL YEAR 2002.**

(a) LIMITATION.—Of the amounts authorized to be appropriated by subsection 301(24) for the Overseas Contingency Operations Transfer Fund—

(1) no more than $1,315,600,000 may be obligated for incremental costs of the Armed Forces for Bosnia peacekeeping operations; and

(2) no more than $1,528,600,000 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), at the time of the disposal, if the President determines that such waiver is necessary in the national security interests of the United States.

(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) EFFECT OF FAILURE TO TRANSFER.—If the transfer authority provided by subsection (a) is not exercised by the Secretary of Defense on or after February 1, 2001, any funds remaining from sections 301(24) for the Overseas Contingency Operations Transfer Fund for Bosnia peacekeeping operations, and

(3) by inserting after subsection (a) the following new subsection (b):

(b) TREATMENT OF VESSELS HELD BY FOREIGN NATIONS BY LOAN OR LEASE.—Subsection (a) shall not apply to the disposal to another nation of a vessel described in that subsection that, at the time of the disposal, is held by that nation to which the disposal is to be made pursuant to a loan or lease arrangement made after section 61 of the Arms Export Control Act (22 U.S.C. 2778) or any other provision of law.

(e) by adding after subsection (c), as redesignated by paragraph (2), the following new subsection:

(1) no more than $1,528,600,000 may be obligated for incremental costs of the Armed Forces for Kosovo peacekeeping operations and

(2) no more than $1,315,600,000 may be obligated for incremental costs of the Armed Forces for Bosnia peacekeeping operations.
480. Department of Defense reports: submission in electronic form

“(a) REQUIREMENT.—Whenever the Secretary of Defense or any other official of the Department of Defense is required by law to submit a report to Congress (or any committee of either House of Congress), the Secretary or other official shall provide to Congress (or each such committee) a copy of the report in an electronic medium.

“(b) EXCEPTION.—Subsection (a) does not apply to a report submitted in classified form.

“(c) DEFINITION.—In this section, the term ‘report’ includes any certification, notification, or other communication in writing.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting before the item relating to sections 1041 of such chapter the words ‘Department of Defense reports: submission in electronic form’.

SEC. 1041. DEPARTMENT OF DEFENSE DEFENSE GIFT AUTHORITY

SEC. 1042. REPORTING THE DEPARTMENT OF DEFENSE ROLE IN HOMELAND SECURITY MATTERS

The Secretary of Defense shall conduct a study on the appropriate role for the Department of Defense in homeland security matters. The Secretary shall submit to the Congress a report on the results of that study at the same time that the budget of the President for fiscal year 2003 is submitted to Congress.

SEC. 1043. DIVISION OF ANNUAL REPORT TO CONGRESS ON NATIONAL GUARD AND RESERVE COMPONENT EQUIPMENT

The text of section 10541 of title 10, United States Code, is amended to read as follows:

“(a) REQUIREMENT.—The Secretary of Defense shall submit to Congress each year, not later than May 1, a written report concerning the equipment of the National Guard and the reserve components of the armed forces. Each such report shall cover the current fiscal year and the three preceding years.

“(b) MATTERS TO BE INCLUDED IN REPORT.—Each report under this section shall include the following (shown in the aggregate and separately for each reserve component):

“(1) A list of major items of equipment required and on-hand in the inventories of the reserve components.

“(2) A list of major items of equipment that are expected to be procured from commercial sources or transferred from the active component to the reserve components.

“(3) A statement of major items of equipment in the inventories of the reserve components that are substitutes for a required major item of equipment.

“(4) A narrative explanation of the plan of the Secretary concerned to equip each reserve component, including an explanation of the plan to equip units of the reserve components that are short major items of equipment at the outset of war or a contingency operation.

“(5) A narrative concerning the current status of the compatibility and interoperability of equipment between the reserve components and the active forces and the effect of that level of compatibility and interoperability on combat effectiveness, together with a plan to achieve full equipment compatibility and interoperability.

“(6) A narrative discussing modernization shortcomings that result in backlogs within the reserve components and the effect of those shortfalls on combat effectiveness.

“(7) A narrative discussing the overall size and composition of the reserve components currently in the inventory of the reserve components.

“(8) MAJOR ITEMS OF EQUIPMENT.—In this section, the term ‘major items of equipment’ includes ships, aircraft, combat vehicles, and key combat support equipment.

“(9) FORMAT AND LEVEL OF DETAIL.—Each report under this section shall be expressed in the same format and with the same level of detail as the information presented in the Future- Years Defense Program Procurement Annex prepared by the Department of Defense.

Subtitle E—Other Matters

SEC. 1044. CONFORMING AMENDMENTS

(a) In general.—Title XV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–246, 114 Stat. 444) is amended by striking sections 1503, 1504, and 1505 and inserting the following new sections:

SEC. 1503. CONDITIONS ON CLOSURE OF VIQUECAS NAVAL TRAINING RANGE.

“(a) REQUIRED CERTIFICATION.—The Secretary of the Navy may close the Viquecas Naval Training Range on the island of Viquecas, Puerto Rico, and continue live-fire training at that range only if—

“(1) the Chief of Naval Operations and the Commandant of the Marine Corps jointly certify that there is an alternative training facility that provides an equivalent or superior level of training for units of the Navy and the Marine Corps stationed or deployed in the eastern United States; and

“(2) the new facility is available and fully capable of supporting such training immediately upon cessation of live-fire training on Viquecas.

“(b) EQUIVALENT OR SUPERIOR LEVEL OF TRAINING DEFINED.—In this section, the term ‘equal or superior level of training’ refers to an ability by the Armed Forces to conduct at a single location coordinated live-fire training, including simultaneous large-scale tactical air strikes, naval surface fire support and artillery, and amphibious landing operations, as was conducted at Viquecas Naval Training Range before April 19, 1990.

SEC. 1504. NAVY RETENTION OF CLOSED VIQUECAS NAVAL TRAINING RANGE.

“(a) RETENTION.—If the conditions specified in section 1503(a) are satisfied and the Secretary of the Navy terminates all Navy and Marine Corps training operations on the island of Viquecas, the Secretary of the Navy shall retain administrative jurisdiction over the Live Impact Area and all other Department of Defense real property on the eastern side of the island for possible reactivation for training use, including live-fire training, in the event a national emergency.

“(b) ADMINISTRATION.—The Secretary of the Navy may enter into a cooperative agreement with the Secretary of the Interior to provide for management of the property described in subsection (a), pending reactivation for training use, by appropriate agencies of the Department of the Interior as follows:

“(1) Management of the Live Impact Area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), including a prohibition on public access to the area.

“(2) Management of the remaining property as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

“(c) LIVE IMPACT AREA DEFINED.—In this section, the term ‘Live Impact Area’ means the parcel of real property, consisting of approximately 900 acres (more or less), of that portion of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of the Navy.

“(b) CONFORMING AMENDMENT.—Section 1507(c) of such Act is amended by striking ‘the issuance of a proclamation described in section 1507(a) or’.

SEC. 1505. REPEAL OF LIMITATION ON REDUCTION IN PAY OF INACTIVE NATIONAL GUARD AND RESERVE SAILORS.

Subsection (a)(1) of section 1302 of the National Defense Authorization Act for Fiscal
SEC. 1044. TRANSFER OF THE CONGRESS ON THE IMPORTANCE OF THE KWAJALEIN MISSILE RANGE AND REASON TO ESTABLISH AN INACTIVE TEST SITE AT KWAJALEINATOLL.

(a) IMPORTANCE OF MISSILE RANGE.—Congress recognizes the importance of the Kwajalein Missile Range to the Department of Defense, particularly in that—

(1) Kwajalein acts as a buffer between Hawaii and Asia and provides an important role in monitoring potential adversaries in the Pacific Theatre; and

(2) the range is the only location at which tests for United States exoatmospheric ballistic missile defense interceptors occurs.

(b) FINDINGS.—Congress finds that the Department of Defense conducted a study regarding the importance of Kwajalein Missile Range and made the following findings:

(1) The United States has an overriding defense interest in continuing the use of the Kwajalein Missile Range and facilities on Kwajalein Atoll.

(2) The requirements of United States missile defense and space surveillance programs, combined with economic development, tourism, and infrastructure investment, make relocation of the Complex in the best interest of the Department of Defense.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States—

(1) should work to continue the long-term relationship of the Department of Defense with the Kwajalein Missile Range/Ronald Reagan Defense Initiative Test Site at Kwajalein Atoll; and

(2) should continue to recognize the vital importance of that test site to the national security of the United States and peacekeeping efforts in Asia.

SEC. 1045. TRANSFER OF VIETNAM ERA F–4 AIRCRAFT TO NONPROFIT MUSEUM.

(a) AUTHORITY TO CONVEY.—The Secretary of the Air Force may convey, without consideration, to the nonprofit National Aviation Museum and Foundation of Oklahoma in this section referred to as the “museum”), all right, title, and interest of the United States in and to one surplus F–4 aircraft that is flyable or that can be made flyable to a serviceable condition, and the conveyance shall be made by means of a conditional deed of gift.

(b) CONDITION OF AIRCRAFT.—(1) The Secretary shall not convey ownership of an aircraft under subsection (a) until the Secretary determines that the museum 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.

(2) The Secretary is not required to repair or alter the condition of the aircraft before conveying ownership of the aircraft.

(c) REVEREuter UPON BREACH OF CONDITIONS.—The Secretary shall include in the instrument of conveyance of the aircraft—

(1) a condition that the museum 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 museum 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 the Secretary determines at any time that the museum has conveyed an ownership interest in, or transferred possession of, the aircraft to any other party without failing 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 to the aircraft, 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 museum.

(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.

SEC. 1046. BOMBER FORCE STRUCTURE.

(a) LIMITATION.—None of the funds available to the Department of Defense for fiscal year 2002 may be obligated or expended for retiring or dismantling a B–1 aircraft, or for transferring or reassigning any of those aircraft from the unit or facility to which assigned as of June 1, 2001, or for transferring or reassigning any of those aircraft from the unit or facility to the United States, and the United States shall have the right of immediate possession of the aircraft.

(b) GAO STUDY AND REPORT.—The Comptroller General of the United States shall conduct a study on the matters as specified in subparagraphs (A), (B), and (C) of subsection (a) and submit to Congress a report containing the results of that study not later than 180 days after the date of the submission of the report referred to in subsection (a).

(c) DEFINITIONS.—For purposes of this section:

(1) AMOUNT AND TYPE OF BOMBER FORCE STRUCTURE.—The term “amount and type of bomber force structure” means the required numbers of B–2 aircraft, B–52 aircraft, and B–1 aircraft consistent with the requirements of the National Security Strategy referred to in subsection (a).

(2) COST EFFECTIVE ALLOCATION OF BOMBER FORCE STRUCTURE.—The term “cost effective allocation of bomber force structure” means the lowest cost for stationing, maintaining, and operating the bomber fleet fully consistent with the requirements of the National Security Strategy referred to in subsection (a).

SEC. 1047. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of title II of subtitle A, are each amended by striking the period after “1111” in the item relating to chapter 56.

(2) Section 119(g)(2) is amended by striking “National Security Subcommittee” and inserting “Under Secretary for Policy”.

(3) Section 130c(b)(3)(C) is amended by striking “subsection (1)” and inserting “subsection (6)”.

(4) Section 176a(3) is amended by striking “Chief Medical Director” and inserting “Under Secretary for Health”. (5)(A) Section 583(c) is amended in paragraph (6)(A)(i) by striking “11401(18)” and “8801(18)” and inserting “11401” and “8801”, respectively.

(6) The amendment made by subparagraph (A) shall take effect on July 1, 2002, immediately after the amendment to such section effective that date by section 563(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–338; 114 Stat. 313).

(6) Section 663(c) is amended—

(A) by striking “Armed Forces Staff College” and inserting “Joint Forces Staff College”; and

(B) by striking “ARMED FORCES STAFF COLLEGE” and inserting “JOINT FORCES STAFF COLLEGE”.

(7) Section 667(17) is amended by striking “Armed Forces Staff College” both places it appears and inserting “Joint Forces Staff College”.

(8) Section 874(a) is amended by inserting after “a sentence of confinement for life without possibility for parole” the following: “that is adjudged for an offense committed after October 29, 2000.”

(9) Section 1056(c)(2) is amended by striking “, not later than September 30, 1991,”.

(10) The table of sections at the beginning of chapter 55 is amended by transferring the item relating to section 574a, as inserted by section 574a(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–338; 114 Stat. 314), to the end of chapter 55 of title 10, United States Code.

(11) Section 1907a(e) is amended by striking “section 1072” and inserting “section 1072(c)”. (12) Sections 1111(a) and 1114(a)(1) are each amended by striking “hereafter” and inserting “hereinafter”.

Year 1998 (Public Law 105–85) is amended by striking paragraph (D).

SEC. 1044. TRANSFER OF THE CONGRESS ON THE IMPORTANCE OF THE KWAJALEIN MISSILE RANGE AND REASON TO ESTABLISH AN INACTIVE TEST SITE AT KWAJALEINATOL.
(13) Section 1116 is amended—
(A) in subsection (a)(2)(B), by inserting an open parenthesis before “other than for training”;
(B) in subsection (b)(2)(D), by striking “sec-
tion 1111(c)(4)” and inserting “section 1115(c)(4)”;
(14) The heading for subchapter II of chapter 75 is transferred within that chapter so as to ap-
pear before the table of sections at the beginning of that subchapter (as if the amendment made
by section 721(c)(1) of the National Defense Au-
torization Act for Fiscal Year 2000 (Public Law
106–65, 113 Stat. 694) had inserted that heading
following section 1471 instead of before section 1475).
(15) Section 1611(d) is amended by striking
“with”; (16) Section 2166(c)(9) is amended by
striking “App. 2” and inserting “App.”;
(17) Section 2323(a)(1)(C) is amended—
(A) by striking “section 1046(3)” and inserting
“section 306(3)”;
(B) by striking “20 U.S.C. 1135d–5(3)” and in-
serting “20 U.S.C. 1067k(3)”;
(C) by striking “, which, for the purposes of this
section” and all that follows through the end and inserting a period.
(18) Section 2375(b) is amended by inserting
“(41 U.S.C. 430)” after “section 34 of the Office
of Federal Procurement Policy Act”.
(19) Section 2376(f) is amended by inserting
“(41 U.S.C. 403)” after “section 4 of the Office
of Federal Procurement Policy Act”.
(20) Section 2410(f)(2) is amended by inserting
“efficiency” after “in the”
(21) Section 2467 is amended—
(A) in subsection (a)(2)—
(i) by striking “, United States Code” in sub-
paragraph (A), and
(ii) by striking “such” in subparagraphs (B) and (C);
(B) in subsection (b)(2)(A), by striking
“United States Code”;
(22) Section 2535 is amended—
(A) in subsection (a)—
(i) by striking “intent of Congress” and in-
serting “intent of Congress—”;
(ii) by realigning clauses (1), (2), (3), and (4)
so that each such clause appears as a separate
paragraph indented two ems from the left mar-
gin; and
(iii) in paragraph (1), as so realigned, by
striking “armed forces” and inserting “armed
forces”;
(B) in subsection (b)(1)—
(i) by striking “in this section, the Secretary
is authorized and directed to—” and inserting
“in subsection (a), the Secretary of Defense
shall—”;
(ii) by striking “defense industrial reserve” in
paragraph (A) and inserting “Defense In-
dustrial Reserve”; and
(C) in insertion (c)—
(i) by striking paragraph (1);
(ii) by redesignating paragraph (2) as para-
graph (1) and in that paragraph—
(1) by striking “means” and inserting “means—”;
(2) by realigning clauses (A), (B), and (C) so
that each such clause appears as a separate subparagraph indented four ems from the left mar-
gin; and
(III) by inserting “and” at the end of sub-
paragraph (B), as so realigned; and
(iii) by redesignating paragraph (3) as para-
graph (2),
(24) Section 2541c is amended by striking
“subtitle” both places it appears in the matter preceding paragraph (1) and inserting “sub-
chapter”.
(25) The second section 2555, added by section
2103(a) of the Floyd D. Spence National Defense
Authorization Act for Fiscal Year 2000 (as en-
acted by Public Law 106–261; 114 Stat. 2215A–
324), is redesignated as section 2565, and the item relating to that section in the table of sec-
tions at the beginning of chapter 152 is revised
to conform to such redesignation.
(26) The second section 2582, added by section
1(a) of Public Law 106–466 (114 Stat. 2632), is re-
designated section 2583, and the item relating to
that section in the table of sections at the be-
ginning of chapter 153 is revised to conform to
such redesignation.
(27)(A) Section 2603(a) is amended—
(i) in the matter preceding paragraph (1), by
inserting “of Defense” after “Secretary”; and
(ii) in paragraph (2)—
(1) by inserting “to the Secretary of Defense
after certifies”;
(2) by striking “(42 U.S.C. 3762a)” after “of
1968”; and
(III) by striking “to the public agency
referred to in paragraph (1) or (3) of subsection
(a) of such section”.
(B)(ii) The item relating to such section is amended to read as follows:
“(28) Conveyance of certain property: De-
partment of Justice correctional options program—
(1) The item relating to such section in the table of sections at the beginning of chapter 159 is amended to read as follows:
“2693. Conveyance of certain property: Depart-
ment of Justice correctional options pro-
gram.”
(29) Section 3014(f)(3) is amended by striking
the “number equal to” and all that follows and inserting “74.”
(30) Section 3014(f)(4) is amended by striking
the “number equal to” and all that follows and inserting “60.”
(31) Section 5738(c)(1) is amended by striking
“40101(a)(2)” and inserting “40102(a)(2).”
(32) Section 12741(a)(2) is amended by striking
“received” and inserting “received”.
(33) Amendments relating to change in title
of under secretary of defense for acquisition, technology, and logistics—
Title 10, United States Code, is further amended as follows:
(1) Section 132a(b) is amended by striking
“shall assist the Under Secretary of Defense for
Acquisition and Technology in” and inserting
“shall assist the Under Secretary of Defense for
Acquisition, Technology, and Logistics in”.
(2) The following provisions are each amended by striking “Under Secretary of Defense for
Acquisition and Technology” and inserting “Under Secretary of Defense for Acquisition, Technology, and Logistics”:
(3) The heading for section 1702 is amended to read as follows:
“§ 1702. Under Secretary of Defense for Acqui-
sion, Technology, and Logistics: authorities and responsibilities.”
(4) Section 2503(b) is amended by striking
“Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities.”
(5) Section 2544(c) is amended by striking “Under Secretary of Defense for Acquisition, Technology, and Logistics.”
(6) Amendments to substitute calendar dates for date of enactment references—
Title 38, United States Code, is further amended as follows:
(1) Section 130c(d)(4) is amended by striking
“the date of the enactment of this section,” and inserting “October 30, 2000.”
(2) Section 184(a) is amended by striking “the
date of the enactment of this section,” and inser-
ting “October 30, 2000.”
(3) Section 902(a) is amended by striking the
date of the enactment of this section,” and inserting “October 30, 2000.”
(4) Section 1074(a) is amended by striking
“the date of the enactment of this section,” and inser-
ting “October 30, 2000.”
(5) Section 1097(a)(1) is amended by striking
“the date of the enactment of the National De-
(6) Section 1402(12) is amended by striking
“the date of the enactment of this section,” and inser-
ting “August 22, 1996.”
(7) Section 1451(b) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 18, 1998.”
(8) Section 1521(b)(1) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 18, 1998.”
(9) Section 1521(b)(1) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 18, 1998.”
(10) Section 1521(b)(1) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 18, 1998.”
(11) Section 1521(b)(1) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 18, 1998.”
(12) Section 4201(c)(1) is amended by striking
“the date of the enactment of this section,” and inser-
ting “November 29, 1989.”
(13) Section 6328(b) is amended by striking
“the date of the enactment of this section,” and inser-
ting “October 5, 1994.”
(14) Section 7439 is amended—
(A) in subsection (a), by striking “one year after the date of the enactment of this section,” and inser-
ting “November 18, 1998,”
(B) in subsection (b)(1), by striking “the date of the enactment of this section,” and inser-
ting “November 18, 1997,”
(C) in subsection (b)(2), by striking “the end of the one-year period beginning on the date
of the enactment of this section,” and inser-
ting “November 18, 1998,”
(D) in subsection (c)(2), by striking “the date
of the enactment of this section,” and inser-
ting “November 18, 1997,”
(15) Section 12353 is amended—
(A) in each of subsections (b) and (c)(1), by striking “the date of the enactment of this sec-
tion,” and inserting “November 18, 1997,”
(B) in subsections (c)(2) and (d), by striking “the date of the enactment of this section,” and inser-
ting “November 18, 1997,”
(16) Section 12733(c)(3) is amended—
(A) in subparagraph (B), by striking “the date
of the enactment of the Floyd D. Spence Na-
(B) in subparagraph (C), by striking “the date
of the enactment of the Floyd D. Spence Na-
(d) Amendments relating to change in title
of McKinney-Vento Homeless Assis-
tance Act—The following provisions are each

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amended by striking "Stewart C. McKinney Homeless Assistance Act and inserting "McKinney-Vento Homeless Assistance Act".  

(1) Sections 2814(h)(2), 2854a(d)(2), and 2874(d)(4) of title 10, United States Code.  

