SA 757. Ms. COLLINS (for herself, Mr. TALENT, Mrs. HUTCHISON, Ms. SNOWE, and Mr. LEVIN) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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.

SA 758. Mr. DASCHLE submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 759. Mr. NELSON, of Florida proposed an amendment to the bill S. 1050, supra.

SA 760. Mr. COCHRAN (for himself, Mr. REED, Mr. CHAMBLISS, Mr. NELSON, of Nebraska, Ms. MIKULSKI, Mr. BOND, and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 761. Mr. GRAHAM, of South Carolina (for himself, Mr. MILLER, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 762. Ms. COLLINS (for herself and Mr. VINOIVICH) submitted an amendment intended to be proposed by her to the bill S. 1050, supra; which was ordered to lie on the table.

SA 763. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1050, supra; which was ordered to lie on the table.

SA 764. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 765. Mr. BINGAMAN (for himself, Mr. DORGAN, Mr. REED, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 1050, supra.

SA 766. Mr. NELSON, of Florida (for himself, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill S. 1050, supra.

SA 767. Mr. NELSON, of Florida (for himself, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill S. 1050, supra.

SA 768. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 769. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 770. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 771. Mr. GRASSLEY (for himself, Mr. Harkin, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 772. Mr. LEVIN (for Mr. FEINSTEIN, for himself, and Mr. STEVENS) proposed an amendment to the bill S. 1050, supra.

SA 773. Mr. SMITH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 774. Mr. HARKIN proposed an amendment to the bill S. 1050, supra.

SA 775. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill S. 1050, supra; which was ordered to lie on the table.

SA 776. Mr. BENNETT (for himself, Mr. REID, and Mr. ALLEN) proposed an amendment to the bill S. 1050, supra.

SA 777. Mr. VINOIVICH (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 778. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 779. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 780. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 781. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 782. Mr. VINOIVICH submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 783. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 784. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 1050, supra.

SA 785. Mr. DODD submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 786. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1050, supra; which was ordered to lie on the table.

SA 787. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 788. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 789. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 790. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 791. Mr. DASCHLE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 792. Mr. WARNER proposed an amendment to the bill S. 1050, supra.

SA 793. Mr. LEVIN (for Mr. WYDEN (for himself, Ms. COLLINS, Mrs. CLINTON, Mr. BYRD, and Mr. LAutenberg)) proposed an amendment to the bill S. 1050, supra.

SA 794. Mr. WARNER (for Mr. MCCAIN (for himself and Mr. BAYH)) proposed an amendment to the bill S. 1050, supra.

SA 795. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 1050, supra.

SA 796. Mr. LEVIN (for Mrs. FEINSTEIN (for himself and Mr. STEVENS)) proposed an amendment to the bill S. 1050, supra.
The terms ‘consolidation of contract requirements’ and ‘consolidation’, with respect to contract requirements of a military department, Defense Agency, or Department of Energy, mean a use of a solicitation to obtain offers for a single contract or a multiple award contract to satisfy two or more requirements of that department, agency, or activity, for services that have previously been provided to, or performed for, that department, agency, or activity under two or more separate contracts and as subcontractors.

The term ‘multiple award contract’ means—

(A) a contract that is entered into by the Administrator of General Services under the multiple award program referred to in section 2304 of this title; or

(B) a multiple award task order contract or delivery order contract that is entered into under the authority of sections 2304a through 2304d of this title or sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 632a); and

(C) any other in-determinate delivery, in-determinate quantity contract that is entered into by the head of a Federal agency with two or more sources pursuant to the same solicitation.

The term ‘senior procurement executive’ means—

(A) with respect to a military department, the official designated under section 103(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 412(c)) as the senior procurement executive for the military department; or

(B) with respect to a Defense Agency or a Department of Defense Field Activity, the official so designated for the Department of Defense.

The term ‘small business concern’ means a business concern that is determined by the Administrator of the Small Business Administration to be a small-business concern by application of the standards prescribed under section 3(a) of the Small Business Act (15 U.S.C. 632a).

The term ‘senior procurement executive’ means a business concern that is determined by the Administrator of the Small Business Administration to be a small-business concern by application of the standards prescribed under section 3(a) of the Small Business Act (15 U.S.C. 632a)."

SEC. 132. B-1B BOMBER AIRCRAFT.

(a) AMOUNT FOR AIRCRAFT.—(1) Of the amount authorized to be appropriated under section 12732 of this title, there shall be available to reconstitute the B-1B bomber aircraft fleet of the Air Force.

(b) ADJUSTMENT.—The total amount authorized to be appropriated under section 103(1) is hereby increased by $20,300,000.

SEC. 235. COPRODUCTION OF ARROW BALLISTIC MISSILE DEFENSE SYSTEM.

Of the total amount appropriated under section 201 for ballistic missile defense, $115,000,000 may be available for coproduction of the Arrow ballistic missile defense system.