(e) AMENDMENTS TO REPEAL OBSELETE PROVISIONS.—Title 10, United States Code, is further amended as follows:  
(1) Section 1144 is amended—  
(A) in subsection (a)(3), by striking the second sentence; and  
(B) by striking subsection (e).  
(2) Section 1581(b) is amended—  
(A) by striking "(1)" and all that follows through "The Secretary of Defense shall deputize" and inserting "The Secretary of Defense shall deputize"; and  
(B) by striking "on or after December 5, 1991.";  
(3) Subsection (e) of section 1722 is repealed.  
(4) Subsection 1732(a) is amended by striking the second sentence.  
(5) Section 1734(a) is amended—  
(A) in subsection (b)(1)(B), by striking "on and after October 1, 1991."; and  
(B) in subsection (c)(2), by striking the last sentence.  
(6) A Section 1736 is repealed.  
(7) The table of sections at the beginning of chapter III of chapter 67 is amended by striking the item relating to section 1736.  
(7A) Sections 1762 and 1764 are repealed.  
(8) The table of sections at the beginning of chapter IV of chapter 67 is amended by striking the section titles of sections 1762 and 1764.  
(9) Section 2112(a) is amended by striking "", with the first class graduating not later than September 21, 1991.".  
(10) A Section 2468 is amended by striking "for fiscal years after fiscal year 1993".  
(10A) A Section 2468 is amended by striking "for fiscal years after fiscal year 1993".  
(11) Section 2832 is amended—  
(A) by striking "(a)" before "The Secretary of Defense"; and  
(B) by striking subsection (b).  
(12) Section 7430(b)(2) is amended—  
(A) by striking "at a price less than" and all that follows through "the current sales price" and inserting "at a price less than the current sales price";  
(B) by striking "" or "" and inserting a period; and  
(C) by striking subparagraph (B).  
(13) Public Law 106–398.—Effective as of October 5, 1999, and as included therein as enacted, the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (enacted into law by Public Law 106–398) is amended as follows:  
(1) Section 2525(b)(1) (114 Stat. 1654A–109) is amended by striking "subsection (c)" and inserting "subsections (a) and (b)".  
(2) Section 1112(c)(1) (114 Stat. 1654A–323) is amended by inserting "inserting" after "and".  

(g) The Department of Defense (the "Department") may alter the provisions of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) as amended as follows:  
(1) Section 331(b)(2)(A) (113 Stat. 602) is amended by inserting "in subsection (a)" after "(A)".  
(2) Sections 349(b)(2) (113 Stat. 611) is amended by striking "chapter" and inserting "chapter".  
(3) Sections 356(a)(3) (113 Stat. 625) is amended by adding a period at the end.  
(4) Section 377(a)(2) (113 Stat. 625) is amended by striking "bad conduct" in the first quoted matter and inserting "had conduct".  
(A) in subsection (b)(1)(B), by striking "on" and inserting "and".  
(B) by striking paragraph (B).  
(2) Section 1152(c)(2) (113 Stat. 764) is amended by inserting "The Department" and inserting "the Department".  
(3) Section 1152(a)(5) (113 Stat. 113 note; 113 Stat. 764) is amended by inserting "and" before "Marines".  
(4) Section 1402(j)(2)(A) (22 U.S.C. 2778 note; 113 Stat. 799) is amended by striking "section 3201 note" and inserting "section 3201 note".  
(5) Section 2902(d) (10 U.S.C. 111 note; 113 Stat. 882) is amended by striking "section 2881(b)" and inserting "section 2881(b)".  
(6) Public Law 105–484.—The National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) is amended as follows:  
(2) Section 4416(b)(1) (10 U.S.C. 12681 note) is amended by striking "force reduction period" and inserting "force reduction transition period".  
(3) Section 4461(b) (10 U.S.C. 1142 note) is amended by adding a period at the end.  
(4) OTHER LAWS.—  
(1) Section 1063(c) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 104–106; 10 U.S.C. 113 note) is amended by striking "NAMES" and inserting "NAMES".  
(3) Section 1123(b) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1586) is amended by striking Armed Forces Staff College" each place it appears and inserting "Joint Forces Staff College".  
(4) Section 1421(g)(2)(C)(iii) of the Defense Department Appropriations Act, 1998 (50 U.S.C. 1521(g)(2)(C)(iii)) is amended by striking ":" and inserting ":".  
(5) Section 8336 of title 5, United States Code, is amended—  
(A) in subsection (d)(2), by striking "subsection (e)" and inserting "subsection (p)"; and  
(B) by redesignating the second subsection (a), added by section 1152(a)(2) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106–398; 114 Stat. 1654A–469) as subsection (1).  

TITLE XI—CIVILIAN PERSONNEL  

SEC. 1101. UNDERGRADUATE TRAINING PROGRAM FOR EMPLOYEES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.  

(a) AUTHORITY TO CARRY OUT TRAINING PROGRAM.—Subchapter III of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:  

"§ 462. Undergraduate training program  
"(a) AUTHORITY TO CARRY OUT PROGRAM.—The Secretary of Defense may authorize the Director of the National Imagery and Mapping Agency to establish an undergraduate training program for employees of the National Imagery and Mapping Agency who are eligible to be admitted to a civilian college.  
"(b) PURPOSE.—The purpose of the program authorized by subsection (a) is to facilitate the recruitment of individuals, particularly minority high school students, who are capable of developing the skills necessary to serve in the National Imagery and Mapping Agency, including skills in mathematics, computer science, engineering, and foreign languages.  
"(c) REQUIREMENTS.—(1) To be eligible for assignment under subsection (a), an employee of the National Imagery and Mapping Agency must agree in writing—  
(A) to continue in the service of the National Imagery and Mapping Agency for the period of the assignment and to complete the educational course of training for which the employee is assigned;  
(B) to continue in the service of the National Imagery and Mapping Agency for the period of the assignment and to complete the educational course of training for which the employee is assigned;  
(C) to reimburse the United States for the cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, before the employee's completion of the educational course of training for which the employee is assigned, the employee leaves the employment of the employee with the National Imagery and Mapping Agency is terminated either by the National Imagery and Mapping Agency due to misconduct by the employee or by the employee voluntarily; and  
(D) to reimburse the United States, after completing the educational course of training for which the employee is assigned, the employee's employment with the National Imagery and Mapping Agency.
$8575. Payment of expenses to obtain professional credentials

(a) An agency may use appropriated funds or its funds otherwise available to the agency to pay for—

"(1) expenses for employees to obtain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, and professional certification; and"

(2) examinations to obtain such credentials.

(b) The authority under subsection (a) may not be exercised on behalf of any employee occupying or seeking to qualify for appointment to any position that is excepted from the competitive service because of the confidential, policy-determining, policy-making, or policy-advocating character of the position.

CLARIFICATION.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"(5757. Payment of expenses to obtain professional credentials)."

SEC. 1104. RETIREMENT PORTABILITY ELECTIONS FOR CERTAIN DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES

(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8347(a) of title 5, United States Code, is amended—

(1) in paragraph (1)(B), by striking "has 5 or more years of civilian service creditable under" and inserting "is employed subject to"; and

(2) in paragraph (2)(B)—

(A) by striking "vested"; and

(B) by striking "", as the term "vested participant" is defined by such system."

(b) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8461(n) of such title is amended—

(1) in paragraph (1)(B), by striking "has 5 or more years of civilian service creditable under" and inserting "is employed subject to"; and

(2) in paragraph (2)(B)—

(A) by striking "vested"; and

(B) by striking "", as the term "vested participant" is defined by such system."

SEC. 1105. REMOVAL OF REQUIREMENT THAT GRANTING CIVIL SERVICE COMPENSATORY TIME BE BASED ON AMOUNT OF IRREGULAR OR OCCASIONAL OVERTIME WORK

Section 5543 of title 5, United States Code, is amended by striking "irregular or occasional" in each place such words appear.

SEC. 1106. APPLICATION OF CERTAIN LAWS TO CERTAIN INDIVIDUALS ASSIGNED TO WORK IN THE FEDERAL GOVERNMENT


SEC. 1107. LIMITATION ON PREMIUM PAY

Section 5547 of title 5, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following new subsections:

"(a) An employee may be paid premium pay under sections 5542, 5545(a), (b), and (c), 5545a, and 5546(a) and (b) of this title only to the extent that the aggregate of such employee's basic pay and premium pay under those provisions would, in any calendar year, exceed the maximum rate payable for GS-15 in effect at the end of such calendar year.

(b) Subsection (a) shall not apply to any employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under section 5546a of this title."

(2) in subsection (c)—

(A) in paragraph (1), by striking "Subsections (a) and (b)" and inserting "Subsection (a); and"
SEC. 1108. REPEAL OF OCCUPATIONAL AND HEALTH STANDARDS AS A BASIS FOR DIFFERENTIAL PAYMENTS MADE AS A CONSEQUENCE OF EXPOSURE TO ASBESTOS.

(a) PREVAILING RATE SYSTEMS.—Section 5334(c)(4) of title 5, United States Code, is amended by striking the semicolon at the end of subsection (c) and inserting the following: ‘‘(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying occupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970).”

(b) GENERAL SCHEDULE PAY RATES.—The first sentence of section 5544(d) of such title is amended by inserting before the period the following: ‘‘(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying occupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970).”

(c) APPLICABILITY.—Any administrative or judicial determination made after the date of enactment of this Act concerning differential back payments related to asbestos under section 5334(c)(4) or 5544(d) of such title shall be based on the occupational safety and health standards described in such section, respectively.

SEC. 1109. AUTHORITY FOR DESIGNATED CIVILIAN EMPLOYEES ABROAD TO ACT AS A NOTARY.

(a) IN GENERAL.—Paragraph (4) of section 104(a)(b) of title 10, United States Code, is amended—

(1) by inserting “and, when outside the United States, all civilian employees of the Department of Defense, after “duty status,’” and (2) by inserting “or the Department of Defense” before “or by statute.”

(b) CLARIFICATION OF STATUS OF CIVILIAN ATTORNEYS ACTING AS A NOTARY.—Paragraph (2) of such section is amended by striking “legal assistance officers” and inserting “legal assistance attorneys”.

SEC. 1110. “MONROE AMENDMENT” RESTORED TO ITS PRIOR FORM.

Paragraph (1) of subsection (d) of section 5343(d) of title 5, United States Code, is amended to read as such paragraph last read before the enactment of section 1242 of the Department of Defense Authorization Act, 1986 (Public Law 99–193; 100 Stat. 735).

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

SEC. 1201. CLARIFICATION OF AUTHORITY TO FURNISH NUCLEAR TEST MONITORING EQUIPMENT TO FOREIGN GOVERNMENTS.

Section 2955 of title 10, United States Code, as redesignated by section 1047(a)(25), is amended—

(1) in subsection (a)—

(A) by striking “CONVEY OR” in the subsection heading and inserting “TRANSFER TITLE TO OR OTHERWISE”;

(B) by striking “and” at the end of paragraph (1); and

(C) by striking “; and” at the end of paragraph (2) and inserting a period; and

(2) in subsection (b)—

(A) by striking “conveyed or otherwise provided” and inserting “provided to a foreign government”;

(B) by inserting “and” at the end of paragraph (1); and

(C) by striking “; and” at the end of paragraph (2) and inserting a period; and

(D) by striking paragraph (3).

SEC. 1202. ACQUISITION OF LOGISTICAL SUPPORT FROM FOREIGN FORCES.

Section 5 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3424) is amended by adding at the end the following new subsection:

“(d)(1) The United States may use contractors to provide logistical support to the Multinational Force and Observers under this section for the purpose of providing logistical support to a foreign government unit comprised of members of the United States Armed Forces.

“(2) Notwithstanding subsections (a) and (b) and section 7(b), support by a contractor under this subsection may be provided without reimbursement, whenever the Secretary determines that such action enhances or supports the national security interests of the United States.”.

SEC. 1203. REPORT ON THE SALE AND TRANSFER OF MILITARY HARDWARE, EXPERIENCE, TECHNOLOGY FROM STATES OF THE FORMER SOVIET UNION TO THE PEOPLE’S REPUBLIC OF CHINA.

Section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113 note) is amended by adding at the end the following new subsection:

“(d) REPORT ON SALES AND TRANSFERS FROM STATES OF THE FORMER SOVIET UNION TO CHINA.—(1) The report submitted under this section not later than March 1, 2002, shall include in a separate section a report describing the sales and transfers of military hardware, expertise, and technology to the former Soviet Union to the People’s Republic of China. The report shall set forth the history of such sales and transfers since 1990, forecast possible future sales and transfers, and include an analysis of the implications of those sales and transfers for the security of the United States and its friends and allies in Asia.

“(2) The report shall include analysis and forecasts of the following matters related to military cooperation between states of the former Soviet Union and the People’s Republic of China:

“(A) The policy of each of those states with respect to arms sales to, and military cooperation with, the People’s Republic of China.

“(B) Any laws or regulations of those states that could prohibit or limit such sales or cooperation.

“(C) The extent in each of those states of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People’s Republic of China.

“(D) An itemization of sales or transfers of military hardware, expertise, or technology from any of those states to the People’s Republic of China that is currently under negotiation or contemplation through the end of 2003.

“(E) Identification of defense industries in which technicians from states of the former Soviet Union are working and of defense industries of those states in which Chinese technicians are working at the end of fiscal year 2003, as well as activities of the Department of Defense in support of activities included in paragraphs (1) and (2).

“(F) Identification of defense industries of those states in which Chinese technicians are working at the end of fiscal year 2003, as well as activities of the Department of Defense in support of activities included in paragraphs (1) and (2).

“(G) The extent of assistance by any of those states to key research and development programs of China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced communications, and programs for development of unconventional weapons.

“(H) The extent of assistance by any of those states to information warfare or electronic warfare programs of China.

“(I) The extent of assistance by any of those states to manned and unmanned space operating units.

“(J) The extent to which arms sales by any of those states to the People’s Republic of China are a source of funds for military research and development or procurement programs in the selling state.

“(3) The report under paragraph (1) shall include, with respect to each area of analysis and forecasts specified in paragraph (2)—

“(A) An assessment of the military effects of such sales or transfers to entities in the People’s Republic of China.

“(B) An assessment of the ability of the People’s Liberation Army to assimilate such sales or transfers, mass produce new equipment, or develop doctrine for use of such technologies.

“(C) The potential threat of developments related to such effects on the security interests of the United States and its friends and allies in Asia.”.

SEC. 1204. LIMITATION ON FUNDING FOR JOINT DATA EXCHANGE CENTER.

(a) LIMITATION.—Funds made available to the Department of Defense for fiscal year 2002 may not be obligated or expended for any activity associated with the Joint Data Exchange Center in Moscow, Russia, until—

(1) the United States and the Russian Federation enter into a cost-sharing agreement as described in subsection (b) of section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–106; 118 Stat. 691) as activities of the Department of Defense in support of activities of the United States Armed Forces.

(2) the United States and the Russian Federation enter into an agreement or agreements excluding the United States and any United States person from Russian taxes, and from liability under Russian laws, with respect to activities associated with the Joint Data Exchange Center.

(b) JOINT DATA EXCHANGE CENTER.—For purposes of this section, the term “Joint Data Exchange Center” means the United States-Russia Joint Data Exchange Center for the exchange of data to provide early warning of launches of ballistic missiles and for notification of such launches that is provided for in a joint United States-Russia Federation memorandum of agreement signed in Moscow in June 2000.
the mission of providing) a comprehensive accounting for all items, facilities, and capabilities in Iraq created by the sale or by]
(b) EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (f) of section 1505 of the Weapons of Mass Destruction Control Act of 1994 (22 U.S.C. 2361 note) is amended by striking "2001" and inserting "2002".
(c) CHANGE OF QUARTERLY REPORT REQUIREMENT TO ANNUAL REPORT.—(1) Subsection (e)(1) of such section is amended by striking (A) by striking "quarter of a" in the first sentence; and
(B) by striking ("for the preceding quarter and cumulatively") and inserting "for the preceding fiscal year".
(2) The amendments made by subsection (a) shall take effect on November 1, 2001, or the date of the enactment of this Act, whichever is later.
SEC. 1206. REPEAL OF REQUIREMENT FOR REPORTING TO CONGRESS ON MILITARY PERSONNEL IN COLOMBIA
Section 1232(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 788) is repealed.
SEC. 1207. REPORT BY COMPTROLLER GENERAL ON PROVISION OF DEFENSE ARTICLES, SERVICES, AND MILITARY EDUCATION AND TRAINING FOR FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.
(a) STUDY.—The Comptroller General shall conduct the study of the following:
(1) The benefits derived by each foreign country or international organization from the receipt of defense articles, defense services, or military education and training provided after December 31, 1989, pursuant to the drawdown of such articles, services, or education and training from the stocks of the Department of Defense pursuant to section 506, 516, or 552 of the Foreign Assistance Act of 1961 (22 U.S.C. 2318, 2321, or 2348a) or any other provision of law.
(2) Any benefits derived by the United States from the provision of defense articles, defense services, and military education and training described in paragraph (1).
(3) The readiness of the Armed Forces as a result of the provision by the United States of defense articles, defense services, and military education and training described in paragraph (1).
(4) The cost to the Department of Defense with respect to the provision of defense articles, defense services, and military education and training described in paragraph (1).
(b) REPORTS.—(1) Not later than April 15, 2002, the Comptroller General shall submit to Congress an interim report containing the results to that date of the study conducted under subsection (a).
(2) Not later than August 1, 2002, the Comptroller General shall submit to Congress a final report containing the results of the study conducted under subsection (a).
SEC. 1208. LIMITATION ON NUMBER OF MILITARY PERSONNEL IN COLOMBIA.
(a) LIMITATION.—The funds available to the Department of Defense may be used to support or maintain more than 500 members of the Armed Forces on duty in the Republic of Colombia at any time.
(b) EXCEPTIONS.—There shall be excluded from counting for the purposes of the limitation in subsection (a) the following:
(1) A member of the Armed Forces in the Republic of Colombia for the purpose of rescuing or retrieving United States military or civilian Government personnel, except that the period for which such a member may be so excluded may not exceed 30 days unless expressly authorized by law.
(2) A member of the Armed Forces assigned to the United States Embassy in Colombia as an attaché, as a member of the security assistance office, or as a member of the Marine Corps security contingent.
(b) A member of the Armed Forces in Colombia to participate in relief efforts in responding to a natural disaster.
(4) Nonoperational transient military personnel stationed in any of the paragraphs in subsection (a) in excess of the amount specifically authorized for such purpose.
TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION
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 2002 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term "fiscal year 2002 Cooperative Threat Reduction funds" means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs for fiscal year 2002 that are available for obligation for three fiscal years.
SEC. 1302. FUNDING ALLOCATIONS.
(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $403,000,000 authorized to be appropriated to the Department of Defense for fiscal year 2002 in section 301(23) for Cooperative Threat Reduction programs, not more than the following amounts may be obligated for the specific purpose:
(1) For strategic offensive arms elimination in Russia, $133,400,000.
(2) For strategic nuclear arms elimination in Ukraine, $51,500,000.
(3) For nuclear weapons transportation security in Russia, $9,500,000.
(4) For nuclear weapons storage security in Russia, $56,000,000.
(5) For biological weapons proliferation prevention activities in the former Soviet Union, $17,000,000.
(6) For activities designated as Other Assessments/Administrative Support, $13,200,000.
(7) For defense and military contacts, $18,700,000.
(8) For activities related to the construction of a chemical weapons destruction facility in Russia, $33,000,000.
(9) For elimination of chemical weapons production facilities in Russia, $15,000,000.
(10) For weapons of mass destruction infrastructure elimination activities in Kazakhstan, $6,000,000.
(11) For weapons of mass destruction infrastructure elimination activities in Ukraine, $6,000,000.
(12) For activities to assist Russia in the elimination of plutonium production reactors, $41,700,000.
(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2002 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (12) of subsection (a) until 30 days after the date of the report required to be submitted in fiscal year 2001 under section 1308(a) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341).
(1) by striking the heading and inserting the following new heading:
"SEC. 1304. LIMITATION ON USE OF FUNDS FOR SECOND WING OF FISSILE MATERIAL STORAGE FACILITY.
(a) PROHIBITION.—No funds authorized to be appropriated for Cooperative Threat Reduction programs for any fiscal year may be used for the design, planning, or construction of a second wing for a storage facility for Russian fissile material.
(b) CONFORMING AMENDMENT.—Section 1304 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341) is amended to read as follows:
"SEC. 1304. LIMITATION ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.
Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5)."
SEC. 1306. PROHIBITION AGAINST USE OF FUNDS FOR CONSTRUCTION OR REFURBISHMENT OF CERTAIN FOSSIL FUEL ENRICHMENT PLANTS.
Section 1307 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398; 114 Stat. 1654A–341) is amended (1) by striking the heading and inserting the following new heading:
SEC. 1307. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

Section 1306(c)(4) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted in Public Law 106–398, 114 Stat. 1654A–342) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “audits” and all that follows through “conducted” and inserting “means (including program management, audits, examinations, and other means)” used”; and

(B) by striking “that such assistance is being used for its intended purpose” and inserting “, that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively”; and

(2) in subparagraph (C), by inserting “, and an assessment of whether the assistance being provided is being used effectively and efficiently” before the semicolon; and

(3) in subparagraph (D), by striking “audits, examinations, and other”.

SEC. 1308. REPORT ON RESPONSIBILITY FOR CAR- RYING OUT COOPERATIVE THREAT REDUCTION PROGRAMS.

Not later than March 15, 2002, the Secretary of Defense shall submit to Congress a report describing—

(1) the rationale for executing Cooperative Threat Reduction programs under the auspices of the Department of Defense and the justification for maintaining responsibility for any particular project carried out through Cooperative Threat Reduction programs with the Department of Defense;

(2) options for transferring responsibility for carrying out Cooperative Threat Reduction pro- grams to an executive agency (or agencies) other than the Department of Defense, if appropriate; and

(3) how such a transfer might be carried out.

SEC. 1309. CHEMICAL WEAPONS DESTRUCTION.

Section 1005 of the National Defense Author- ization Act for Fiscal Year 2000 (Public Law 106–56, 113 Stat. 794) is amended by inserting before the period at the end the following: “, until the Secretary of Defense submits to Congress a certification that there has been—

“(1) full and accurate disclosure by Russia of the size of its existing chemical weapons stockpile;

“(2) a demonstrated annual commitment by Russia to allocate at least $25,000,000 to chemical weapons elimination projects in Russia; and

“(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 within 2001; and

“(5) an agreement by Russia to destroy its chemical weapons production facilities at Volgograd and Novochebakorsk.”

TITLE XIV—DEFENSE SPACE REORGANIZATION

SEC. 1401. SHORT TITLE.

This title may be cited as the “Defense Space Reorganization Act of 2001”.

SEC. 1402. AUTHORITY TO ESTABLISH POSITION OF UNDER SECRETARY OF DEFENSE FOR SPACE, INTELLIGENCE, AND INFORMATION.

(a) AUTHORITY TO ESTABLISH POSITION.—The President may designate the Under Secretary of Defense the position of Under Secretary of Defense for Space, Intelligence, and Information. If that position is so established, the Under Secretary of Defense for Space, Intelligence, and Information shall perform duties and exercise powers as set forth in section 137 of title 10, United States Code, as added by subsection (e).

(b) DEADLINE FOR EXERCISE OF AUTHORITY.—The authority provided in subsection (a) may not be exercised after December 31, 2003.

(c) NOTICE OF EXERCISE OF AUTHORITY.—(1) If the authority provided in subsection (a) is exercised, the President shall immediately submit to Congress notification in writing of the establishment of the position of Under Secretary of Defense for Space, Intelligence, and Information.

(2) During the period before the establishment of the position of Under Secretary of Defense for Space, Intelligence, and Information, the President shall submit to Congress a report on how the President has implemented the recommendations of the report of the Space Commission with respect to the establishment of the position of Under Secretary of Defense for Space, Intelligence, and Information.

(d) C R EATION OF NEW OFFICE.—(1) Not later than December 31, 2003, the President shall submit to Congress a report, not later than that date, setting forth the President’s view as of that date of the desirability of establishing the position of Under Secretary of Defense for Space, Intelligence, and Information.

(2) If that position is so established, the Under Secretary of Defense for Space, Intelligence, and Information shall perform such duties and exercise such powers as set forth in section 137 of title 10, United States Code, as added by subsection (e).

SEC. 1403. AUTHORITY TO DESIGNATE UNDER SECRETARY OF THE AIR FORCE AS ACQUISITION EXECUTIVE FOR SPACE OF THE DEPARTMENT OF DE- FENSE.

EXECUTIVE AGENT—Part IV of subtitle A of title 10, United States Code, is amended by inserting after chapter 134 the following new chapter:

“CHAPTER 135—SPACE PROGRAMS

“Sec. 2271. Executive agent.

§ 2271. Executive agent.

(a) SECRETARY OF THE AIR FORCE.—The Secretary of the Air Force may be designated as the executive agent of the Department of Defense—

“(1) for the planning of the acquisition pro- grams, projects, and activities of the Department of Defense that relate to space; and

“(2) for the execution of those programs, projects, and activities.

(b) ACQUISITION EXECUTIVE.—The Secretary may designate the Under Secretary of the Air Force as the acquisition executive of the Air Force for the programs, projects, and activities referred to in subsection (a).”.

(b) C R EATION OF NEW OFFICE.—The tables of chapters at the beginning of such subtitle and the beginning of part IV of title 10 are amended by inserting after the item relating to chapter 134 the following new item:

“135. Space Programs 2271.

SEC. 1404. MAJOR FORCE PROGRAM CATEGORY FOR SPACE.

(a) REQUIREMENT.—The Secretary of Defense may create a major force program category for space programs for purposes of the future-years defense program under section 221 of title 10, United States Code.

(b) C R EATION OF NEW OFFICE.—
CONGRESSIONAL RECORD—HOUSE

SEC. 1406. COMMISSIONER OF THE AIR FORCE SPACE COMMAND.

(a) In General.—Chapter 845 of title 10, United States Code, is amended by adding at the end the following new section:

“§8584. Commissioner of the Air Force Space Command

“The Secretary of Defense may require that the officer serving as commander of the Air Force Space Command not serve simultaneously as commander of the United States Space Command or any successor combatant command with responsibility for space” or as commander of the United States European Command or the North American Air Defense Command.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of this chapter is amended by adding at the end the following new item:

“8584. Commissioner of the Air Force Space Command.”.

SEC. 1407. AUTHORITY TO ESTABLISH SEPARATE COMMAND FIELD IN THE AIR FORCE SPACE FORCES.

The Secretary of the Air Force, acting through the Under Secretary of the Air Force, may establish and implement policies and procedures to develop a cadre of technically competent officers with the capability to develop space doctrine, concepts of space operations, and management of space systems for the Air Force.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 201. SHORT TITLES, DEFINITION.

(a) SHORT TITLE.—This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2002”.


TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2101(a), the Secretary of the Army may acquire real property and carry out military construction projects for the locations and portions of the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Anniston Army Depot</td>
<td>$5,150,000</td>
</tr>
<tr>
<td></td>
<td>Fort Rucker</td>
<td>$11,400,000</td>
</tr>
<tr>
<td></td>
<td>Redstone Arsenal</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>Alaska</td>
<td>Fort Richardson</td>
<td>$9,700,000</td>
</tr>
<tr>
<td></td>
<td>Fort Shemyan</td>
<td>$27,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Huachuca</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Yuma Proving Ground</td>
<td>$3,100,000</td>
</tr>
<tr>
<td></td>
<td>Defense Language Institute</td>
<td>$3,900,000</td>
</tr>
<tr>
<td></td>
<td>Fort Irwin</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Fort Carson</td>
<td>$66,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort McCall</td>
<td>$11,000,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fort Benning</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Gillem</td>
<td>$41,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Gordon</td>
<td>$34,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart/Hunter Army Field</td>
<td>$5,800,000</td>
</tr>
<tr>
<td></td>
<td>Navy Public Works Center, Pearl Harbor</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>Pohakulau Training Facility</td>
<td>$5,800,000</td>
</tr>
<tr>
<td></td>
<td>Wheeler Army Field</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>$10,900,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Fort Campbell</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Fort Polk</td>
<td>$32,300,000</td>
</tr>
<tr>
<td></td>
<td>Aberdeen Proving Ground</td>
<td>$57,750,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort McQue</td>
<td>$5,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Leonard Wood</td>
<td>$12,250,000</td>
</tr>
<tr>
<td></td>
<td>Fort Monmouth</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Picatinny Arsenal</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>White Sands Missile Range</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>New York</td>
<td>Fort Drum</td>
<td>$59,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$21,300,000</td>
</tr>
<tr>
<td></td>
<td>Sunny Point Military Ocean Terminal</td>
<td>$11,400,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Fort Jackson</td>
<td>$3,650,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Corpus Christ Army Depot</td>
<td>$10,400,000</td>
</tr>
<tr>
<td></td>
<td>Fort Sam Houston</td>
<td>$8,650,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bliss</td>
<td>$5,900,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hood</td>
<td>$104,200,000</td>
</tr>
<tr>
<td></td>
<td>Fort Huachuca</td>
<td>$33,950,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bliss</td>
<td>$34,750,000</td>
</tr>
<tr>
<td></td>
<td>Fort Irwin</td>
<td>$22,900,000</td>
</tr>
<tr>
<td></td>
<td>Fort Lewis</td>
<td>$128,200,000</td>
</tr>
<tr>
<td>Washington</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$1,300,710,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2101(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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Area Support Group, Bamberg</td>
<td>$36,000,000</td>
</tr>
<tr>
<td></td>
<td>Area Support Group, Darmstadt</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>Baumholder</td>
<td>$9,000,000</td>
</tr>
<tr>
<td></td>
<td>Hanau</td>
<td>$7,200,000</td>
</tr>
<tr>
<td></td>
<td>Heidelberg</td>
<td>$15,300,000</td>
</tr>
<tr>
<td></td>
<td>Mannheim</td>
<td>$16,000,000</td>
</tr>
</tbody>
</table>
### SEC. 2104. AUTHORIZATION OF APPROPRIATIONS,

**Army in the total amount of $3,018,077,000, as authorized by section 2101(a), the Secretary of the Army may improve existing military family housing units (including land acquisition) at the installations, for the purposes, and in the amounts, set forth in the following table:**

<table>
<thead>
<tr>
<th>Location Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea: Outside the United States—Continued</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea: Unspecified Worldwide</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>

### SEC. 2102. FAMILY HOUSING.

**Army: Family Housing**

- **State or Country**
- **Installation or location**
- **Purpose**
- **Amount**

<table>
<thead>
<tr>
<th>Army: Family Housing</th>
<th>Location Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>32 Units</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Fort Huachuca</td>
<td>72 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Georrgia</td>
<td>Fort Stewart</td>
<td>106 Units</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Leavenworth</td>
<td>40 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>76 Units</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>54 Units</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td></td>
<td>$61,700,000</td>
</tr>
</tbody>
</table>

### SEC. 2104. AUTHORIZATION OF APPROPRIATIONS,

**ARMY.**

- **In General.**—Funds are hereby appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,918,977,000, as follows:

  1. For military construction projects inside the United States authorized by section 2101(a), $1,092,732,000.
  2. For military construction projects outside the United States authorized by section 2101(b), $235,743,000.
  3. For construction or acquisition, planning and design, and improvement of military family housing units, $294,576,000.

- **Planning and Design.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5), 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:

<table>
<thead>
<tr>
<th>Location Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea: Outside the United States—Continued</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>

- **Army: Family Housing**

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Fort Wainwright</td>
<td>32 Units</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Fort Huachuca</td>
<td>72 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Georrgia</td>
<td>Fort Stewart</td>
<td>106 Units</td>
<td>$2,500,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Leavenworth</td>
<td>40 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Bliss</td>
<td>76 Units</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Humphreys</td>
<td>54 Units</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Total:</td>
<td></td>
<td></td>
<td>$61,700,000</td>
</tr>
</tbody>
</table>

This Act may not exceed—

1. The total amount authorized to be appropriated under paragraphs (1), (2), (3) of subsection (a);
2. $52,000,000 (the balance of the amount authorized under section 2201 (a) for construction of a barracks complex, D Street, at Fort Richardson, Alaska);
3. $41,000,000 (the balance of the amount authorized under section 2201 (a) for construction of phase 1 of a barracks complex, Nelson Blvd, at Fort Carson, Colorado);
4. $36,000,000 (the balance of the amount authorized under section 2201 (a) for construction of phase 1 of a basic combat training complex at Fort Jackson, South Carolina); and
5. $10,000,000 (the balance of the amount authorized under section 2201 (a) for construction of a barracks complex, 17th & B Streets, at Fort Lewis, Washington).

(c) **Adjustment.**—The total amount authorized to be appropriated pursuant to paragraphs (1) through (15) of subsection (a) is the sum of...
the amounts authorized to be appropriated in such paragraphs, reduced by—
(1) $36,168,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and
(2) $75,417,000, 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 2001 PROJECTS.

(a) MODIFICATION.—The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–389) is amended—
(1) in the item relating to Fort Leonard Wood, Missouri, by striking "$65,409,000" in the amount column and inserting "$69,409,000";
(2) in the item relating to Fort Drum, New York, by striking "$18,000,000" in the amount column and inserting "$21,000,000";
(3) in the item relating to Fort Hood, Texas, by striking "$36,492,000" in the amount column and inserting "$39,492,000"; and
(4) by striking the amount identified as the total in the amount column and inserting "$523,974,000".

(b) CONFORMING AMENDMENTS.—Section 2104 of that Act (114 Stat. 1654A–391) is amended—
(1) in subsection (a), in the matter preceding paragraph (1), by striking "$1,925,344,000" and inserting "$1,933,744,000";
(2) in subsection (b)(2), by striking "$22,600,000" and inserting "$27,000,000";
(3) in subsection (b)(3), by striking "$10,000,000" and inserting "$13,000,000"; and
(4) in subsection (b)(6), by striking "$6,000,000" and inserting "$9,000,000".

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>$22,570,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Air-Ground Combat Center, Twentynine Palms</td>
<td>$75,120,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Camp Pendleton</td>
<td>$4,470,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Station, Miramar</td>
<td>$3,680,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton</td>
<td>$7,320,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Facility, El Centro</td>
<td>$10,010,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Lemoore</td>
<td>$30,200,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Warfare Center, Point Mugu, San Nicolas Island</td>
<td>$13,730,000</td>
</tr>
<tr>
<td></td>
<td>Naval Amphibious Base, Coronado</td>
<td>$8,610,000</td>
</tr>
<tr>
<td></td>
<td>Naval Construction Battalion Center, Port Hueneme</td>
<td>$12,490,000</td>
</tr>
<tr>
<td></td>
<td>Naval Construction Training Center, Port Hueneme</td>
<td>$7,780,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, San Diego</td>
<td>$47,240,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Facility, Washington</td>
<td>$4,210,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Key West</td>
<td>$11,490,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whiting Field, Milton</td>
<td>$2,140,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Mayport</td>
<td>$16,420,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Pensacola</td>
<td>$3,790,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Kaneohe</td>
<td>$34,920,000</td>
</tr>
<tr>
<td></td>
<td>Naval Magazine, Lakehurst</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Shipyard, Pearl Harbor</td>
<td>$30,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Pearl Harbor</td>
<td>$40,600,000</td>
</tr>
<tr>
<td></td>
<td>Navy Public Works Center, Pearl Harbor</td>
<td>$18,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Training Center, Great Lakes</td>
<td>$82,260,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>Naval Surface Warfare Center, Crane</td>
<td>$14,930,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Naval Air Station, Brunswick</td>
<td>$57,395,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Naval Air Station, Mayport</td>
<td>$5,100,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whiting Field, Milton</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Naval Air Station, Patuxent River</td>
<td>$12,260,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Warfare Center, St. Inigoes</td>
<td>$7,400,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Key West</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Support Activity, Kansas City</td>
<td>$8,010,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Marine Corps Air Station, New River</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Marine Corps Air Station, Camp Lejeune</td>
<td>$67,070,000</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Naval Air Station, Joint Reserve Base, Philadelphia</td>
<td>$31,890,000</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Naval Air Station, Newport</td>
<td>$15,900,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Marine Corps Air Station, Beaufort</td>
<td>$8,020,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Naval Support Activity, Millington</td>
<td>$4,540,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Naval Support Activity, San Antonio Joint Base</td>
<td>$9,060,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Air Station, Joint Base, Ft. Washington</td>
<td>$9,060,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Air Facility, Quantico</td>
<td>$7,790,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whidbey Island</td>
<td>$3,470,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Naval Air Station, Norfolk</td>
<td>$14,060,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Naval Station, Everett</td>
<td>$6,820,000</td>
</tr>
<tr>
<td></td>
<td>Strategic Weapons Facility, Bangor</td>
<td>$3,900,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$1,038,920,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Naval Support Activity Joint Headquarters Command, Larissa</td>
<td>$12,240,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Naval Support Activity, Souda Bay</td>
<td>$2,210,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Guam</td>
<td>$9,300,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Guam</td>
<td>$9,300,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Guam</td>
<td>$14,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Keflavik</td>
<td>$2,820,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station, Sigonella</td>
<td>$3,060,000</td>
</tr>
<tr>
<td></td>
<td>Naval Support Activity, Pisa</td>
<td>$2,240,000</td>
</tr>
<tr>
<td>Spain</td>
<td></td>
<td>$47,670,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$1,038,920,000</td>
</tr>
</tbody>
</table>
(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

### Navy: Family Housing

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Marine Corps Air Station, Yuma</td>
<td>51 Units</td>
<td>$5,077,000</td>
</tr>
<tr>
<td>California</td>
<td>Marine Ground Task Force Training Center, Twentynine Palms</td>
<td>74 Units</td>
<td>$16,250,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Naval Construction Battalion Center, Pearl Harbor</td>
<td>160 Units</td>
<td>$23,354,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Naval Construction Battalion Center, Gulfport</td>
<td>81 Units</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Naval Construction Battalion Center, Newport Beach</td>
<td>10 Units</td>
<td>$2,403,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Naval Air Station, Sigonella</td>
<td>43 Units</td>
<td>$4,124,000</td>
</tr>
</tbody>
</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 $6,499,000.

### 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 $201,834,000.

### SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) In GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,389,605,000, as follows:

1. For military construction projects inside the United States authorized by section 2201(a), $380,018,000.
2. For military construction projects outside the United States authorized by section 2201(b), $47,570,000.
3. For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $10,546,000.
4. For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $35,392,000.
5. For military family housing functions:
   (A) For construction and acquisition, planning, and design, and improvement of military family housing and facilities, $323,352,000.
   (B) For support of military housing (including functions described in section 2833 of title 10, United States Code), $913,823,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation 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 pursuant to paragraphs (1) through (9) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—
   (1) $6,854,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and
   (2) $13,652,000, 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.

(c) ADJUSTMENT.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (9) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

1. $6,854,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and
2. $13,652,000, 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. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 820) is amended—

1. In the item relating to Camp H.M. Smith, Hawaii, by striking `$86,050,000' in the amount column and inserting `$89,050,000' ; and
2. By striking the amount identified as the total amount in the amount column and inserting `$820,230,000' .

(b) CONFORMING AMENDMENTS.—Section 2204 of that Act (113 Stat. 830) is amended—

1. In subsection (a), in the matter preceding paragraph (1), by striking `$2,108,087,000' and inserting `$2,111,087,000' ; and
2. In subsection (b)(3), by striking `$70,180,000' and inserting `$73,180,000' .

### TITLE XXIII—AIR FORCE

### SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(c)(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—Continued

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Moody Air Force Base</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Hickam Air Force Base</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mountain Home Air Force Base</td>
<td>$14,600,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$5,100,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Andrews Air Force Base</td>
<td>$19,420,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Hanscom Air Force Base</td>
<td>$8,400,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Keesler Air Force Base</td>
<td>$28,600,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire Air Force Base</td>
<td>$8,550,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$9,400,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Kirtland Air Force Base</td>
<td>$19,800,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Grand Forks Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Wright-Patterson Air Force Base</td>
<td>$5,800,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$20,300,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$24,400,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Arnold Air Force Base</td>
<td>$24,400,000</td>
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<tr>
<td>Texas</td>
<td>Lackland Air Force Base</td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$44,000,000</td>
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<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>$47,300,000</td>
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<tr>
<td>Washington</td>
<td>Fairchild Air Force Base</td>
<td>$2,800,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>McChord Air Force Base</td>
<td>$30,700,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$822,320,000</td>
</tr>
</tbody>
</table>

### Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Ramstein Air Force Base</td>
<td>$42,900,000</td>
</tr>
<tr>
<td>Greenland</td>
<td>Thule</td>
<td>$8,700,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$30,150,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano Air Base</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kusuma Air Base</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$101,142,000</td>
</tr>
<tr>
<td>Turkey</td>
<td>Eielson Air Base</td>
<td>$4,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force, Mildenhall</td>
<td>$11,300,000</td>
</tr>
<tr>
<td>Wake Island</td>
<td>Wake Island</td>
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</tr>
<tr>
<td>Total</td>
<td></td>
<td>$256,382,000</td>
</tr>
</tbody>
</table>

### Air Force: Unspecified Worldwide

<table>
<thead>
<tr>
<th>Location</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspecified Worldwide</td>
<td>Classified Location</td>
<td>$4,458,000</td>
</tr>
</tbody>
</table>

### State Code, and using amounts appropriated

### Air Force: Family Housing

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Luke Air Force Base</td>
<td>120 Units</td>
<td>$15,712,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>118 Units</td>
<td>$18,150,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>51 Units</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>120 Units</td>
<td>$18,150,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Joint Base Pearl Harbor-Hickam Air Base</td>
<td>136 Units</td>
<td>$37,620,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Island Air Force Base</td>
<td>162 Units</td>
<td>$25,612,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>56 Units</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>78 Units</td>
<td>$31,700,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Pearl Harbor-Hickam Air Base</td>
<td>162 Units</td>
<td>$25,612,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>64 Units</td>
<td>$13,230,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$60,800,000</td>
</tr>
</tbody>
</table>

### SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Luke Air Force Base</td>
<td>120 Units</td>
<td>$15,712,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>118 Units</td>
<td>$18,150,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>51 Units</td>
<td>$11,800,000</td>
</tr>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>120 Units</td>
<td>$18,150,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Joint Base Pearl Harbor-Hickam Air Base</td>
<td>136 Units</td>
<td>$37,620,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Island Air Force Base</td>
<td>162 Units</td>
<td>$25,612,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Barksdale Air Force Base</td>
<td>56 Units</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Ellsworth Air Force Base</td>
<td>78 Units</td>
<td>$31,700,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Pearl Harbor-Hickam Air Base</td>
<td>162 Units</td>
<td>$25,612,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Langley Air Force Base</td>
<td>64 Units</td>
<td>$13,230,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field, Azores</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$60,800,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $24,558,000.
pursuant to the authorization of appropriations in section 230(a)(7)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $370,879,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) In general.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,526,034,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $806,030,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $268,392,000.

(3) For the military construction projects at unspecified worldwide locations authorized by section 2301(c), $4,458,000.

(4) For unspecified minor construction projects authorized by section 2005 of title 10, United States Code, $11,250,000.

(5) For architectural and engineering services authorized to be appropriated pursuant to the authorizations in section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a); and

(2) $2,526,034,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) the total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a); and

(2) $2,526,034,000.

(c) ADJUSTMENT.—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) $15,846,000, 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, and

(2) $47,878,000, 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.