SEC. 761. MR. GRAHAM of South Carolina (for himself, Mr. MILLER, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

On page 21, after line 20, insert the following:

SEC. 103B. SENSE OF SENATE ON REWARD FOR INFORMATION LEADING TO RESOLUTION OF CASES OF THE ARMED FORCES WHO REMAIN MISSING IN ACTION.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Department of Defense estimates that there are more than 10,000 members of the Armed Forces and others who as a result of their activities during the Vietnam War or the Korean War were placed in a missing status or a prisoner of war status, or who were determined to have been killed in action although the body was not recovered, and who remain unaccounted for.

(2) One member of the Armed Forces, Navy Captain Michael Scott Speicher, remains missing in action from the first Persian Gulf War, and there have been credible reports of him being seen alive in Iraq in the years since his plane was shot down on January 16, 1991.

(3) The United States should always pursue every lead and leave no stone unturned to completely account for the fate of its missing members of the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) that the Secretary of Defense should use the authority available to the Secretary to disburse funds rewarding individuals who provide information leading to the conclusive resolution of cases of missing members of the Armed Forces;

(2) to encourage the Secretary to authorize and publicize a reward of $1,000,000 for information resolving the fate of those members of the Armed Forces, such as Michael Scott Speicher, who the Secretary has reason to believe may yet be alive in captivity.

Mr. COCHRAN (for himself, Mr. REED, Mr. CHAMBLISS, Mr. NELSON of Nebraska, Ms. MIKULSKI, Mr. BOND, and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

On page 40, between lines 7 and 8 insert the following:

SEC. 235. COPRODUCTION OF ARROW BALLISTIC MISSILE DEFENSE SYSTEM.

Of the total amount appropriated under section 201 for ballistic missile defense, $115,000,000 may be available for coproduction of the Arrow ballistic missile defense system.

Mr. COCHRAN (for himself, Mr. MILLER, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

On page 152 strike line 22 and all that follows through line 9 on page 153, and insert the following:

(a) AGE AND SERVICE REQUIREMENTS.—Subsection (a) of section 12731 of title 10, United States Code, is amended to read as follows:

‘‘(1) Exempt from the provisions of subsection (c), a person is entitled, upon application, to retired pay computed under section 12739 of this title, if this person—

(A) satisfies one of the combinations of requirements for minimum age and minimum number of years of service (computed under section 12732 of this title) that are specified in the table in paragraph (2),

(B) performed the last six years of qualifying service while a member of any category named in section 12732(a)(1) of this title, but not while a member of a regular component, the Fleet Reserve, or the Fleet Marine Corps Reserve, except that in the case of a person who has completed twenty years of service computed under section 12732 of this title before October 5, 1994, the number of years of qualifying service under this subsection shall be increased by two years.

(C) is not entitled, under any other provision of law, to retired pay from an armed
force or retain pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve.

''(a)(2) The combinations of minimum age and minimum years of service required of a person under subparagraph (A) of paragraph (1) for entitlement to retired pay as provided in this title are as follows:

Age, in years, is: The minimum years of service at least required for that age is:

53 ..................................................... 34
54 ..................................................... 32
55 ..................................................... 30
56 ..................................................... 28
57 ..................................................... 26
58 ..................................................... 24
59 ..................................................... 22
60 ..................................................... 20

(b) Subparagraph (a)(2) of such section is amended by striking "the years of service required for eligibility for retired pay under this chapter" in the first sentence and inserting "20 years of service computed under section 732 of this title.

(c) Equivalent Treatment for Chiefs of Service.—Subsection (i) of section 1406 of title 10, United States Code, is amended by inserting "as a command of a specified or unified combatant command (as defined in section 166c of this title)," after "Chief of Service.

(d) Reconciling Amendment.—The heading for the applicable subsection is amended by inserting "commanders of combatant commands," after "Chief of Service.

(e) Effective Date.—This section and the amendment made by this subsection (a) and (b) shall take effect upon enactment of this Act. Subsections (c) and (d) shall apply with .

SA 762. Ms. Collins (for herself and Mr. Voinovich) submitted an amendment intended to be proposed by her to the bill S. 1050, to authorize appropriations for fiscal year 2004 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 the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE 99—DEPARTMENT OF DEFENSE NATIONAL SECURITY PERSONNEL SYSTEM AND DEPARTMENT OF DEFENSE CIVIL SERVICE IMPROVEMENT

SEC. 01. SHORT TITLE.

This title may be cited as the "National Security Personnel System Act.

SEC. 02. DEPARTMENT OF DEFENSE NATIONAL SECURITY PERSONNEL SYSTEM.

(a) In General.—(1) Subpart I of part III of title 5, United States Code, is amended by adding after the following new chapter:

"CHAPTER 99—DEPARTMENT OF DEFENSE NATIONAL SECURITY PERSONNEL SYSTEM

"Sec. 9901. Definitions.

9902. Establishment of human resources management system.

9903. Contracting for personal services.

9904. Attracting highly qualified experts.

9905. Special pay and benefits for certain employees outside the United States.

9906. Definitions.

For purposes of this chapter—

(1) the term 'Director' means the Director of the Office of Personnel Management; and

(2) the term 'Secretary' means the Secretary of Defense.