(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:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Demilitarization</td>
<td>Blue Grass Army Depot, Kentucky</td>
<td>$47,270,000</td>
</tr>
<tr>
<td>Defense Education Activity</td>
<td>Laurel Bay, South Carolina</td>
<td>$12,850,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Lejeune, North Carolina</td>
<td>$8,657,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Depot Troop, California</td>
<td>$10,500,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution New Cumberland, Pennsylvania</td>
<td>$19,960,000</td>
</tr>
<tr>
<td></td>
<td>Eielson Air Force Base, Alaska</td>
<td>$8,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir, Virginia</td>
<td>$900,000</td>
</tr>
<tr>
<td></td>
<td>Grand Forks Air Force Base, North Dakota</td>
<td>$9,110,000</td>
</tr>
<tr>
<td></td>
<td>Hickam Air Force Base, Hawaii</td>
<td>$29,200,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base, New Mexico</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Minot Air Force Base, North Dakota</td>
<td>$14,000,000</td>
</tr>
<tr>
<td></td>
<td>Philadelphia, Pennsylvania</td>
<td>$2,429,000</td>
</tr>
<tr>
<td></td>
<td>Pope Air Force Base, North Carolina</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Aberdeen Proving Ground, Maryland</td>
<td>$3,200,000</td>
</tr>
<tr>
<td></td>
<td>Fort Benning, Georgia</td>
<td>$5,100,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg, North Carolina</td>
<td>$35,962,000</td>
</tr>
<tr>
<td></td>
<td>Fort Lewis, Washington</td>
<td>$6,900,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field, Florida</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base, Florida</td>
<td>$12,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, San Diego, California</td>
<td>$13,650,000</td>
</tr>
<tr>
<td></td>
<td>Andrews Air Force Base, Maryland</td>
<td>$16,250,000</td>
</tr>
<tr>
<td></td>
<td>Dyess Air Force Base, Texas</td>
<td>$3,300,000</td>
</tr>
<tr>
<td></td>
<td>F. E. Warren Air Force Base, Wyoming</td>
<td>$2,700,000</td>
</tr>
<tr>
<td></td>
<td>Fort Hood, Texas</td>
<td>$12,200,000</td>
</tr>
<tr>
<td></td>
<td>Fort Stewart/Hunter Army Air Field, Georgia</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base, New Mexico</td>
<td>$5,700,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field, Florida</td>
<td>$8,800,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton, California</td>
<td>$1,150,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Albany, Georgia</td>
<td>$5,800,000</td>
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<tr>
<td></td>
<td>Naval Air Station, Whidbey Island, Washington</td>
<td>$1,900,000</td>
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<tr>
<td></td>
<td>Naval Hospital, Guantanamo Bay, Florida</td>
<td>$1,600,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Mayport, Florida</td>
<td>$34,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Norfolk, Virginia</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Schriever Air Force Base, Colorado</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon Reservation, Virginia</td>
<td>$25,000,000</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECT.

(a) MODIFICATION.—The table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1644-A625) is amended—

(1) in the item relating to McGuire Air Force Base, New Jersey, by striking "$29,592,000" in the amount column and inserting "$32,972,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$748,955,000".

(b) CONFORMING AMENDMENTS.—Section 2304(b) of that Act (114 Stat. 1654-A626) is amended by striking "$9,400,000" and inserting "$12,600,000".

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Installation or location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Demilitarization</td>
<td>Blue Grass Army Depot, Kentucky</td>
<td>$47,270,000</td>
</tr>
<tr>
<td>Defense Education Activity</td>
<td>Laurel Bay, South Carolina</td>
<td>$12,850,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Lejeune, North Carolina</td>
<td>$8,657,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution Depot Troop, California</td>
<td>$10,500,000</td>
</tr>
<tr>
<td></td>
<td>Defense Distribution New Cumberland, Pennsylvania</td>
<td>$19,960,000</td>
</tr>
<tr>
<td></td>
<td>Eielson Air Force Base, Alaska</td>
<td>$8,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Belvoir, Virginia</td>
<td>$900,000</td>
</tr>
<tr>
<td></td>
<td>Grand Forks Air Force Base, North Dakota</td>
<td>$9,110,000</td>
</tr>
<tr>
<td></td>
<td>Hickam Air Force Base, Hawaii</td>
<td>$29,200,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base, New Mexico</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Minot Air Force Base, North Dakota</td>
<td>$14,000,000</td>
</tr>
<tr>
<td></td>
<td>Philadelphia, Pennsylvania</td>
<td>$2,429,000</td>
</tr>
<tr>
<td></td>
<td>Pope Air Force Base, North Carolina</td>
<td>$3,400,000</td>
</tr>
<tr>
<td></td>
<td>Aberdeen Proving Ground, Maryland</td>
<td>$3,200,000</td>
</tr>
<tr>
<td></td>
<td>Fort Benning, Georgia</td>
<td>$5,100,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg, North Carolina</td>
<td>$35,962,000</td>
</tr>
<tr>
<td></td>
<td>Fort Lewis, Washington</td>
<td>$6,900,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field, Florida</td>
<td>$11,000,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base, Florida</td>
<td>$12,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, San Diego, California</td>
<td>$13,650,000</td>
</tr>
<tr>
<td></td>
<td>Andrews Air Force Base, Maryland</td>
<td>$16,250,000</td>
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<tr>
<td></td>
<td>Dyess Air Force Base, Texas</td>
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<td></td>
<td>Fort Stewart/Hunter Army Air Field, Georgia</td>
<td>$11,000,000</td>
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<tr>
<td></td>
<td>Holloman Air Force Base, New Mexico</td>
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</tr>
<tr>
<td></td>
<td>Hurlburt Field, Florida</td>
<td>$8,800,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base, Camp Pendleton, California</td>
<td>$1,150,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Logistics Base, Albany, Georgia</td>
<td>$5,800,000</td>
</tr>
<tr>
<td></td>
<td>Naval Air Station, Whidbey Island, Washington</td>
<td>$1,900,000</td>
</tr>
<tr>
<td></td>
<td>Naval Hospital, Guantanamo Bay, Florida</td>
<td>$1,600,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Mayport, Florida</td>
<td>$34,000,000</td>
</tr>
<tr>
<td></td>
<td>Naval Station, Norfolk, Virginia</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Schriever Air Force Base, Colorado</td>
<td>$4,000,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon Reservation, Virginia</td>
<td>$25,000,000</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>
SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2605 of title 10, United States Code, in the amount of $35,600,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, MUNITIONS DEMILITARIZATION FACILITIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $1,421,319,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $370,164,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $140,162,000.

(3) For unspecified minor construction projects under section 2805 of title 10, United States Code, $10,000,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $74,496,000.

(5) For construction outside the United States; and

(6) For construction outside the United States; and

(7) For construction outside the United States; and

(8) For military family housing functions:

(A) For improvement of military family housing and facilities, $250,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $41,762,000, of which not more than $37,286,000 may be obligated or expended for the leasing of military family housing units worldwide.

(C) For credit to the Department of Defense Family Housing Improvement Fund established by section 2833(a)(1) of title 10, United States Code, $2,600,000.


(12) For construction of phase 4 of an ammunition demilitarization facility at Aberdeen Proving Ground, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 106–153; 112 Stat. 2193), as amended by section 2406 of this Act, $66,000,000.


(16) For unspecified minor construction projects under section 2805 of title 10, United States Code, $10,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(c) ADJUSTMENTS.—The total amount authorized to be appropriated pursuant to paragraphs (1) through (9) of subsection (a) is the sum of the amounts authorized to be appropriated in such paragraphs, reduced by—

(1) $227,457,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

(2) $10,250,000, which represents the combination of savings resulting from adjustments to foreign currency exchange rates for military construction outside the United States; and

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2001 PROJECT.

The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654A–402) is amended—

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836) is amended—

(1) by under the agency heading relating to TRICARE Management Activity, in the item relating to Marine Corps Base, Camp Pendleton, California, by striking "$14,150,000" and inserting "$15,300,000"; and

(2) by under the agency heading relating to TRICARE Management Activity, in the item relating to Marine Corps Base, Camp Pendleton, California, by striking "$14,150,000" and inserting "$15,300,000"; and

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of that Act (113 Stat. 839) is amended by striking "$184,000,000" and inserting "$231,230,000".

SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(a) MODIFICATION.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 836) is amended—

(1) by under the agency heading relating to TRICARE Management Activity, in the item relating to Marine Corps Base, Camp Pendleton, California, by striking "$4,700,000" inserting "$6,600,000"; and

(2) by under the agency heading relating to TRICARE Management Activity, in the item relating to Marine Corps Base, Camp Pendleton, California, by striking "$4,700,000" inserting "$6,600,000"; and

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of that Act (113 Stat. 839) is amended by striking "$258,056,000" and inserting "$258,056,000"; and

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECTS.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2833 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).
SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1995 PROJECTS.


(1) under the heading relating to Chemical Demilitarization, in the item relating to Aberdeen Proving Ground, Maryland, by striking "$186,350,000" in the amount column and inserting "$223,950,000"; and

(2) by striking the amount identified as the total in the amount column and inserting "$727,616,000".

(b) CONFORMING AMENDMENTS.—Section 2404(b)(3) of that Act (112 Stat. 2196) is amended by striking "$158,000,000" and inserting "$186,000,000".

SEC. 2407. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1995 PROJECT.


SEC. 2408. PROHIBITION ON EXPENDITURES TO DEVELOP FORWARD OPERATING LOCATION ON ARUBA FOR UNITED STATES SOUTHERN COMMAND COUNTER-DRUG DETECTION AND MONITORING FLIGHTS.

None of the funds appropriated under the heading “MILITARY CONSTRUCTION, DEFENSE-WIDE” in chapter 3 of title III of the Emergency Supplemental Act, 2000 (Public Law 106–246; 114 Stat. 579), may be used by the Secretary of Defense to develop any forward operating location on the island of Aruba to serve as a location from which the United States Southern Command could conduct counter-drug detection and monitoring flights.

TITILE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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 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, 2001, 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 costs of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of $162,600,000.

TITILE XXVI—GUARD AND RESERVE FACILITIES

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal years beginning after September 30, 2001, 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, $394,915,000; and

(B) for the Army Reserve, $173,017,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $35,291,000.

(b) MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2005 PROJECT.

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 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. 2503. 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 105–45; 111 Stat. 1844), authorizations set forth in the tables in subsections (b) and (c) of section 2701 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Spence Act; 114 Stat. 1654–408), shall remain in effect until October 1, 2002, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$8,998,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Units</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$6,920,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Units</td>
<td></td>
</tr>
<tr>
<td>New Mexico</td>
<td>Wright-Patterson Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$6,400,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Units</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td></td>
<td></td>
<td>$5,600,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Westfield</td>
<td>Army Aviation Support Facility</td>
<td>$9,274,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Spartanburg</td>
<td>Readiness Center</td>
<td>$5,260,000</td>
</tr>
</tbody>
</table>

SEC. 2701. EXTENSION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXTENSION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2005.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) for which appropriated funds have been obligated before the later of—

(1) October 1, 2004; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2005 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1999 PROJECTS.

(a) EXCEPTION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261; 112 Stat. 2199), authorizations set forth in the tables in subsection (b), as provided in section 2702 of that Act, shall remain in effect until October 1, 2002, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>Dover Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$8,998,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Units</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$6,920,000</td>
</tr>
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<td>Units</td>
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</tr>
<tr>
<td>New Mexico</td>
<td>Wright-Patterson Air Force Base</td>
<td>Family Housing Replacement</td>
<td>$6,400,000</td>
</tr>
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<td>Units</td>
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<tr>
<td>Ohio</td>
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<td></td>
<td>$5,600,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Westfield</td>
<td>Army Aviation Support Facility</td>
<td>$9,274,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Spartanburg</td>
<td>Readiness Center</td>
<td>$5,260,000</td>
</tr>
</tbody>
</table>

Army National Guard: Extension of 1999 Project Authorizations
SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall take effect on the later of—
(1) October 1, 2001; or
(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCREASE IN CERTAIN UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECT THRESHOLDS.

Section 2803 of title 10, United States Code, is amended—
(1) in subsection (b)(1), by striking "$500,000" and inserting "$750,000";
(2) in subsection (c)(1)(A), by striking "$1,000,000" and inserting "$1,500,000"; and
(3) in subsection (c)(1)(B), by striking "$500,000" and inserting "$750,000".

SEC. 2802. EXCLUSION OF UNFORESEEN ENVIRONMENTAL HAZARD REMEDIATION FROM LIMITATION ON AUTHORIZED COST VARIATIONS.

Subsection (d) of section 2853 of title 10, United States Code, is amended to read as follows:

"(d) The limitation on cost increases in subsection (a) does not apply—
"(1) to the costs associated with the required remediation of an environmental hazard in connection with a military construction project or military family housing project, such as asbestos removal, radon abatement, lead-based paint removal or abatement, or any other legally required environmental hazard remediation, if the required remediation could not have reasonably been anticipated at the time the project was approved originally by Congress; "

SEC. 2803. REPEAL OF ANNUAL REPORTING REQUIREMENT ON MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING ACTIVITIES.

(a) REPEAL.—Section 2861 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 136 of title 10, United States Code, is amended by striking the item relating to section 2861.

SEC. 2804. PERMANENT AUTHORIZATION FOR ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.

(a) REPEAL OF TERMINATION PROVISION.—Section 2885 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 136 of title 10, United States Code, is amended—
(1) by transferring subsection (b) to the end of the section and redesignating such subsection, as so transferred, as subsection (e); and
(2) by inserting after subsection (a) the following new subsection (b):

"(b) Subsection (a) shall not apply with respect to all or certain specified hunting, fishing, or trapping at a military installation or facility if the Secretary of Defense determines that the application of the State or Territory fish and game laws to such hunting, fishing, or trapping without modification could result in undesirable consequences for public safety or adverse effects on morale, welfare, or recreation activities at the installation or facility. The Secretary may not waive or modify the requirements under subsection (a)(2) regarding a license for such hunting, fishing, or trapping or any fee imposed by a State or Territory to obtain such a license.".

SEC. 2811. USE OF MILITARY INSTALLATIONS FOR CERTAIN RECREATIONAL ACTIVITIES.

(a) INDEMNIFICATION OF TRANSFEREES.—Section 316(b) of the Military Construction Appropriations Act, 2001 (division A of Public Law 106–211; 114 Stat. 522), is amended—
(1) by striking subsection (n); and
(2) by redesignating subsection (m) as subsection (n); and
(3) by inserting after subsection (l) the following new subsection:

"(m) INDEMNIFICATION OF TRANSFEREES.—(1) With respect to the disposal of real property under subsection (e) at the Base as part of the Project, the Secretary shall hold harmless, defend, and indemnify in full the Community and other persons and entities described in paragraph (2) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or economic loss) that results from, or is in any manner predicated upon, the release or threatened release of any hazardous substance, pollutant or contaminant, or petroleum or petroleum derivative as a result of Department of Defense activities at the Base.

"(2) The persons and entities referred to in paragraph (1) are the following:

(A) The Community (including any officer, agent, or employee of the Community) that acquires ownership or control of any real property at the Base as described in paragraph (1).

(B) The State of Texas or any political subdivision of the State (including any officer, agent, or employee of the State or political subdivision) that acquires such ownership or control.

(C) Any other person or entity that acquires such ownership or control.

(D) Any successor, assignee, transferee, lender, or lessee of a person or entity described in subparagraphs (A) through (C).

(3) To the extent the persons and entities described in paragraph (2) contributed to any such release or threatened release, paragraph (1) shall not apply.

(4) No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification—

(A) notifies the Department of Defense in writing within two years after such claim accrues or begins action within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Department of Defense;

(B) furnishes to the Department of Defense copies of pertinent papers the entity receives;

(C) furnishes evidence or proof of any claim, loss, or damage covered by this subsection; and

(D) provides, upon request by the Department of Defense, access to the records and personnel of the entity for purposes of defending or settling the claim or action.

(5) In any case in which the Secretary determines that the Department of Defense may be required to make indemnification payments to a person under this subsection for any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal.
SEC. 2821. LEASE BACK OF BASE CLOSURE PROPERTY.

(a) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(1) by redesignating subparagraphs (E), (F), (G), (H), (I), and (J) as subparagraphs (F), (G), (H), (I), and (J), respectively; and

(2) by striking ''subsection (a)'' both places it is used in subsection (d) of such section, as redesignated by subsection (a)(2), is amended by striking ''who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate''.

Subtitle C—Defense Base Closure and Realignment

SEC. 2821. LEASE BACK OF BASE CLOSURE PROPERTY.

(a) 1988 LAW.—Section 204(b)(4) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note) is amended—

(1) by redesignating subparagraphs (E), (F), (G), (H), (I), and (J) as subparagraphs (F), (G), (H), (I), and (J), respectively; and

(2) by striking ''subsection (a)'' both places it is used in subsection (d) of such section, as redesignated by subsection (a)(2), is amended by striking ''who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate''.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2831. MODIFICATION OF LAND EXCHANGE, ROCK ISLAND ARSENAL, ILLINOIS.

(a) ADDITIONAL CONVEYANCE AUTHORIZED.—

Subsection (a) of section 2832 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–117; 113 Stat. 955) is amended—

(1) by inserting ''(1)'' before ''The Secretary'';

(2) by striking ''subsection (a)'' both places it is used in subsection (b) of such section, as redesignated by subsection (a)(2), is amended by striking ''who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate''.

Part II—Use of Non-Federal Property

SEC. 2832. MODIFICATION OF LAND CONVEYANCES, FORT DIX, NEW JERSEY.

Section 2832(c) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–55; 113 Stat. 804) is amended—

(1) by inserting ''(1)'' before ''The Secretary'';

(2) by striking ''subsection (a)'' both places it is used in subsection (b) of such section, as redesignated by subsection (a)(2), is amended by striking ''who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate''.

Part III—Use of Federal Property

SEC. 2833. LAND CONVEYANCE, WHITTIER-ANCHORAGE PIPELINE TANK FARM, ANCHORAGE, ALASKA.

(a) CONVEYANCE AUTHORIZED.—

The Secretary of the Army may convey to the City of Anchorage, a federally recognized Indian tribe whose tribal lands are located within the State of Alaska, all right, title, and interest of the United States in and to two adjoining parcels of real property consisting of approximately 48 acres in Anchorage, Alaska, which are known as the Whittier-Anchorage Pipeline Tank Farm, for the purpose of permitting the Port of Anchorage to use the parcels for economic development.
(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 recipient of the real property.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

PART II—NAVY CONVEYANCES

SEC. 2841. TRANSFER OF JURISDICTION, CENTERVILLE BEACH NAVAL STATION, HUMBOLDT COUNTY, CALIFORNIA.

(a) Transfer Authorized.—The Secretary of the Navy may, without reimbursement, transfer to the administrative jurisdiction of the Secretary of the Interior the real property, including any improvements thereon, consisting of the closed Centerville Beach Naval Station in Humboldt County, California, for the purpose of permitting the Secretary of the Interior to manage the real property as open space or for other public purposes.

(b) Legal Description.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by a survey satisfactory to the Secretary of the Navy. The cost of the survey shall be borne by the Secretary of the Interior.

(c) Additional Terms and Conditions.—The Secretary of the Navy may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Navy considers appropriate to protect the interests of the United States.

SEC. 2842. LAND CONVEYANCE, NAVAL WEAPONS INDUSTRIAL RESERVE PLANT, TOLEDO, OHIO.

(a) Conveyance Authorized.—(1) The Secretary of the Navy may convey, without reimbursement, to the Toledo-Lucas County Port Authority, Ohio (in this section referred to as the “Port Authority”), all right, title, and interest to, consisting of approximately 485 acres and dated May 2001. The map shall be on file with the administrative jurisdiction of a parcel of real property consisting of approximately 29 acres, including any improvements thereon, and comprising the Naval Weapons Industrial Reserve Plant, Toledo, Ohio.

(2) The Secretary may include in the conveyance under paragraph (1) such facilities, equipment, fixtures, and other personal property therein, to the Port Authority in exchange for security services, fire protection services, and services rendered by the Port Authority for the real property.

(b) Lease Authorization.—(1) Until such time as the real property described in subsection (a)(1) is conveyed to the Port Authority, the Secretary may lease the real property, together with any improvements, facilities, equipment, fixtures, and other personal property thereon, to a public or private entity for purposes described in paragraph (1)(B).

(2) The transfer authorized by this subsection shall occur concurrently with the transfer described in subsection (a)(1), and any lease authorized by subsection (b) shall be determined by the Secretary to be appropriate, and may be an amount less than the fair market value of the lease.

SEC. 2843. MODIFICATION OF AUTHORITY FOR CONVEYANCE OF NAVAL WEAPONS INDUSTRIAL RESERVE AND TELECOMMUNICATIONS STATION, CUTLER, MAINE.

Section 2835(e)(3) of the Military Construction Authorization Act for Fiscal Year 2001 (division B of the Senate Appropriations Committee Report 110-34) is amended by inserting “any or” before “all right”.

SEC. 2844. MODIFICATION OF LAND CONVEYANCE, FORMER UNITED STATES MARINE CORPS AIR STATION, EAGLE MOUNTAIN LAKE, TEXAS.

Section 5 of Public Law 85-258 (71 Stat. 583) is amended by inserting before the period at the end the following: “or for the protection, maintenance, and operation of other Texas National Guard facilities”.

SEC. 2845. LAND TRANSFER AND CONVEYANCE, NAVAL WEAPONS COMPUTER AND TELECOMMUNICATIONS STATION, WINTER HARBOR, MAINE.

(a) Transfer of Jurisdiction of Schoodic Point Property Authorized.—(1) The Secretary of the Navy, after consultation with the Secretary of the Interior, may convey to the Secretary of the Interior administrative jurisdiction of a parcel of real property, including any improvements thereon and appurtenances thereto, consisting of approximately 26 acres as generally depicted as Tract 15-116 on the map entitled “Acadia National Park Schoodic Point Area”, numbered 123/80,418 and dated May 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(2) The transfer authorized by this subsection shall occur concurrently with the conveyance of real property described in subsection (a)(1), and any lease authorized by subsection (b) shall be determined by the Secretary to be appropriate, and may be an amount less than the fair market value of the lease.

(b) Additional Terms and Conditions.—The Secretary of the Navy may require such additional terms and conditions in connection with any conveyance under subsection (b), and any lease authorized by subsection (e), as the Secretary considers appropriate to protect the interests of the United States.

PART III—AIR FORCE CONVEYANCES

SEC. 2851. WATER RIGHTS CONVEYANCE, ANDERSON AIR FORCE BASE, GUAM.

(a) Authority to Convey.—In conjunction with the conveyance of the water supply system for Anderson Air Force Base, Guam, under the authority of section 2688 of title 10, United States Code, and in accordance with all the requirements of that section, the Secretary of the United States Code, shall apply to any amount received by the Secretary to be appropriate, and any be borne by the recipient of the real property.

(b) Additional Terms and Conditions.—The Secretary of the Navy may require such additional terms and conditions in connection with conveyance, including any conveyance under subsection (b), and any lease authorized by subsection (e), as the Secretary considers appropriate to protect the interests of the United States.
Air Force may convey all right, title, and interest of the United States, or such lesser estate as the Secretary determines to be in the best interests of the United States, in the water rights related to the following Air Force properties located on Guam:

(1) Andy South, also known as the Andersen Administrative Annex.
(2) Marianas Borins Base Command.
(3) Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon, Maui Well.

(b) ADDITIONAL REQUIREMENTS.—The Secretary may exercise the authority contained in subsection (a) only if:

(1) the Secretary determines that adequate supplies of potable groundwater exist under the main base and northeast field portions of Andersen Air Force Base, to meet current and long-term requirements of the installation for water;
(2) the Secretary determines that such supplies of groundwater are economically obtainable; and
(3) the Secretary requires the conveyee of the water rights under subsection (a) to provide a water system and utility systems at Andy South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the prior right to all water produced from Andy South and Andersen Water Supply Annex until the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary. In exercising the authority provided by this subsection, the Secretary may retain a reversionary interest in the water rights and utility systems at Andy South and Andersen Water Supply Annex until such time as the new replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(c) INTERIM WATER SUPPLIES.—If the Secretary determines that it is in the best interests of the United States to transfer title to the water rights and utility systems at Andy South and Andersen Water Supply Annex before placing into service a replacement water system and well field on Andersen Air Force Base, the Secretary may require that the United States have the prior right to all water produced from Andy South and Andersen Water Supply Annex until the replacement water system and well field is placed into service and operates to the satisfaction of the Secretary. In exercising the authority provided by this subsection, the Secretary may retain a reversionary interest in the water rights and utility systems at Andy South and Andersen Water Supply Annex until such time as the new replacement water system and well field is placed into service and operates to the satisfaction of the Secretary.

(2) As part of the conveyance of water rights under subsection (a), the Secretary may authorize the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be in the best interests of the United States. In the event the Secretary authorizes the conveyee to resell water, the Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(2) If the Secretary cannot meet the requirements of subsection (b), and the Secretary determines to proceed with a water utility system conveyance under section 2688 of title 10, United States Code, without the conveyance of water rights, the Secretary may provide in any such conveyance that the conveyee of the water system may sell to public or private entities such water from Andy South and Andersen Water Supply Annex as the Secretary determines to be in the best interests of the United States. The Secretary shall negotiate a reasonable return to the United States of the value of such excess water sold by the conveyee, which return the Secretary may receive in the form of reduced charges for utility services provided by the conveyee.

(e) TREATMENT OF WATER RIGHTS.—For purposes of subsection (a) shall be considered as part of a utility system (as that term is defined in subsection (h)(2) of such section)

SEC. 2852. REEXAMINATION OF LAND CONVEYANCE, LOWRY AIR FORCE BASE, COLORADO.

(a) TRANSFER REQUIRED.—(1) The Secretary of the Army shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Air Force in the District of Columbia or its environs the parcel of Federal land located in Arlington County, Virginia, which is now the site of the U.S. Army National Cemetery and is identified as "Section 29".

(b) OFFER OF PORTION OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.—

(1) The term "Arlington Naval Annex" means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Navy under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 757). (2) The term "Foundation" means the Air Force Memorial Foundation, which was authorized in Public Law 103-163 (107 Stat. 1973; 40 U.S.C. 120001) to establish a memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force and its predecessor services.

(c) EFFECT OF REJECTION.—If the Foundation declines the offer of the Secretary of Defense, the Secretary of Defense shall offer the parcel of Federal land described in paragraph (2) to the Secretary of the Interior within the boundaries of Arlington National Cemetery and is identified as "Section 29".

(d) ACCEPTANCE OR REJECTION OF OFFER.—Within 60 days after the date on which the Secretary of Defense makes the offer required by paragraph (2), the Foundation shall provide written notice to the Secretary of the decision of the Foundation to accept or decline the offer.

(e) EVELOPMENT OF ARMED FORCES RECREATION FACILITY, PARK CITY, UTAH.

(a) TRANSFER REQUIRED.—(1) The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Air Force in the District of Columbia or its environs an interest right to all water produced from Andy South and Andersen Water Supply Annexes until such time as the Secretary determines to be in the best interests of the United States.

(b) USE OF TRANSFERRED LAND.—(1) The Secretary of the Air Force may use the real property transferred under subsection (a) as the location for armed forces recreation facility to be developed using nonappropriated funds.

(2) The Secretary of the Air Force may return the transferred property (or property acquired pursuant to subsection (c)) to the administrative jurisdiction of the Secretary of the Interior at any time upon certifying that development of the armed forces recreation facility was not in the best interests of the Government.

(c) SUBSEQUENT CONVEYANCE AUTHORITY.—(1) In lieu of developing the armed forces recreation facility on the real property transferred under subsection (a), the Secretary of the Air Force may convey or lease the property to the State of Utah, a local government, or a private entity in exchange for other property to be used as the site of the facility.

(2) The values of the properties exchanged by the Secretary under this subsection shall be determined on a fair and equitable basis, the values shall be equalized by the payment of money to the grantor, the Secretary of the Army, or the Secretary of the Air Force as the case may require.

(d) ALTERNATIVE DEVELOPMENT AUTHORITY.—

(1) The Secretary of the Air Force may lease the real property transferred under subsection (a), or any property acquired pursuant to subsection (c), to another party and may enter into a contract with that party for the development of the parcel of land, the construction, and operation of the armed forces recreation facility. The Secretary of the Air Force may authorize the contractor to operate the facility as both a military and a commercial operation if the Secretary determines that such an authorization is a necessary incentive for the contractor to agree to design, construct, and operate the facility.

SEC. 2852. SELECTION OF SITE FOR UNITED STATES AIR FORCE MEMORIAL AND RELATED LAND CONVEYANCE FOR THE IMPROVEMENT OF ARLINGTON NATIONAL CEMETERY, VIRGINIA.

(a) DEFINITIONS.—In this section:

(1) the term "Arlington Naval Annex" means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Navy under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 757).

(2) the term "Foundation" means the Air Force Memorial Foundation, which was authorized in Public Law 103-163 (107 Stat. 1973; 40 U.S.C. 120001) to establish a memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force and its predecessor services.

(b) OFFER OF PORTION OF ARLINGTON NAVAL ANNEX AS SITE FOR AIR FORCE MEMORIAL.—

(1) The term "Arlington Naval Annex" means the parcel of Federal land located in Arlington County, Virginia, that is subject to transfer to the Secretary of the Navy under section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 757).

(2) The term "Foundation" means the Air Force Memorial Foundation, which was authorized in Public Law 103-163 (107 Stat. 1973; 40 U.S.C. 120001) to establish a memorial in the District of Columbia or its environs to honor the men and women who have served in the United States Air Force and its predecessor services.
Public Law 103–163 (40 U.S.C. 1003 note), shall be preserved, and all deadlines tolled, while the Foundation accepts the offer made under subsection (b) and has available sufficient funds to construct the Air Force Memorial.

(b) LAND TRANSFER, ARLINGTON RIDGE TRACT.—

(1) TRANSFER REQUIRED.—Within 30 days after the date of the enactment of this Act, the Secretary of the Army shall transfer to the Secretary of Defense the parcel of Federal land described in subsection (c) for the purposes of this Act.

(2) SECURITY OF RIGHTS.—(A) The Secretary of the Army shall retain the security of rights in the land transferred to the Secretary of Defense under subsection (b). The Secretary of the Army may enter into a cooperative agreement with the Foundation to provide for management of that portion of Section 29 that is not transferred under this subsection to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.

(b) REMOVAL OF ARLINGTON NAVAL ANNEX AS POSSIBLE NATIONAL MILITARY MUSEUM SITE.—

(1) EXISTING NAVY ANNEX TRANSFER.—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879) is amended—

(A) in subsection (b)—

(i) by striking "(1)" and inserting "The";

(ii) by striking paragraph (2); and

(iii) by striking subsections (d), (e), and (f); and

(B) by redesignating subsections (g) and (h) as subsections (d) and (e), respectively.

(2) COMMISSION ON NATIONAL MILITARY MUSEUMS.—Section 104(d) of title I of division I of the Omnibus Parks and Public Lands Conservation and Related Research Act of 1998 (43 U.S.C. 1001 et seq.), is amended—

(A) in subsection (e)—

(i) by striking "(1) Subject to paragraph (2)," and

(ii) by striking paragraph (2);

(B) by striking subsection (f); and

(C) by inserting "the" and inserting "The".

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Army and the Secretary of the Interior shall enter into a cooperative agreement to continue National Park Service management of that portion of Section 29 that is not transferred under this subsection to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.

(c) REMOVE ARMY NAVAL ANNEX AS POSSIBLE NATIONAL MILITARY MUSEUM SITE.—

(1) EXISTING NAVY ANNEX TRANSFER.—Section 2881 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 879) is amended—

(A) in subsection (b)—

(i) by striking "(1)" and inserting "The";

(ii) by striking paragraph (2); and

(iii) by striking subsections (d), (e), and (f); and

(B) by redesignating subsections (g) and (h) as subsections (d) and (e), respectively.

(2) COMMISSION ON NATIONAL MILITARY MUSEUMS.—Section 104(d) of title I of division I of the Omnibus Parks and Public Lands Conservation and Related Research Act of 1998 (43 U.S.C. 1001 et seq.), is amended—

(A) in subsection (e)—

(i) by striking "(1) Subject to paragraph (2)," and

(ii) by striking paragraph (2);

(B) by striking paragraph (3); and

(C) by striking subsection (f).

(3) MANAGEMENT OF REMAINDER.—The Secretary of the Army and the Secretary of the Interior shall enter into a cooperative agreement to continue National Park Service management of that portion of Section 29 that is not transferred under this subsection to provide a natural setting and visual buffer for Arlington House, the Robert E. Lee Memorial.
acres in San Bernardino County, California, as generally depicted as "Proposed Withdrawal Land" and hereinafter entitled 'National Training Center—Proposed Withdrawal of Public Lands for Training Purposes,' dated September 21, 2000, and filed in accordance with section 2001.

(d) INDIAN LANDS.—Nothing in this title shall be construed as altering any rights reserved for tribal use by treaty or Federal law.

(d) INDIAN TRIBES.—Nothing in this title shall be construed as altering any rights reserved for tribal use by treaty or Federal law. The Secretary of the Army shall consult with Indian tribes in the vicinity of the lands withdrawn under subsection (a) before taking action affecting rights or cultural resources protected by treaty or Federal law.

SEC. 2903. MAP AND LEGAL DESCRIPTION.
(a) PREPARATION OF MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall:

(1) publish in the Federal Register a notice containing the legal description of the lands withdrawn by this title;

(2) file a map and legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives;

(b) LEGAL EFFECT.—The map and legal description shall have the same force and effect as if included in this title, except that the Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(c) AVAILABILITY.—Copies of the map and the legal description shall be available for public inspection in the following offices:

(1) The offices of the California State Director, California Desert District Office, and Barstow Field Offices of the Bureau of Land Management.

(2) The Office of the Commander, National Training Center, Fort Irwin.

(d) COSTS.—The Secretary of the Army shall reimburse the Secretary of the Interior for the costs incurred by the Secretary of the Interior in implementing this subsection.

SEC. 2904. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) GENERAL MANAGEMENT AUTHORITY.—During the period of withdrawal and reservation of lands made by this title, the Secretary of the Army shall manage the lands withdrawn and reserved by this title for such purposes specified in section 2902.

(b) TEMPORARY PROHIBITION ON CERTAIN USE.—Military use of the lands withdrawn and reserved by this title that result in ground disturbance, as determined by the Secretary of the Army, and the Secretary of the Interior, are prohibited until the Secretary of the Army and the Secretary of the Interior certify to Congress that there has been full compliance with respect to such lands with the appropriate provisions of this title, the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and other applicable laws.

(c) ACCESS RESTRICTIONS.—(1) IN GENERAL.—If the Secretary of the Army determines that public access, road use, public safety, or national security require the closure to the public of any road, trail, or other portion of the lands withdrawn and reserved by this title, the Secretary of the Army may exercise any such previously acquired or reserved right, within lands withdrawn under this title, for the purposes of this title.

(2) LIMITATION.—Any closure under paragraph (1) shall be limited to the minimum areas and periods that the Secretary of the Army determines are required for the purposes specified in such paragraph.

(3) NOTICE.—Immediately preceding and during any closure under paragraph (1), the Secretary of the Army shall post appropriate warning notices and take other steps, as necessary, to notify the public of the closure.

(d) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—The Secretary of the Army shall prepare and implement, in accordance with section 1531 et seq., an integrated natural resources management plan for the lands withdrawn and reserved by this title. In addition to the elements required under section 1531 et seq., the integrated natural resources management plan shall include the following:

(1) A requirement that any hunting, fishing, and trapping on the lands withdrawn and reserved by this title be conducted in accordance with section 2671 of title 10, United States Code.

(2) The Secretaries of the Army and the Interior take necessary actions to prevent, suppress, and manage brush and range fires occurring within the boundaries of Fort Irwin and to establish and maintain such closure.


(e) FIREFIGHTING.—Nothing in section 2405 of title 10, United States Code, the Secretary of the Army may obligate funds appropriated or otherwise available to the Secretary of the Army to enter into a memorandum of understanding, cooperative agreement, or contract for fire fighting services to carry out the requirements of subsection (d)(2). The Secretary of the Army may reimburse the Secretary of the Interior for costs incurred by the Secretary of the Interior to assist in carrying out the requirements of such subsection.

(f) CONSULTATION WITH NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.—In preparing and implementing any plan, report, assessment, survey, opinion, or impact statement regarding the lands withdrawn and reserved by this title, the Secretary of the Army shall consult with the Administrator of the National Aeronautics and Space Administration to the extent necessary to avoid any potential of impacting communications between the National Aeronautics and Space Administration, or other environmental laws applicable to the lands withdrawn and reserved by this title.

(g) USE OF MINERAL MATERIALS.—Nothing in this title shall be construed to alter the rights, responsibilities, and obligations of the Secretary of the Army or the Secretary of the Interior under any comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or other environmental laws applicable to the lands withdrawn and reserved by this title.

(h) RELATION TO OTHER ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to alter the rights, responsibilities, and obligations of the Secretary of the Army and the Secretary of the Interior under any other environmental laws as are necessary, appropriate, and in the public interest to carry out the purposes of this title.

(i) SEE SECURITY MANAGEMENT ACT OF 1976 (42 U.S.C. 601 et seq.).

(j) INTEGRATED NATURAL RESOURCES MANAGEMENT.

(k) INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN REFERRED TO IN SECTION 2907.—Nothing in this title shall be construed to alter the rights, responsibilities, and obligations of the Secretary of the Army and the Secretary of the Interior under any other environmental laws as are necessary, appropriate, and in the public interest to carry out the purposes of this title.

SEC. 2907. WEST MOJAVE COORDINATED MANAGEMENT PLAN.
(a) COMPLETION.—The Secretary of the Interior shall make every effort to complete the West Mojave Coordinated Management Plan not later than two years after the date of the enactment of this Act.

(2) CONSIDERATION OF WITHDRAWAL AND RESERVATION IMPACTS.—The Secretary of the Interior shall ensure that the West Mojave Coordinated Management Plan considers the impacts of the availability or nonavailability of the lands withdrawn and reserved by this title on the plan as a whole.

(c) CONSULTATION.—The Secretary of the Interior shall consult with the Secretary of the Army and the National Aeronautics and Space Administration in implementing the West Mojave Coordinated Management Plan.

SEC. 2908. RELEASE OF WILDERNESS STUDY AREAS.
Congress hereby finds and directs that lands withdrawn and reserved by this title have been adequately studied for wilderness designation pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976 (42 U.S.C. 1782(c)), and are no longer subject to the requirement of such section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

SEC. 2909. TRAINING ACTIVITY SEPARATION FROM THE UTILITIES.
(a) REQUIRED SEPARATION.—All military ground activity training on the lands withdrawn and reserved by this title shall remain at least 500 meters from any utility system, in existence as of the date of the enactment of this Act, in Utility Planning Corridor D, as described in the California Desert Conservation Area Plan, and that acts as a barrier to training.

(b) EXCEPTION.—Subsection (a) does not modify the use of any lands used, as of the date of the enactment of this Act, by the National Training Center for training right of access granted by interagency agreement.

SEC. 2910. DURATION OF WITHDRAWAL AND RESERVATION.
(a) TERMINATION DATE.—Unless extended pursuant to section 2911, unless relinquished is September 20, 2001
postponed by the Secretary of the Interior pursuant to section 2912(b), and except as provided in subsection (a) of section 2912, paragraph (3). If the Secretary of the Interior accepts jurisdiction made by this title shall terminate 25 years after the date of the enactment of this Act.

(b) LIMITATION ON SUBSEQUENT AVAILABILITY FOR EXHIBITION AND DEVELOPMENT.—The termination date, for all or any portion of the lands withdrawn and reserved by this title, the previously withdrawn lands shall not be open to any forms of appropriation under the public domain laws, including the mining laws and the mineral and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order that shall state the date upon which such lands shall be restored to the public domain and opened.

SEC. 2911. EXTENSION OF INITIAL WITHDRAWAL AND RESERVATION.

(a) NOTIFICATION REQUIREMENT.—Not later than three years before the termination date specified in section 2910(a), the Secretary of the Army shall notify Congress and the Secretary of the Interior concerning whether the Army will have a continuing military need, beyond the termination date, for all or any portion of the lands withdrawn and reserved by this title. If the Secretary of the Army determines that there will be a continuing military need after the termination date for any of the lands withdrawn and reserved by this title, the Secretary of the Army shall—

(1) consult with the Secretary of the Interior concerning any adjustments to be made to the extent of, or to the allocation of management responsibility for, the reserved lands;

(2) file with the Secretary of the Interior, within one year after the notice required by subsection (a), an application for extension of the withdrawal and reservation of such needed lands.

(b) APPLICATION REQUIREMENTS.—Notwithstanding any general procedure of the Department of the Army for processing Federal land withdrawals, an application for extension of the land withdrawal and reservation made by this title shall be complete if the application includes the information required by section 3 of Public Law 85–337 (commonly known as the Engele Act; 43 U.S.C. 157), except that not shall be required concerning the use or development of mineral, timber, or grazing resources unless, and to only the extent, the Secretary of the Army proposes to use or develop such resources during the period of extension.

(c) SUBMISSION OF PROPOSED EXTENSION TO CONGRESS.—The Secretary of the Army and the Secretary of the Interior shall submit to Congress a legislative proposal for the extension of the withdrawal and reservation made by this title. The legislative proposal shall be accompanied by an analysis of environmental impacts associated with the proposal, as required by section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

SEC. 2912. TERMINATION AND RELINQUISHMENT.

(a) NOTICE OF TERMINATION.—During the first 22 years of the withdrawal and reservation made by this title, if the Secretary of the Army determines that there is no continuing military need for the lands withdrawn and reserved by this title, or any portion of such lands, the Secretary of the Army shall submit to the Secretary of the Interior a notice of intent to relinquish jurisdiction over such lands. The notice shall specify the proposed date of relinquishment.

(b) ACCEPTANCE OF JURISDICTION.—The Secretary of the Interior may accept jurisdiction over any lands covered by a notice under subsection (a) if the Secretary of the Interior determines that the Secretary of the Army has taken action to accept jurisdiction over such lands and restoration activities required under applicable laws and regulations.

(c) NOTICE OF ACCEPTANCE.—If the Secretary of the Army determines that there is no continuing military need for the lands covered by a notice under subsection (a) before the termination date of the withdrawal and reservation, the Secretary shall publish in the Federal Register an appropriate order that shall—

(1) terminate the withdrawal and reservation of such lands under this title;

(2) convey title to the Department of the Interior; and

(3) state the date upon which such lands shall be opened to the operation of the general land laws, including the mining laws and the mineral and geothermal leasing laws, if appropriate.

(d) RETAINED ARMY JURISDICTION.—Notwithstanding the termination date specified in section 2910, unless and until the Secretary of the Interior accepts jurisdiction of land proposed for relinquishment pursuant to this section, such land may be used or developed by the Secretary of the Army for the limited purposes of environmental response and restoration actions under section 2906 and continued land management to the extent of the integrated natural resources management plan required under section 2904, until such environmental response and restoration actions on those lands are completed.

(e) SEVERABILITY OF FUNCTIONS.—All functions described under this section, including transfers, relinquishments, extensions, and other determinations, may be made on a parcel-by-parcel basis.

SEC. 2913. DELEGATION OF AUTHORITY.

(a) SECRETARY OF THE ARMY.—The Secretary of the Army may delegate to officials in the Department of the Army such functions as the Secretary of the Army may determine appropriate to carry out this title.

(b) SECRETARY OF THE INTERIOR.—The functions of the Secretary of the Interior under this title may be delegated, except that the order described in section 2912(c) may be approved and signed by the Deputy Secretary of the Interior, the Assistant Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for the activities of the National Nuclear Security Administration in carrying out our programs necessary for national security in the amount of $6,859,885,000, to be allocated as follows:

(I) WEAPONS ACTIVITIES.—For weapons activities, $5,369,488,000, to be allocated as follows:

(A) For stewardship operation and maintenance, $4,527,192,000, to be allocated as follows:

(i) Oak Ridge, Tennessee, $1,770,000.

(ii) For campaigns, $2,366,413,000, to be allocated as follows:

(I) For operation and maintenance, $1,653,441,000.

(II) For construction, $382,972,000, to be allocated as follows:

Project 00–D–101, distributed information systems laboratory, Sandia National Laboratories, Livermore, California, $5,400,000.

Project 00–D–103, terascale simulation facility, Lawrence Livermore National Laboratory, Livermore, California, $30,000,000.

Project 00–D–105, strategic computing complex, Los Alamos National Laboratory, Los Alamos, New Mexico, $11,070,000.

Project 99–D–107, joint computational engineering laboratory, Sandia National Laboratories, Albuquerque, New Mexico, $5,377,000.

Project 98–D–125, tritium extraction facility, Savannah River Plant, Aiken, South Carolina, $81,125,000.

Project 98–D–126, accelerator production of tritium (APT), various locations, $15,000,000.

Project 96–D–111, national ignition facility (NIF), Lawrence Livermore National Laboratory, Livermore, California, $245,000,000.

Project 95–D–103, project engineering and design (PED), various locations, $9,180,000.

Project 95–D–107, electrical power systems safety, communications, and bus upgrades, Nevada Test Site, Nevada, $5,507,000.

Project 01–D–103, preliminary project design and engineering, various locations, $45,379,000.

Project 01–D–124, high-enriched uranium (HEU) materials storage facility, Y–12 Plant, Oak Ridge, Tennessee, $9,500,000.

Project 01–D–126, weapons evaluation test laboratory, Pantex Plant, Amarillo, Texas, $7,700,000.

Project 01–D–800, sensitive compartmented information facility, Lawrence Livermore National Laboratory, Livermore, California, $4,400,000.

Project 98–D–111, strategic computing complex (roof reconstruction, phase II), Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 98–D–106, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $4,855,000.

Project 98–D–125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $300,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $22,500,000.


Project 98–D–123, stockpile management restructuring initiative, Y–12 consolidation, Oak Ridge, Tennessee, $6,850,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $3,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,800,000.

Project 98–D–104, protection of real property, Los Alamos National Laboratory, Los Alamos, New Mexico, $3,000,000.

Project 99–D–103, isotope sciences facilities, Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–104, national ignition facility, Lawrence Livermore National Laboratory, Livermore, California, $2,800,000.

Project 99–D–105, model validation and system certification center, Sandia National Laboratories, Albuquerque, New Mexico, $4,855,000.

Project 99–D–125, replace boilers and controls, Kansas City Plant, Kansas City, Missouri, $300,000.

Project 99–D–127, stockpile management restructuring initiative, Kansas City Plant, Kansas City, Missouri, $22,500,000.


Project 98–D–123, stockpile management restructuring initiative, Y–12 consolidation, Oak Ridge, Tennessee, $6,850,000.

Project 97–D–123, structural upgrades, Kansas City Plant, Kansas City, Missouri, $3,000,000.

Project 96–D–102, stockpile stewardship facilities revitalization, Phase VI, various locations, $2,800,000.

(B) For facilities and infrastructure, $50,600,000.

(C) For secure transportation asset, $121,800,000, to be allocated as follows:

(I) For operation and maintenance, $7,751,000.
(ii) For program direction, $44,229,000.
(D) For safeguards and security, $448,881,000, to be allocated as follows:
(1) For program direction, $12,500,000.
(2) For nuclear safeguards and security, $231,621,000, to be allocated as follows:
(A) For operation and maintenance, $1,761,979,000.
(B) For nuclear safeguards and security, $65,445,000, to be allocated as follows:
(i) For program direction, $1,089,000,000.
(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), $8,600,000, to be allocated as follows:
Project 96–D–471, decontamination and waste treatment facility, Savannah River Site, Aiken, South Carolina, $4,244,000.
Project 97–D–402, tank farm restoration and safe operations, Richland, Washington, $13,662,000.
Project 99–D–132, stockpile management restructuring initiative, nuclear material safeguards and security upgrades project, Los Alamos National Laboratory, Los Alamos, New Mexico, $40,844,000.
(E) For international security, $51,459,000.
(F) The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (G), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

For project direction, $250,000,000.

The total amount authorized by this paragraph is the sum of the amounts authorized to be appropriated by subparagraphs (A) through (G), reduced by $42,000,000, to be derived from offsets and use of prior year balances.

For program direction, $22,600,000.

SEC. 3102. DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(a) In General.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for environmental restoration and waste management activities in carrying out programs necessary for national security in the amount of $4,646,427,000, to be allocated as follows:

(b) Sites/Project Completion.—For site completion and project completion in carrying out environmental management activities necessary for national security programs, $920,196,000, to be allocated as follows:

(C) For the Office of River Protection in carrying out environmental restoration and waste management activities necessary for national security programs, $196,000,000.

(3) Post-2006 Completion.—For post-2006 completion in carrying out environmental restoration and waste management activities necessary for national security programs, $335,544,000, to be allocated as follows:

(4) Science and Technology Development.—For science and technology development in carrying out environmental restoration and waste management activities necessary for national security programs, $1,300,000.

(5) Safeguards and Security.—For safeguards and security in carrying out environmental restoration and waste management activities necessary for national security programs, $205,621,000.

(7) Program Direction.—For program direction in carrying out environmental restoration and waste management activities necessary for national security programs, $20,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

(a) In General.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for defense activities in carrying out programs necessary for national security in the amount of $920,099,000, to be allocated as follows:

(1) Intelligence.—For intelligence, $40,844,000.

(2) Counterintelligence.—For counterintelligence, $13,727,000.

(3) Security and Emergency Operations.—For security and emergency operations, $239,250,000, to be allocated as follows:

(A) For nuclear safeguards and security, $121,188,000.

(B) For security investigations, $44,927,000.

(C) For corporate management information programs, $20,000,000.

(D) For program direction, $83,135,000.

(4) Independent Oversight and Performance Assurance.—For independent oversight and performance assurance, $14,904,000.

(5) Environment, Safety, and Health.—For the Office of Environment, Safety, and Health, $165,283,000, to be allocated as follows:

(A) For environmental, safety, and health (defense), $84,500,000.

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SEC. 3104. DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2002 for privatization initiatives in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $126,208,000, to be available until expended.

Project 98-PVT-2, spent nuclear fuel dry storage, Idaho Falls, Idaho, $49,322,000.

Project 97-PVT-2, advanced mixed waste treatment project Idaho Falls, Idaho, $40,000,000.

SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for the purpose of carrying out environmental management waste management disposal, Oak Ridge, Tennessee, $36,050,000.

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, 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 any 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 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.

(c) LIMITATION.—The authority provided by this section to transfer authorizations—

(1) may be used for 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 for funds 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 exceeds $5,000,000.

(b) LIMITATION.—The Secretary may not use amounts appropriated pursuant to this subsection (a) to begin construction or additional obligation of funds for a project if the total estimated cost of the project exceeds $5,000,000.

(c) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the construction project as shown in the most recent budget of which is in support of national security programs of the Department of Energy, the Secretary shall submit to Congress a request for funds for the construction project that is in support of a national security program of the Department of Energy, the Secretary of Energy shall complete a construction design for that project.

(2) If the estimated cost of completing a construction design for a construction project exceeds $3,000,000, the Secretary shall submit to Congress a request for funds for the construction design before submitting a request for funds for the construction project.

(d) The requirement in paragraph (1) does not apply to a request for funds—

(1) for a construction project the total estimated cost of which is less than $5,000,000; or

(2) for emergency planning, design, and construction activities under section 3126.

(b) AUTHORITY FOR CONSTRUCTION DESIGN.—(1) The Secretary of Energy may carry out construction design (including architectural and engineering services) in connection with any proposed construction project for which the 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, the 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 the first sentence of this section 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 conduct pursuant to this section and the circumstances making those activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3126(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 planning, design, and support activities for any Department of Energy national security programs 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 appropriation Act, amounts appropriated for operation and maintenance of facilities and for general plant projects are 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

Armed Services of the Senate and House of Representatives of any transfer of funds to or from programs or projects under this title.
be expended only until the end of fiscal year 2003.

SEC. 3129. TRANSFERS OF DEFENSE ENVIRONMENTAL MANAGEMENT FUNDS AT FIELD OFFICES OF THE DEPARTMENT OF ENERGY.

(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) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program or project that has not been authorized by Congress.

(c) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3211 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 to national security programs.

(f) NOTIFICATION.—The Secretaries of Energy shall notify Congress of any transfer of funds pursuant to subsection (a) before the date of the enactment of this Act.

(2) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(3) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary to national security programs.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program or project that has not been authorized by Congress.

(e) EXEMPTION FROM REPROGRAMMING REQUIREMENTS.—The requirements of section 3211 shall not apply to transfers of funds pursuant to subsection (a).

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(g) 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 to national security programs.

(f) 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) before the date of the enactment of this Act.

(2) A program referred to or a project listed in paragraph (2) or (3) of section 3102.

(3) A program or project not described in subparagraph (A) that is for environmental restoration or waste management activities necessary to national security programs.

SEC. 3130. TRANSFERS OF WEAPONS ACTIVITIES FUNDS AT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES.

(a) TRANSFER AUTHORITY.—The Secretary of Energy, acting through the Administrator for Nuclear Security, shall provide the manager of each national security laboratory and nuclear weapons production facility with the authority to transfer weapons activities funds from a program or project of such laboratory or facility to another such program or project.

(b) LIMITATIONS.—(1) The amount transferred under subsection (a) by a laboratory or facility in a fiscal year may not exceed the lesser of—

(A) $5,000,000; and

(B) 10 percent of the total weapons activities funds available to that laboratory or facility in that fiscal year under the jurisdiction of such laboratory or facility.

(2) A transfer may not be carried out under subsection (a) unless the head of the laboratory or facility determines that the transfer will result in cost savings and efficiencies.

(3) A transfer may not be carried out under subsection (a) to cover a cost overrun or scheduling delay for a weapons activities program.

(4) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program or project that has not been authorized by Congress.

(5) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program or project that has not been authorized by Congress.

(6) Funds transferred pursuant to subsection (a) may not be used for an item for which Congress has specifically denied, limited, or increased funds or for a new program or project that has not been authorized by Congress.

(f) DURATION OF AUTHORITY.—The managers of the field offices of the Department may exercise the authority provided under subsection (a) during fiscal year 2002.

SEC. 3131. TERMINATION DATE OF OFFICE OF RIVER PROTECTION, RICHLAND, WASHINGTON.


"(1) TERMINATION.—(I) The Office shall terminate on the later of the following dates:

(A) September 30, 2010.

(B) The date on which the Assistant Secretary of Energy for Environmental Management determines, in consultation with the head of the Office, that continuation of the Office is no longer necessary to carry out responsibilities of the Department of Energy under the Tri-Party Agreement.

(2) The Assistant Secretary shall notify, in writing, the committees referred to in subsection (d) of a determination under paragraph (1).

(3) In this paragraph, a "Tri-Party Agreement" means the Hanford Federal Facility Agreement and Consent Order entered into among the Department of Energy, the Environmental Protection Agency, and the State of Washington Department of Ecology."

SEC. 3132. ORGANIZATIONAL MODIFICATIONS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ESTABLISHMENT OF PRINCIPAL DEPUTY ADMINISTRATOR.—(1) Subtitle A of the National Nuclear Security Administration is amended by inserting after section 3211 (30 U.S.C. 2463) the following new section:

"SEC. 3213A. PRINCIPAL DEPUTY ADMINISTR- TRATOR.

"(a) IN GENERAL.—(1) There is in the Administration a Principal Deputy Administrator, who is appointed by the President, by and with the advice and consent of the Senate.

(2) The Principal Deputy Administrator shall be appointed from among persons who—

(A) have extensive background in national security, organizational management, and appropriate technical fields; and

(B) are well qualified to manage the nuclear weapons, nonproliferation, and materials disposition programs of the Administration in a manner that advances and protects the national security of the United States.

"(b) DUTIES.—Subject to the authority, direction, and control of the Administrator, the Principal Deputy Administrator shall perform such duties and exercise such powers as the Administrator may prescribe, including the coordination of activities among the Office of the Administrator.

"(c) TERMINATION.—The Principal Deputy Administrator shall act, and exercise the powers of, the Administrator when the Administrator is disabled or is out of the position of Administrator, or is vacant.

"(d) The table of contents preceding section 3201 of such Act is amended by inserting after the item relating to section 3213 the following new item:

"(3) Section 3515 of title 5, United States Code, is amended—

(A) by inserting before the item relating to Deputy Administrators of the National Nuclear Security Administration the following new item:

"(Principal Deputy Administrator, National Nuclear Security Administration.

(B) by inserting "Additional" before "Deputy Administrators of the National Nuclear Security Administration.""

"(e) ELIMINATION OF REQUIREMENT THAT NATIONAL SECURITY LABORATORIES AND NUCLEAR WEAPONS PRODUCTION FACILITIES REPORT TO DEPUTY ADMINISTRATOR FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Section 3214 of the National Nuclear Security Administration Act (30 U.S.C. 2404) is amended by striking subsection (c).

"(f) REPEAL OF DUPLICATIVE PROVISION.—Section 3245 of the National Nuclear Security Administration Act (30 U.S.C. 2443) is repealed.

SEC. 3133. CONSOLIDATION OF NUCLEAR CITIES INITIATIVE PROGRAM WITH INITIATIVES FOR PROLIFERATION PREVENTION PROGRAM.

The Administrator for Nuclear Security shall consolidate the Nuclear Cities Initiative program with the Initiatives for Proliferation Prevention program under a single management line. The consolidation shall be completed not later than July 1, 2002.

SEC. 3134. DISPOSITION OF SURPLUS DEFENSE PLUTONIUM AT SAVANNAH RIVER SITE.

(a) CONSULTATION REQUIRED.—The Secretary of Energy shall consult with the Governor of the State of South Carolina regarding any decisions made by the Secretary regarding the disposition of surplus defense plutonium located at the Savannah River Site, Aiken, South Carolina, including the plan required by subsection (b), before February 1, 2002.

(b) PLANS FOR DISPOSITION.—The Secretary shall submit to Congress a plan for disposal of the surplus defense plutonium currently located at the Savannah River Site and for disposal of defense plutonium and defense plutonium materials to be disposed of at the Savannah River Site.
shipped to the Savannah River Site in the future. The plan shall specify, in addition, the means by which all such plutonium will be removed in a timely manner from the Savannah River Site for storage or disposal elsewhere.

(c) Requirement for Alternative Disposition.—If the Secretary determines that proceeding with construction of the Plutonium Immobilization Plant at the Savannah River Site is not feasible, the Department shall modify the design of the Mixed Oxide Fuel Fabrication facility at the Savannah River Site so that it includes an immobilization capability. If the Secretary determines that proceeding with the Mixed Oxide Fuel Fabrication facility is feasible, the Department shall proceed with construction of the Plutonium Immobilization Plant.

(d) Limitation on Plutonium Shipments.—If the plan required in subsection (b) is not submitted to Congress by February 1, 2002, the Secretary shall be prohibited from shipping defense plutonium or defense plutonium materials to the Savannah River Site during the period beginning on February 1, 2002, and ending on the date on which such plan is submitted to Congress.

SEC. 3125. SUPPORT FOR PUBLIC EDUCATION IN THE VICINITY OF LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.

(a) Support for Fiscal 2002.—From amounts appropriated or otherwise made available to the Secretary of Energy by this title—

(1) $5,000,000 shall be available for payment by the Secretary for fiscal year 2002 to thefor-profit Los Alamos National Laboratory Foundation, as chartered in accordance with subsection (a)(1) shall—

(1) make payment for fiscal year 2003 similar to the contract extension referred to in subsection (a)(1); and

(2) $8,000,000 shall be available for extension of the contract between the Department of Energy and the Los Alamos Public Schools through fiscal year 2002.

(b) Support for Fiscal 2003.—Subject to the availability of appropriations, the Secretary is authorized to—

(1) make payment for fiscal year 2003 similar to the payment referred to in subsection (a)(1); and

(2) provide for a contract extension through fiscal 2002 similar to the contract extension referred to in subsection (a)(2).

(c) Use of Funds.—The foundation referred to in subsection (a)(1) shall—

(1) utilize funds provided under this section as a contribution to the endowment fund for the foundation; and

(2) use the income generated from investments in the endowment fund that are attributable to payments made under this section to fund programs to support the educational needs of children in public schools in the vicinity of Los Alamos National Laboratory.

(d) Report.—Not later than March 1, 2002, the Secretary shall submit to the congressional defense committees a report setting forth the following:

(1) An evaluation of the requirements for continued payments beyond fiscal year 2003 into the endowment fund of the foundation referred to in subsection (a) to enable the foundation to meet the goals of the Department to support the recruitment and retention of staff at the Los Alamos National Laboratory.

(2) The Secretary’s recommendations for any further support beyond fiscal year 2003 directly to the Los Alamos Public Schools.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2002 $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. 2266 and seq.).

SEC. 3301. DEFINITIONS.

In this title:

Authorized Stockpile Disposals

<table>
<thead>
<tr>
<th>Material for disposal</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bauxite, Refractory</td>
<td>40,000 short tons</td>
</tr>
<tr>
<td>Chromium Metal</td>
<td>3,512 short tons</td>
</tr>
<tr>
<td>Iridium</td>
<td>25,140 troy ounces</td>
</tr>
<tr>
<td>Jewel Bearings</td>
<td>30,273,221 pieces</td>
</tr>
<tr>
<td>Palladium</td>
<td>209,074 short tons</td>
</tr>
<tr>
<td>Quartz Crystal</td>
<td>11 troy ounces</td>
</tr>
<tr>
<td>Thulium Metal Ingot</td>
<td>216,648 pounds</td>
</tr>
<tr>
<td>Tantalum Metal Powder</td>
<td>120,228 pounds of contained Tantalum</td>
</tr>
<tr>
<td>Thorium Nitrate</td>
<td>36,020 pounds of contained Tantalum</td>
</tr>
<tr>
<td></td>
<td>600,000 pounds</td>
</tr>
</tbody>
</table>

(b) Consultation with Market Impact Committee.—In disposing of materials under subsection (a), the President shall consult with the Market Impact Committee to ensure that the disposal of the materials does not disrupt the usual markets of producers, processors, and consumers of the materials.

(c) Relationship to Other Disposal Authority.—The disposal authority provided in subsection (a) is new disposal authority and in addition to, and shall not affect, any other disposal authority provided by law regarding the materials specified in the table in such subsection.

SEC. 3304. EXPEDITED IMPLEMENTATION OF AUTHORIZATION TO DISPOSE OF CORAL FROM NATIONAL DEFENSE STOCKPILE.

Section 3305(a)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 50 U.S.C. 98a note) is amended by striking “fiscal year 2003” and inserting “the two fiscal year period ending September 30, 2003”.

(c) Limits.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3303. DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN NATIONAL DEFENSE STOCKPILE.

(a) Disposal Authorized.—Subject to subsection (b), the President may dispose of certain materials contained in the National Defense Stockpile that are obsolete or excess to stockpile requirements, in the quantities specified in the following table:

<table>
<thead>
<tr>
<th>Material for disposal</th>
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</tr>
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<tbody>
<tr>
<td>Bauxite, Refractory</td>
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<td>36,020 pounds of contained Tantalum</td>
</tr>
<tr>
<td></td>
<td>600,000 pounds</td>
</tr>
</tbody>
</table>

(c) Period of Availability.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

SEC. 3301. AUTHORIZATION OF APPROPRIATIONS.

(a) Amount.—There are hereby authorized to be appropriated to the Secretary of Energy $7,371,000 for fiscal year 2002 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) Period of Availability.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXIV—NAVAL PETROLEUM RESERVES
TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2002.

Funds are authorized to be appropriated for fiscal year 2002, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $89,054,000.

(2) For each year in which a loan guarantee program is authorized by title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), $103,978,000, of which—

(A) $110,000,000 is for the cost (as defined in section 502(f) of the Federal Credit Reform Act of 1990 (2 U.S.C. 611a(5))) of loan guarantees under the program; and

(B) $3,978,000 is for administrative expenses related to loan guarantee commitments under the program.

(3) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, $10,000,000.

SEC. 3502. DEFINE "WAR RISKS" TO VESSELS TO INCLUDE CONFISCATION, EXPROPRIATION, NATIONALIZATION, AND DEPRIVATION OF THE VESSELS.

Section 1201(c) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271(c)) is amended to read as follows:

"(c) The term 'war risks' includes such excess as the Secretary may determine—

(1) all or any part of any loss that is excluded from marine insurance coverage under a 'free of capture or seizure' clause, or under analogous clauses; and

(2) order of losses from hostile acts, including confiscation, expropriation, nationalization, or deprivation."

SEC. 3503. HOLDING OBLIGOR'S CASH AS COLLAT.

eral Under Title XI of Mer-

CHART MARINE ACT, 1936.

Title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.) is amended by inserting after section 1108 the following:

"SEC. 1109. DEPOSIT FUND.

"(a) ESTABLISHMENT OF DEPOSIT FUND.—

There is established in the Treasury a deposit fund for purposes stated in section (a). The Secretary may, in accordance with an agreement under subsection (b), deposit into and hold in the deposit fund cash belonging to an obligor to serve as collateral for a guarantee under this title made with respect to the obligor.

"(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary and an obligor shall enter into a deposit fund or other collateral account agreement to govern the deposit, withdrawal, retention, use, and reinvestment of cash of the obligor held in the deposit fund established by subsection (a).

(2) TERMS.—The agreement shall contain such terms and conditions as are required under this section and such additional terms as are considered by the Secretary to be necessary to protect fully the interests of the United States.

(3) SECURITY INTEREST OF UNITED STATES.—

The agreement shall include terms that grant to the United States a security interest in all amounts deposited into the deposit fund.

(4) INVESTMENT.—The Secretary may invest and reinvest any part of the amounts in the deposit fund as established by subsection (a) in obligations of the United States with such maturities as ensure that amounts in the deposit fund will be available as required for purposes of agreements under subsection (b). Cash balances of the deposit fund in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds.

"(4) WITHDRAWALS.—

"(1) IN GENERAL.—The cash deposited into the deposit fund established by subsection (a) may not be withdrawn without the consent of the Secretary.

"(2) USE OF INCOME.—Subject to paragraph (3), the Secretary may pay any income earned on cash of an obligor deposited into the deposit fund in accordance with the terms of the agreement with the obligor under subsection (b).

"(3) RETENTION AGAINST DEFAULT.—The Secretary may retain and offset any or all of the cash of an obligor in the deposit fund, and any income realized thereon, as part of the Secretary's recovery against the obligor in case of a default by the obligor on an obligation.

"Amend the title so as to read: "A bill to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute is in order except those specified in the previous order of the House.

Except as specified in that order, each amendment not previously specified, but not sooner than 1 hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect.

After disposition of the amendments specified in the previous order of the House, the Committee shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

AMENDMENTS EN BLOC OFFERED BY MR. STUMP

Mr. STUMP. Madam Chairman, I offer amendments en bloc in order by order of the House of yesterday.

The CHAIRMAN. The Clerk will designate the amendments en bloc. The text of the amendments en bloc is as follows:

Amendments En Bloc offered by Mr. STUMP: consisting of the amendments originally proposed by the following Members and made in order by the order of the House of September 19, 2001:

Mr. Hall of Ohio,
Mr. Manzullo,
Mr. Lantos,
Mr. Pratt,
Mr. Stearns (Amdt. #50),
Mr. Weldon of Pennsylvania (Amdt #81),
Mr. Ehrlich,
Mr. Kirk,
Mr. Boyd,
Mr. Farr of California, and
Mr. Lewis of California:

AMENDMENT OFFERED BY MR. HALL OF OHIO:

At the end of title II (page 43, after line 9), insert the following new subtitle:

Subtitle E—Air Force Science and Technology for the 21st Century

SEC. 251. SHORT TITLE.

This subtitle may be cited as the "Air Force Science and Technology for the 21st Century Act".

SEC. 252. SCIENCE AND TECHNOLOGY INVEST-

MENT AND DEVELOPMENT PLAN-

NING.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force should carry out each of the following:

(1) Continue and improve efforts to ensure that—

(A) the Air Force science and technology community is represented, and the recommendations of that community are considered, at all levels of program planning and budgetary decisionmaking within the Air Force;

(B) advocacy for science and technology development is institutionalized across all levels of Air Force management in a manner that is not dependent on individuals; and

(C) the value of Air Force science and technology development is made increasingly apparent to the warfighters, by linking the needs of those warfighters with decisions on science and technology development.

(2) Complete and adopt a policy directive that provides for changes in how the Air Force makes budgetary and nonbudgetary decisions with respect to its science and technology development programs and how it carries out those programs.

(3) At least once every five years, conduct a review of the long-term challenges and short-term objectives of the Air Force science and technology programs that is consistent with the review specified in section 255 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-386; 114 Stat. 1654A-46).

The original proponent of an amendment included in the amendments en bloc may insert a statement of the provisions of the amendment not earlier disposed of or germane modifications of any such amendment.

The amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment, and shall not be subject to a demand for a division of the question.

Each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent of the amendment, and shall not be subject to amendment, except that the chairman and ranking minority member each may offer one pro forma amendment for the purpose of further debate on any pending amendment.

It shall be in order at any time for the chairman of the Committee on Armed Services or a designee to offer amendments en bloc consisting of amendments not earlier disposed of or germane modifications of any such amendment.

The CHAIRMAN. The Committee of the Whole may recognize for consideration, at all levels of program planning and for future warfighting systems and for future non-space warfighting systems in an integrated manner.
(5) Elevate the position within the Office of the Secretary of the Air Force that has primary responsibility for budget and policy decisions for science and technology programs.

(b) RESTATEMENT OF DEVELOPMENT PLANNING.—(1) The Secretary of the Air Force shall submit to Congress a revised development planning process that provides for each of the following:

(A) Coordinating the needs of Air Force warfighters with decisions on science and technology development.

(B) Giving input into the establishment of priorities among science and technology programs.

(C) Analyzing Air Force capability options for the allocation of Air Force resources.

(D) Developing concepts for technology, warfighting systems, and operations with which the Air Force can achieve its critical future goals.

(E) Evaluating concepts for systems and operations that leverage technology across Air Force organizational boundaries.

(F) Ensuring that a “system-of-systems” approach is used in carrying out the various technology investments and the establishment of the science and technology program top line and investment portfolio.

(G) Utilizing existing analysis capabilities within the Air Force product centers in a collaborative and integrated manner.

(2) Not later than one year after the date of enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on the implementation of the planning process required by paragraph (1). The report shall include the annual amount that the Secretary considers necessary to carry out paragraph (1).

SEC. 253. STUDY AND REPORT ON EFFECTIVE
NESS OF AIR FORCE SCIENCE AND TECHNOLOGY PROGRAM CHANGES.

(a) REQUIREMENT.—The Secretary of the Air Force, in cooperation with the National Research Council of the National Academy of Sciences, shall carry out a study to determine how the changes to the Air Force science and technology program implemented during the past two years affect the future capabilities of the Air Force.

(b) MATTERS STUDIED.—(1) The study shall independently review and assess whether such changes as a whole are sufficient to ensure an ongoing, effective presence of the science and technology community during future high-risk threats.

(2) Whether the science and technology budget advocate is effective to assure that an adequate budget top line is set.

(3) Whether the revised development planning process is effective to aid in the coordination of the needs of the Air Force warfighters with decisions on science and technology investments and the establishment of priorities among different science and technology programs.

(4) Whether the implementation of section 292 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–46) is effective to identify the basis for the appropriate science and technology program top line and investment portfolio.

(c) REPORT.—Not later than 60 days after the date on which the study required by subsection (a) is completed, the Secretary of the Air Force shall submit to Congress the results of the study.

(d) FUNDING.—Of the amount made available pursuant to section 201(3) for research, development, test, and evaluation for the Air Force, $950,000 shall be available only to carry out this section.

AMENDMENT OFFERED BY MR. MANZULLO: At the end of subtitle A of title VIII (page 286, after line 9), insert the following new section:

SEC. 8. INCREASE OF ASSISTANCE LIMITATION REGARDING PROCUREMENT TECHNICAL ASSISTANCE PROGRAM.

Section 241(a)(1) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(2) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who lost their lives flying for France during World War I.

(3) The Lafayette Escadrille Memorial Foundation, located in the United States, was organized to locate and identify the resting place for the 68 United States aviators who lost their lives flying for France during World War I.

(4) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

(5) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

(6) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

(7) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

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(45) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

(46) The Lafayette Escadrille Memorial was dedicated on July 4, 1928, in honor of all United States aviators who flew for France during World War I.

AMENDMENT OFFERED BY MR. WELDON OF PENNSYLVANIA: At the end of title X (page 307, after line 20), insert the following new section:

(1) by inserting “and designation” after “Establishment”; and
(2) by inserting, after the following new sentence: “The program of firefighter assistance administered by the Office shall be known as the ‘Floyd D. Spence Memorial Domestic Defense Act’."

(a) Authority To Conduct Inspections.—Section 303 of the Chemical Weapons Convention Implementation Act of 1998 (as contained in Public Law 105–277; 112 Stat. 2681–873; 22 U.S.C. 6723) is amended in subsection (b)(2) by inserting “(and in the case of inspection of Federal Government-owned facilities, such designation may include employees of a contractor with the Federal Government)” after “Federal Government”.

(b) Procedures For Inspections.—Section 304 of such Act (22 U.S.C. 6724) is amended in subsection (c) by inserting “or contractor with the Federal Government” after “Federal Government”.

AMENDMENT OFFERED BY MR. EHLICH:
At the end of title XII (page 331, after line 15), insert the following new section:


(a) Authority To Conduct Inspections.—Section 303 of the Chemical Weapons Convention Implementation Act of 1998 (as contained in Public Law 105–277; 112 Stat. 2681–873; 22 U.S.C. 6723) is amended in subsection (b)(2) by inserting “(and in the case of inspection of Federal Government-owned facilities, such designation may include employees of a contractor with the Federal Government)” after “Federal Government”.

(b) Procedures For Inspections.—Section 304 of such Act (22 U.S.C. 6724) is amended in subsection (c) by inserting “or contractor with the Federal Government” after “Federal Government”.

AMENDMENT OFFERED BY MR. KIRK:
At the end of subtitle B of title XXVIII (page 394, after line 20), insert the following new section:

SEC. 286. Use of Buildings on Military Installations and Reserve Component Facilities as Polling Places.

(a) Use of Military Installations Authorized.—Section 2670 of title 10, United States Code, is amended by adding after the following new subsection: “(c) Use as Polling Places.—(1) Nothing in section 29 of title 18 (including sections 592 and 593 of such title), the Secretary of a military department may make a building located on a military installation under the jurisdiction of the Secretary available for use as a polling place in any Federal, State, or local election for public office.

(2) Once a military installation is made available as the site of a polling place with respect to a Federal, State, or local election for public office, the Secretary shall continue to make the site available for subsequent elections for public office unless the Secretary provides to Congress advance notice in a reasonable and timely manner of the reasons why the site will no longer be made available as a polling place.

(3) The item relating to such section in the table of sections at the beginning of chapter 159 of such title is amended to read as follows: “2670. Buildings on military installations: use by American National Red Cross and as polling places.”

AMENDMENT OFFERED BY MR. BOYD:
At the end of part III of subtitle D of title XXVIII (page 414, after line 7), insert the following new section:


(a) Conveyance.—The Secretary of the Air Force may convey, without consideration, to Florida State University, all right, title and interest of the United States in a real property known as “Defense Fuel Support Point”, including any improvements thereon, located in Lynn Haven, Florida, and consisting of approximately 200 acres for the purpose of establishing a National Coastal Research Center.

(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 Secretary.

(c) Additional Terms and Conditions.—The Secretary may require such additional terms and conditions as are satisfied with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT OFFERED BY MR. FARE OF CALIFORNIA:
At the end of title XXVIII (page 427, after line 7), insert the following new section:


Section 816(e) 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 inserting before the period at the end the following: “, with regard to fire-fighter Chappel and police officer Stearns, and September 30, 2003, with regard to other services described in subsection (a)”.

AMENDMENT OFFERED BY MR. LEWIS OF CALIFORNIA:
At the end of title XXVIII (page 427, after line 7), insert the following new section:


The Administrator of General Services shall convey, without consideration, to the land development authority for former Norton Air Force Base, California (two avigation easements (identifed as APN 289–331–08 and APN 289–232–08) held by the United States).

The CHAIRMAN. Pursuant to the order of the House of Wednesday, September 19, 2001, the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. SKELTON) each will control 5 minutes.

The Chair recognizes the gentleman from Arizona, Mr. STUMP.

Mr. STUMP. Madam Chairman, I yield 5 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Madam Chairman, I wish to thank the gentleman from Arizona (Mr. STUMP), my good friend, for incorporating my amendments as part of the manager's amendment in this defense authorization bill.

My first amendment concerns the deteriorating state of the Lafayette-Escadrille Memorial. It is basically a sense of the Congress resolution. This memorial honors all U.S. aviators who flew for France in World War I. I laid a wreath at the memorial on June 17 with 49 of my colleagues in attendance to commemorate the 85th anniversary of the squadron's formation.

Seven Americans originally formed the squadron. When the escadrille transferred to the U.S. command in 1918, 265 American volunteers had served in the French air service with 180 of those having flown combat missions. In all, the escadrille flew 3,000 combat sorties, amassing nearly 200 victories. In fact, the escadrille became the birth of the United States Air Force.

A joint French-American committee was organized at the end of World War I to locate a final resting place for those Americans who died there. With land donated by the French Government, the Lafayette-Escadrille Memorial was dedicated on July 4, 1928. It is essentially an American cemetery with 68 Americans who gave their lives interred in the memorial.

Sadly, this memorial is in desperate need of repair. The structure sits in a meadow with a high water table. Heavy rains flood the tomb, exacerbated by the poor functioning drains and water
leaking through the terrace behind the memorial. Structural repairs are needed for the crypt and the overall foundation and double glass is needed to protect the remarkable stained glass windows.

The Lafayette-Escadrille Memorial Foundation was endowed originally with a $1.5 million trust fund for its maintenance by a bequest that has been exhausted. The French Government has pledged funds and has begun working in earnest to repair this memorial. I want to point out that the foundation is an American not-for-profit and is subject to IRS regulations governing not-for-profit activities.

Madam Chairman, our men and women in uniform, present and future and past, we hold those who served in the highest regard, and they should be remembered for their service. I have received letters from descendents of members of the Lafayette-Escadrille offering their support, and I have received calls from persons only wanting to see the memorial restored. Our men and women in uniform deserve the best this Nation can give them. Such action should not stop at their deaths.

The second amendment that I offer and is part of the en bloc amendment highlights the need for the Department of Defense to realign its focus on using energy efficient technologies. I feel that the Department of Defense should take into account the recommendations contained in the report by the Defense Science Board entitled “More Capable War-Fighting Through Reduced Fuel Burden.”

The report states: “Military fuel consumption for aircraft, ships, ground vehicles and facilities make the Department of Defense the single largest consumer of petroleum in America, perhaps in the world. Naval forces depend directly on imported fuels; the Air Force spends approximately 85 percent of its fuel budget to deliver, by airborne tankers, just 6 percent of its annual jet fuel usage.”

It is without a doubt that fuel cost is directly associated with military readiness. By no means, however, should the DOD sacrifice performance requirements to save a few gallons of fuel. Obviously, including energy efficiency as a requirement under DOD’s procurement process and investing in new improvements through its S&T community is a significant step in the direction of curtailing energy consumption in a responsible manner, while maintaining the performance and overall military capability.

The DSB report states “that the largest element of the total fuel cost in DOD is the cost of delivery.” Improving on daily use of fuel for both combat and support units could reduce the logistics need while allowing units to deploy and remain in the field for a longer sustained period of time.

Undoubtedly, a component in the war against terrorism will be the use of lighter, more mobile forces. So, it is imperative that we improve our logistics tail and reduce the “logistics tali.” As the DSB report notes: “efficiency is a strong component of agility.”

So I again want to thank the chairman, the gentleman from Arizona (Mr. STUMP), for allowing me to incorporate these into the manager’s amendment and I urge the adoption of the manager’s amendment.

Mr. SKELTON. Madam Chairman, I might say that we have seen these amendments on our side, and we fully agree and approve of them.

Madam Chairman, I reserve the balance of my time.

Mr. STUMP. Madam Chairman, I move to strike the last word, and I yield to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Madam Chairman, I want to thank our distinguished chairman and ranking member for their support of three amendments in this en bloc amendment that I introduced. The first one I think is perhaps the most important that I want to talk about.

Two years ago I made a recommendation to our leadership that we establish a task force that would integrate our domestic response network, our fire and EMS community, with our military. That task force recommendation was accepted and the panel that was established became known as the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, more commonly known as the Gilmore Commission, because the Gilmore Commission has been chaired by Governor Gilmore of Virginia.

This commission for the past 2 years has been looking at ways that we can further integrate our military and the response of our first responders, our fire and EMS personnel.

Madam Chairman, this commission has done tremendous work in giving us recommendations to assist our domestic defenders who just this past week were the first responders at the World Trade Center.

In fact, Madam Chairman, I went to New York on Friday. I went up on Friday for a very specific reason. The Gilmore Commission, the task force we are extending for 2 years, had members from all aspects of our urban response network: the military, domestic fire service.

The representative of the New York City Fire Department in charge of Special Operations Command was Ray Downey. I went to meet with him to pick up the mine that was on the mine that was used to attack the World Trade Center in 1993. Thirty minutes after the buildings col-lapsed in New York this past week, as the New York City firefighters were providing their first response, Ray Downey was killed. Ray Downey was the chief of the special operations function for the New York City department. He was a member of the commission that we are going to extend for 2 more years in this amendment. He was the point person to help us understand the chain of the special operations function.

He was making specific recommendations, Madam Chairman, that have helped us better integrate our two networks. In fact, one of the results of their recommendations was that initiative last year that is, in fact, the subject of a second amendment that we have accepted. That amendment deals with the recommendation by the Congress that we accept the firefighter assistance program that we first put into place last year.

Last year it was $100 million. We had $300 billion of requests across the country, and we are asking for an extension of that program, and the amendment here says that Congress should renew the authorization for that program.

That program, again, was a bipartisan effort. The gentleman from Maryland (Mr. HOYER) and the gentleman from New Jersey (Mr. PASCRELL), Congressmen on our side, including the chairman of our Committee on Armed Services and our ranking member, the gentleman from Missouri (Mr. SKELTON), were the reason why that recommendation became law.

This year we are in the process of giving out $100 million of direct grants through FEMA that are going to local fire and emergency services groups across the country, including the New York City Fire Department.

So the recommendation in the second amendment that I offered is to continue this program and to name it after the honorable Floyd Spence, without whose acceptance, as our committee chairman, it would not have become law. That does not diminish the work by other colleagues, the gentleman from Missouri (Mr. SKELTON), the gentleman from Maryland (Mr. HOYER), the gentleman from New Jersey (Mr. PASCRELL), the gentleman from Arizona (Mr. STUMP), and a whole host of others from the Congress.

But we are naming it after Floyd Spence because he was the one, as chair of the committee, that allowed this program to move forward.

Madam Chairman, these two amendments are critically important because they both deal with events of the past week. They also show that this committee was far in front of the Congress and the American people in preparing for the kind of incident that we saw occur on Tuesday.

That kind of foresight is what this Committee on Armed Services has been
Small business participation in government procurement is dropping, particularly for Defense Department contracts. For new contracts worth over $25,000, the number of small businesses winning these contracts dropped from a high of 70,088 in 1995 to 41,075 in 1999. Even for sales opportunities to the federal government of $2,500 or less, which used to be reserved for small business, the number of small purchase actions from the federal government and also how to obtain contracts. Most of the PTACs are co-located in a local higher education institution.

About half of the funding for most of the PTACs comes from Defense Logistics Agency (DLA). The remainder comes from the state government and/or the local host such as the community college. States currently have a choice: they can either ask for up to $300,000 to run a state-wide program or regional centers can ask for up to $150,000 to run a program locally. Some states have decided to run a state-wide program in order to have continuity of service throughout the state. However, some states have allowed regional or city PTACs to operate.

Currently, 15 states have regional or city PTACs that receive an excess of $300,000. For example, Pennsylvania received nearly $1.2 million in DLA funding to run eight regional PTACs. Similarly, Michigan received just over $1 million to run eight regional PTACs. The current funding formula penalizes states like my home state of Illinois who have opted for a seamless delivery of procurement and/or the local host such as the community college. States currently have a choice: they can either ask for up to $300,000 to run a state-wide program or regional centers can ask for up to $150,000 to run a program locally. Some states have decided to run a state-wide program in order to have continuity of service throughout the state. However, some states have allowed regional or city PTACs to operate.

My amendment, which was also introduced as a clean bill (H.R. 2689) supported by all the Illinois Members of the House Armed Services Committee, increases the DLA grant match to states that run a state-wide PTAC program so that they would be able to receive up to $600,000 in funding.
In recent years, Congress has made efforts to reverse the decline in Air Force S&T development by appropriating funds greater than requested in the President’s budget request. Congress has also enacted legislation to expedite improvements in the S&T program management and requesting expert opinions on what changes should be made. After pressure from Congress, the academic community, the aerospace industry, and Air Force advocates, the Air Force science, technology and operations change in how it makes budgetary and non-budgetary policy decisions for its science and technology development programs and the management of those programs. However, despite these worthwhile efforts, additional measures are needed to ensure sufficient levels of advocacy for science and technology development within the Air Force and that the best decisions are made for science and technology investment.

One factor contributing to the decline in Air Force science and technology development is the lack of a proactive development planning process that analyzes the long-term needs of the warfighter to guide the direction of scientific research. Without a strong link between the technology needs of the warfighter and the work of the Air Force Research Laboratory, the science and technology program risks insufficient support within the Air Force and a misdirected focus. Until the mid 1990s, Congress funded an office of development planning sometimes called the “crystal ball office,” which bridged the gap between laboratory and warfighter. The process has since been discontinued. The failure of this planning function was a key recommendation of the recent study of the Air Force Science Advisory Board and it was supported in testimony this year before the House Armed Services Subcommittee on Military Research and Development. My amendment requires the Air Force to reinstate a revised development planning process and report back to Congress on the new program format.

Another contributing factor is the lack of a sufficiently high level Air Force leader with duties focused on science, technology, and engineering. This was pointed out in recent reports by the Air Force Association and the National Academy of Sciences’ National Research Council. Currently, the top policy slot is the Deputy Assistant Secretary for Science, Technology and Engineering with the grade of SES-5, the civilian equivalent of a major general. This amendment expresses the sense of Congress that the position should be elevated to a higher level within the organization.

In the last year, the Air Force has instituted several new science and technology initiatives. These include biannual S&T Summits to increase the visibility, understanding and appreciation of the value of the S&T program to senior Air Force leaders; establishing Applied Technology Councils to provide input from leaders from each senior management level on the coordination, focus and content of the S&T program; and the designation of the Commander of Air Force Materiel Command as the general officer advocate for the S&T budget. Also, section 252 of P.L. 106-398, The National Defense Authorization Act for Fiscal Year 2001, enacted in 2000, called for a comprehensive review of the long-term challenges and short-term objectives of the Air Force S&T program. My amendment requires the National Academy of Sciences’ National Research Council (NRC) to study the effectivess of these changes and make recommendations for long-term improvements in the management of the S&T program. The amendment authorizes $950,000 for the study from the funds currently authorized under section 2013(3) of the National Defense Authorization Act for Fiscal Year 2002.

My amendment also expresses the sense of Congress that the Air Force should continue and improve on the recent actions taken by the Air Force to solidify and institutionalize the S&T management and budget decisions process; formally adopt the policy directives to implement those actions; conduct at least once every five years a review of long-term challenges and short-term objectives of the Air Force science and technology program; and ensure the integration of science and technology development for space and non-space warfighting systems.

In light of recent events, it is important to note that military experts believe that maintaining the United States’ technological superiority is key to fighting terrorism. However, numerous studies have suggested that the investment in science is inadequate to meet the needs of fighting the future emerging threats including threats to homeland security. My amendment is aimed at helping the Air Force develop the necessary technology to respond flexibly and quickly to a wide range of future threats, including terrorism.

My amendment requires no sweeping changes in the management of the Air Force S&T program. Rather, it is intended to nudge the Air Force back toward increased support for scientific research as an integral part of its mission and to restore its traditional role as the technology service that most depends on scientific advances to maintain military superiority.

I strongly urge the adoption of the amendment.

Mr. SKELTON. Madam Chairman, I yield the balance of my time.

The CHAIRMAN. The amendments en bloc offered by the gentleman from Arizona (Mr. STUMP).

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc is as follows:

Amendments en bloc offered by Mr. STUMP consist of the amendments originally proposed by the following Members and made in order by the order of the House of September 19, 2001: Mr. OSE, Mr. BEERUTER, Mr. UNDERWOOD, Mr. MCDERMOTT, Mr. VELÁZQUEZ, Mr. STEARNS, Mrs. TAUSCHER, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. KELLY.

Amendment offered by Mr. OSE:

In section 341, relating to assistance to local educational agencies that benefit dependent members of the Armed Forces and Department of Defense civilian employees (page 64, beginning line 20), strike subsections (a) and (b) and insert the following new subsections:

(a) Continuation of Department of Defense Program for Fiscal Year 2002.—Of the amount authorized to be appropriated pursuant to section 2013(5) for operation and maintenance for Defense-wide activities—

(1) $30,000,000 shall be available only for the purpose of providing educational assistance to local educational agencies; and

(2) $1,000,000 shall be available only for the purpose of making payments to local educational agencies to assist such agencies in adjusting to reductions in the number of military dependent students as a result of the closure or realignment of military installations, as provided in section 296(d) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 20 U.S.C. 7703 note).

(b) Notification.—Not later than June 30, 2002, the Secretary of Defense shall notify each local educational agency that is eligible for assistance or a payment under subsection (a) of this section.

Mr. STUMP. Madam Chairman, I yield the balance of my time.

Amendment Offered by Mr. BEERUTER:

In the Senate, the amendment was offered by Mr. BAKUS on page 67, after line 19, insert the following new section:

SEC. 520. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end of the section the following new subsection:

(A) the conduct of or participation in the competition does not adversely affect the quality of training or otherwise interfere with the competition; and

(B) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the competition.

Amendment Offered by Mr. McPKEE:

In section 202, relating to payments under section 305 of title 32, United States Code, the amendment was offered by Mr. McPKEE on page 68, after line 13, insert the following new subsections:

subsection (c); and

(1) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the competition; and

(2) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the competition.
“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

(2) Not more than $2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) STYLISH AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES,” after ‘‘(a)’’; and

(2) in subsection (b) inserting “AUTHORIZED LOCATIONS,” after ‘‘(b).’’

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting “and” after the semicolon;

(B) in paragraph (2), by striking “or” and inserting “and” after “competition”;

(C) by striking paragraph (3).

(2) The heading of such section is amended to read—

“S 504. National Guard schools; small arms competitions; athletic competitions”.

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

“S 504. National Guard schools; small arms competitions; athletic competitions.”

Amendment offered by Mr. UNDERWOOD:

At the end of section 552 (page 186, after line 5), insert the following new subsection:

(1) STATE DEFINED.—In this section, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

Amendment offered by Mr. GIROIR:

At the end of title V (page 187, after line 12), insert the following new section:

SEC. 10. PLAN FOR SECURING RUSSIA’S NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE.

(a) PLAN FOR NONPROLIFERATION PROGRAMS WITH RUSSIA.—Not later than June 15, 2002, the President shall submit to Congress a plan—

(1) for cooperation with Russia on disposition as soon as practicable of nuclear weapons and weapons-usable natural material in Russia; and

(2) to prevent the outflow from Russia of scientific expertise that could be used for developing nuclear weapons or other weapons of mass destruction, including delivery systems.

(b) CONTENT OF PLAN.—The plan required by subsection (a) shall include the following:

(1) Specific goals and measurable objectives for the programs that are designed to carry out the objectives specified in paragraphs (1) and (2) of subsection (a).

(2) Criteria for success for those programs and a strategy for eventual termination of United States contributions to those programs and assumption of the ongoing support of those programs by Russia.
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(3) A description of any administrative and organizational changes necessary to improve the coordination and effectiveness of the programs to be implemented under the plan.

(4) An estimate of the cost of carrying out those programs.

(c) Consultation With Russia.—In developing the plan required by subsection (a), the President shall consult with Russia regarding the practicality of various options.

(d) Consultation With Congress.—In developing the plan required by subsection (a), the President shall consult with the major and minority leadership of the appropriate committees of Congress.

Amendment No. 70 offered by Mr. WELD of Pennsylvania.

At the end of title X (page 307, after line 26), insert the following new section:

SEC. 1048. TWO-YEAR EXTENSION OF ADVISORY PANEL ON DOMESTIC RESPONSE CAPABILITIES FOR TERRORISM INVOLVING WEAPONS OF MASS DESTRUCTION.


(1) in subsection (b), by striking "5 years" and inserting "five years"; and

(2) in subsection (l), by striking "three years" and inserting "five years".

Amendment No. 78 offered by Mr. WELD of Pennsylvania

At the end of title X (page 307, after line 26), insert the following new section:

SEC. 1048. ACTION TO PROMOTE NATIONAL DEFENSE FEATURES PROGRAM.

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

(1) The National Defense Features program, which is funded from the National Defense Sealift Fund established by section 2218 of title 10, United States Code, is a constituent element of the defense policy of the United States intended to provide essential sealift capability in emergency situations, to maintain a resource of highly trained merchant seamen, and to implement the National Defense Features program would provide significant benefits for both the United States and for all nations during military contingencies.

(3) For the United States and nations allied with the United States to realize these benefits, it is essential that vessels built under that program enjoy commercial opportunities in peacetime on trade routes between the United States and allied nations and that those vessels not be excluded from such opportunities through restrictive trade practices.

(4) The failure of vessels built, or to be built, under the National Defense Features program to obtain employment as common carriage carriers in the part of any trade route in the foreign commerce of the United States for which they are designed to operate, together with long-term domination of that sector of the national shipbuilding base, and maintain a resource of highly trained merchant seamen.

(3) Implementation of the National Defense Features program would provide significant benefits for both the United States and for all allied nations during military contingencies.

(5) For the United States and nations allied with the United States to realize these benefits, it is essential that vessels built under that program enjoy commercial opportunities in peacetime on trade routes between the United States and allied nations and that those vessels not be excluded from such opportunities through restrictive trade practices.

(b) ACTION TO PROMOTE.—In any case in which the Secretary of Defense finds the existence of the conditions determined by subsection (a)(4) to prove the existence of restrictive trade practices, the Secretary shall certify the case to the Federal Maritime Commission, which thereupon, in consultation with the Secretary, shall take action to counteract such practices, utilizing all remedies available under section 1002(e)(1) of the Foreign Shipping Practices Act of 1988 (46 U.S.C. 1710a).

Amendment offered by Mrs. KELLY:

At the end of title XXVIII (page 427, after line 7), insert the following new section:

SEC. 2866. REPORT ON OPTIONS TO PROMOTE ECONOMIC DEVELOPMENT IN COMMUNITY ADJACENT TO UNITED STATES MILITARY ACADEMY, NEW YORK.

(a) REPORT REQUIRED.—Not later than February 1, 2002, the Secretary of the Army shall submit to Congress a report evaluating various options by which the Secretary may promote economic development in the Village of Highland Falls, New York, which is located adjacent to the United States Military Academy.

(b) SPECIFIC CONSIDERATION OF CERTAIN OPTIONS.—Among the options evaluated under subsection (a), the Secretary shall specifically address the following:

(1) The fee simple conveyance of real property under the jurisdiction of the Secretary in the Town of Highlands, New York, to the Village, without consideration, for the purpose of permitting the Village to use the property to promote economic development.

(2) Use by the Secretary under section 2567 of title 10, United States Code, to make non-excess real property under the jurisdiction of the Secretary available to the Village for such purpose.

(c) C ONSULTATION WITH RUSSIA.—In developing the plan required by subsection (a), the Secretary shall specifically consider the following:

(1) The National Defense Features program to be implemented under the plan.

(2) The failure of vessels built, or to be built, under that program enjoy commercial opportunities in peacetime on trade routes between the United States and allied nations during military contingencies.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding time to me, and once again I thank the gentleman from Arizona (Mr. STUMP) and the gentleman from Missouri (Mr. SKELTON) for their leadership in bringing democrats and Republicans together on this bill at this time of national emergency.

Mr. Chairman, I thought I would just let my colleagues know, or give them the broader context within which we are working with this defense bill.

Ronald Reagan in 1985 had a very major defense bill. That was the height of the buildup, the rebuilding of America's Armed Forces. That bill in today's dollars was $1452 billion. Today's bill is a little over $340 billion. That means that even with all the increases that we have placed in this bill so far, we are still $100 billion under Ronald Reagan's defense bill of 1985, when we had a gross national product which was much smaller.

So it is important for Americans, both in uniform and out of uniform, to understand that today we are asking our people to do more with less. We do not have the force structure that we had during Desert Storm. We had the 316 Army divisions, the 18 Army divisions we had during Desert Storm. In those days, we had 5496 Navy ships. We have cut that down to 316. We are going down to 316. We have cut Air Force strength to 18 wings. We have cut that down to 13.

Beyond that, we have piled up some shortages in munitions, equipment, spare parts, and other vital areas. So this effort is not the finish. This is the start of a rebuilding of national defense. I hope we work together in a bipartisan way to add some more things that we now need as we go through the
conference with the other body and fi-
nally get a bill on the President’s desk.

Mr. SKELTON. Mr. Chairman, will the
gentleman yield?

Mr. HUNTER. Mr. Chairman, I would like to add that in recent
comments that I made to the CSIS, I
pointed out not only the importance of
Desert Storm, I think that car-
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riere of the B-2, mission, hit multiple
targets and destroyed a much larger
percentage of the target availability
than other conventional planes. So this
is a leverage capability. It leverages
thing Americans are greatest at,
which is technology. If we couple that with precision
munitions, where, for example, into that
bridge we send that one precision mu-
rition into a strut and knock that en-
tire bridge out, because we are able to
hit one precise spot, that is better than
dropping 2,000 bombs on it with older
conventional aircraft.

So leverage, technology, and preci-
sion munitions leverage is what we get
from deep strike fighter capability like
the B-2. I would be happy to hear the
comments of the gentleman from
Washington.

Mr. SKELTON. Mr. Chairman, I
might point out that the aircraft, the
B-2, in the Kosovo conflict, and of
course they are still capable, the pilots
flew out of Whiteman Air Force Base,
had refuelings, bombed the targets
with great precision, and returned with
refuelings, came back home. In one
case, the pilot went back and was
greeted by his wife. She said, please cut
the grass.

In other words, they do superb work
from one base, and they are worldwide.
I thank the gentleman.

Mr. DICKS. Mr. Chairman, will the
gentleman yield?

To address this critically important
concern, I am offering a simple amend-
ment requiring the President to submit
a strategic plan to Congress on how to
dispose of excess nuclear material that
Russia does not retain in its arsenal
and to prevent the outflow from Russia
of nuclear weapons expertise. I am of-
fering this amendment because I be-
lieve it is critical that we have an over-
all strategic road map of how we plan
to deal with the growing threat of
weapons of mass destruction. In the last
week we made our nonproliferation programs even
more important. If we can assure that
excess nuclear material in Russia does
not flow into the wrong hands, we can
reduce the chances that a nuclear
weapon used by a hostile state or a ter-
rorist group can be used against us. I
was pleased to work with the chair-
man, the gentleman from Arizona (Mr.

And the interesting thing is, like 3
percent of the fixed targets. Now, we
see even another revolution of being
able to put eighty 500-pound JDAMs on
these airplanes and they would be able
to hit 80 separate fixed targets on one
sortie, and two of them would be 160,

Very simply, if we look at the experi-
ence of Desert Storm, I think that care-
ries out not only the importance of
having deep strike aircraft but also
deep strike aircraft with stealth. We
analyzed at the time the two B-2 bomb-
ers, for example, which do not have to
have flight cover. Because they are
able to avoid and evade radar, they do
not have as much air-to-air refueling
or support from Washington, and
they can hit as many targets, two
aircraft can hit as many targets as 75
conventional aircraft.

At a time when we have cut our air
wings from 24 to 13, our tactical air
wings, it is important to have that le-
verage capability. We saw this in Kosovo,
where we hit multiple targets with a single B-2 mission, hit multiple
targets and destroyed a much larger
percentage of the target availability
than other conventional planes. So this
is a leverage capability. It leverages
thing Americans are greatest at,
which is technology. If we couple that with precision
munitions, where, for example, into that
bridge we send that one precision mu-
rition into a strut and knock that en-
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poor performer as it relates to doing business with our nation's small businesses. This year, the Department had the lowest grade of all agencies: a "D". This is important, in light of the fact that the Department of Defense historically accounts for 65 percent of Federal procurement. When the Department of Defense fails to make the grade, it is unlikely that the rest of the government will make the grade either. Small businesses are still not getting their fair share of the Department's contracts—from either a dollars or a numbers standpoint. Despite an increase in procurement volume from $119.7 billion in 1999 to $126.2 billion in 2000, the Department did not achieve its small business goal, or its women-owned business goal. The Department of Defense had a 23 percent goal for small businesses and achieved only 21.41 percent. This translates to over $2 billion in contracts that should have gone to small businesses, but didn't. Women-owned business contracts as well had a goal of 5 percent for women-owned businesses, but achieved 2 percent. This translates to nearly $4 billion in contracts that should have gone to women-owned businesses, but didn't.

From 1997 to 2000, the numbers of contracts awarded to small businesses by the Department have decreased by over 41 percent. The numbers of contracts to minority-owned businesses have decreased by over 55 percent. The number of contracts awarded to women-owned businesses have decreased by over 43 percent. This declining trend in the number of contracts translates directly to the number of opportunities available to small businesses to sell their products and services directly to their government.

Both the 1999 study and the 2000 study demonstrate that little progress is being made as far as agency's small business goal achievements. In fact, the 2000 study highlights that the plight of small businesses is getting worse—small businesses have fewer opportunities for participation in the Federal marketplace than ever.

To begin to correct this problem, my amendment was included in the en bloc amendment. A similar amendment was accepted into the House version of last year's Defense Authorization but failed to be included in the final Conference Report signed by the President. The amendment requires that the Department of Defense conduct a comprehensive study required by the Logistics Management Institute (LMI)—a non-profit organization hired by the Committee on Small Business in November of 2000. The letter goes on to reference a study performed by the Department under contract with the Logistics Management Institute—the repository of all Federal contracting information—only began collecting data on contract bundling in October of 2000. The letter goes on to reference a study performed by the Department under contract with the Logistics Management Institute. The study was not an "optional" requirement for the Department to follow—it was part of the agency's authorizing statute. It was mandated by Congress that the study be performed. To have an agency essentially refuse to comply with its authorizing statute is, to me, unheard of. The Department knew the study was required by statute. If essential data was not being collected, the Department should have started collecting data in order to comply. The taxpayers deserve to know and we have an obligation to tell them—whether the consolidation of contracts that eliminate small businesses save them money.

As previously stated, the letter sent by Deputy Secretary Wolfowitz refers to a study on contract bundling performed by LMI. This study is the direct result of a hearing held by the Committee on Small Business in November of 1999. It was undertaken not by an independent auditor, but by the Logistics Management Institute (LMI)—a non-profit organization that is funded 50 percent by the Department of Defense. LMI performed a case review, rather than the study that the Department promised, of 10 contracts out of a pool of 718 contracts—barely 1 percent—not a statistically valid sampling by anyone's definition. LMI concluded that " savings (as a result of contract bundling) are based on intuition. This means that people THINK they are savings money, but it has not been proven with empirical data." Clearly, given the mind-set of the Department of Defense's contracting officers, much more needs to be done.

In order to get something done, in last year's Small Business Reauthorization, we were successful in getting former-Chairman Jim Talent's bundling data collection bill language into the Reauthorization. Unfortunately, that language has a flaw. By using the definition of "contract bundling" contained in the Small Business Act, it only narrowly looks at those bundled contracts determined as such by the Department, leaving the vast majority of consolidations out of the database's scope. This deprives us of critical information necessary to solve this problem.
Mr. Chairman, the National Guard provides the men and women serving their country with the opportunity to hone their service-related skills in competitive events as the National Guard has done since our colleagues from a biathlon in Vermont; the Leapfest in Rhode Island; and marksmanship competitions in North Little Rock, Arkansas. Indeed, the opportunity to participate in these competitions provides incentives for National Guard recruitment. Additionally, these competitions bring National Guard members together with Active Duty military personnel which builds better appreciation among the various components and overall force cohesion.

However, the playing field for the National Guard is not level with that for Active Duty military members. Currently, state National Guard units can use only non-appropriated funds to cover operating expenses for the events and for health, pay, and personal expenses for participating unit members. Because the non-appropriated funds are very limited, National Guard members must often pay out of their own pockets for expenses, including medical coverage. For Active Duty military participants, appropriated funds cover all expenses participants incur.

By authorizing the use of appropriated funds in addition to the non-appropriated funds, National Guard members participating in competitions could receive full coverage for health, pay, and personal expenses. This is particularly important for National Guard members who cannot afford medical expenses stemming from possible injuries. Additionally, the National Guard units would face fewer budget constraints when continuing to host these valuable competitions and when sending teams and individuals into competition.

Finally, it is important to note that H.R. 1705 does not recommend appropriation levels nor does the legislation create participation incentives for National Guard members which are greater than those incentives for Active Duty military.

Mr. Chairman, this Member urges his colleagues to vote for the Bereuter-Langevin amendment as an important way to show support for the men and women serving their country in our National Guard.

Mr. WELDON of Pennsylvania. Mr. Chairman, Congress authorized the original National Defense Features (NDF) program in the mid-1990s in response to a report by the Department of Defense describing a shortage of sealift capacity during military contingencies. The NDF program was considered to be the most cost-effective way to augment the substantial investment that was being made in new sealift ships by the Navy.

Since then, Congress has authorized and appropriated funds to install special defense features in new commercial vessels to be built in the shipyards of the United States. Last year, for example, at my request and as a result of the leadership of our colleague from New Jersey, Mr. FRELINGHUYSEN, the House included in the National Defense Authorization Act for FY 2001 a provision that would expand the Secretary of Defense’s ability to fund military useful projects under the NDF program. I am pleased to report that our amendment was included in the final legislation signed into law by the President.

When the NDF program was launched, Congress expected that our allies, particularly Japan, would find mutual defense benefits in promoting the program. Under one project that has received considerable attention in the press and has the support of domestic maritime labor, ten commercial vessels would be built in the United States based on a design funded and approved by DARPA’s Maritime Technology Program. These vessels would normally operate in the Japan-United States vehicle trade, which is at present entirely dominated by Japanese carriers. Quite importantly, the vessels would be crewed by American merchant seamen, a group vital to maintaining the readiness of our military to handle contingencies abroad.

Notwithstanding expressions of support by very senior officials in our government, this expectation has not been realized. As a result, the hopes of our commercial shipbuilders and merchant mariners have not been realized, our military planners have not been able to rely upon NDF vessels to support their contingencies operations. Much to my disappointment, the Government of Japan apparently continues to take the position that the decision to employ NDF ships is strictly a matter for the commercial judgment of Japanese vehicle manufacturers and shipping companies. The vehicle manufacturers, which operate under closely inter-locking relationships with the Japanese vehicle carriers, continue to insist that the NDF program is a matter between the two respective governments since it addresses defenses.

In view of the U.S. role in providing security for our Far East allies, it hardly seems appropriate that defense concerns expressed by our government should not have been met with a more positive response. Our government’s repeated representations to the Japanese government have fallen to the ground as if the NDF program was without military value, a position that is contradicted by two U.S. Navy reports on the NDF program. Taking note of the extensive military collaboration of our two governments, by which it is safe to say has conferred material benefits on Japan, this is not the position that Congress should have expected.

The position that this matter is purely commercial in nature rather than governmental in character is not defensible. Japan, like other nations, supports its merchant marine with financial assistance, including direct construction loans at artificially low rates of interest. This is not the mark of a purely private industry operating under purely commercial conditions.

Based on all the evidence gathered to date, it would appear that the real reason our carriers are effectively being excluded from this market is the Japanese kereitsu system of doing business. In short, a fleet of U.S.-built and operated ships, commercially competitive and significantly cheaper in value to both nations, has apparently no chance to break through the economic fence encircling the Japanese vehicle trade.

As I explained to my colleagues last year, I continue to hope that the Government of Japan will reverse its decision and ultimately see the merit of supporting the NDF program, especially given the longstanding support of the Department of Defense. But if
the past is any guide, we may anticipate further intransigence. Therefore, I am joining today with my colleague from New Jersey, Mr. Frelinghuysen, in introducing a bill that we intend to push later this year if we do not see any movement on the part of the Government of Japan. The bill—which is identical to the bill we introduced late last year in the form of H.R. 5488—is very straightforward. It says: if the Federal Maritime Commission finds that vessels built under the NDF program are unable to obtain employment in a particular trade route in the foreign commerce of the United States for which they are designed to operate, and if that sector of the trade route has been dominated historically by citizens of an allied nation, then the Commission shall take action to counteract the restrictive trade practices that have led to this situation.

As I pointed out last year, it should not be necessary to enact legislation to encourage support for a program so self-evidently in the mutual security interests of our two nations. I trust that the Government of Japan will support the new consultative mechanism so that the NDF program can begin the much needed recapitalization of our aging Ready Reserve Force.

Mr. SKELTON. Mr. Chairman, I yield back the balance of my time.

Mr. STUMP. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. LaTourette). All time for debate on the amendments has expired.

The question is on the amendments en bloc offered by the gentleman from Arizona (Mr. Stump).

The amendments en bloc were agreed to.

The CHAIRMAN pro tempore. No further amendments are in order. Under the order of the House of yesterday, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. Walsh) having assumed the chair, Mr. LaTourette, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2586.

The SPEAKER pro tempore (Mr. LaTourette). Is there objection to the request of the gentleman from Arizona?

There was no objection.

REPORT ON H.R. 2904, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2002

Mr. HOBSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107-307) on the bill (H.R. 2904) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

APPOINTMENT OF CONFEREES ON H.R. 2647, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2002

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2647) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina? The Chair hears none and, without objection, appoints the following conferees: Messrs. Callahan, Rogers, Frelinghuysen, Latham, Wicker, Wamp, Mrs. Emerson, Messrs. Doolittle, Young of Florida, Visclosky, Edwards, Pastor, Clyburn, Ms. Roybal-Allard, and Mr. Obey.

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

Mr. WALSH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none and, without objection, appoints the following conferees: Messrs. Sweeney, Regula, Kolbe, Taylor of North Carolina, Nethercutt, Wamp, Kingston, Peterson of Pennsylvania, Young of Florida, Dicks, Murtha, Moran of Virginia, Hinchey, Sabo, and Obey.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that tonight when the two Houses meet in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be opened.