9902. Establishment of human resources management system.

(a) In General. Notwithstanding any other provision of this part, the Secretary, may, in regulations prescribed jointly with the Director, establish a human resources management system or systems of the organizational or functional units of the Department of Defense. The human resources management system established under this section shall be referred to as the 'National Security Personnel System'.

(b) System Requirements.—The National Security Personnel System established under subsection (a) shall—

(1) be flexible;

(2) be (contemporary;

(3) not waive, modify, or otherwise affect—

(A) the public employment principles of merit and fitness set forth in section 2301, including the principles of hiring based on merit, fair treatment without regard to political affiliation or other nonmerit considerations, equal pay for equal work, and protection of employees against reprisal for whistleblowing;

(B) any provision of section 2302, relating to prohibited personnel practices;

(C)(i) any provision of law referred to in section 2302(b)(1), (8), and (9); or

(ii) any provision of law implementing any provision of law referred to in section 2302(b)(1), (8), and (9) by—

(i) providing for equal employment opportunity through affirmative action;

(ii) providing any right or remedy available to any employee or applicant for employment in the public service;

(iii) any provision of law referred to in this paragraph (as described in subsection (c)); or

(e) EFFECTIVE DATE.—This section and the amendments made by this title are effective on the date of enactment of this Act, and shall apply with .

9903. Contracting for personal services.

"(a) In General.—(1) Subpart I of part III of title 5, United States Code, is amended by inserting "as a command of a specified or unified combatant command (as defined in section 166c of this title)," after "Chief of Service.

(d) Reconciling Amendment.—The heading for the applicable subsection is amended by inserting "commanders of combatant commands," after "Chief of Service.

(e) Effective Date.—This section and the amendment made by this subsection (a) and (b) shall take effect upon enactment of this Act. Subsections (c) and (d) shall apply with .

9904. Attracting highly qualified experts.

"(a) In General.—(1) Subpart I of part III of title 5, United States Code, is amended by inserting "as a command of a specified or unified combatant command (as defined in section 166c of this title)," after "Chief of Service.

(d) Reconciling Amendment.—The heading for the applicable subsection is amended by inserting "commanders of combatant commands," after "Chief of Service.

(e) Effective Date.—This section and the amendment made by this subsection (a) and (b) shall take effect upon enactment of this Act. Subsections (c) and (d) shall apply with .

9905. Special pay and benefits for certain employees outside the United States.

"(a) In General.—(1) Subpart I of part III of title 5, United States Code, is amended by inserting "as a command of a specified or unified combatant command (as defined in section 166c of this title)," after "Chief of Service.

(d) Reconciling Amendment.—The heading for the applicable subsection is amended by inserting "commanders of combatant commands," after "Chief of Service.

(e) Effective Date.—This section and the amendment made by this subsection (a) and (b) shall take effect upon enactment of this Act. Subsections (c) and (d) shall apply with .

9906. Definitions.

For purposes of this chapter—

(1) the term 'Director' means the Director of the Office of Personnel Management; and

(2) the term 'Secretary' means the Secretary of Defense.
"(i) develop a method for the employee representatives to participate in any further planning or development which might become necessary; and

(ii) ensure that employee representatives have adequate access to information to make that participation productive.

(2) The Secretary may, at the Secretary's discretion and after collaboration activities described in this subsection at an organizational level above the level of exclusive recognition, develop procedures for representation by any appropriate organization which represents a substantial percentage of those employees or such other manner as may be appropriate, consistent with the purposes of this subsection.

(f) PAY-FOR-PERFORMANCE EVALUATION SYSTEM.—(1) The National Security Personnel System established in accordance with this chapter shall include a pay-for-performance evaluation system to better link individual performance and pay and provide an equitable method for appraising and compensating employees.

(2) The regulations implementing this chapter shall—

(A) group employees into pay bands in accordance with the type of function that such employees perform and their level of responsibility;

(B) establish a performance rating process, which shall include, at a minimum—

(i) rating periods;

(ii) communication and feedback requirements;

(iii) performance scoring systems;

(iv) linking performance scores to salary increases and performance incentives;

(v) a review process;

(vi) a process for addressing performance that fails to meet expectations; and

(vii) a pay-out process.

(3) For fiscal years 2004 through 2008, the overall amount allocated for compensation of the civilian employees of an organizational or functional unit of the Department of Defense that is included in the National Security Personnel System shall not be less than the amount of civilian pay that would have been allocated to such compensation under the General Schedule system, based on—

(A) the number and mix of employees in such organizational or functional unit prior to the conversion of such employees to the National Security Personnel System; and

(B) adjusted for normal step increases and rates of promotion that would have been expected, had such employees remained in the General Schedule system.

(4) The regulations implementing the National Security Personnel System shall provide a formula for calculating the overall amount to be allocated for fiscal years after the date of enactment of the National Security Personnel System Act an employee is included in that number.

(5) The National Guard Bureau and the Army and Air Force National Guard are excluded from coverage under this subsection.

(6) A pay formula that meets the criteria specified in paragraph (2)(A) shall be binding on all subordinate bargaining units with respect to which an employee has been accorded exclusive recognition. Any such bargaining shall—

(A) be coordinated bargaining units at the level of recognition and their exclusive representatives, and the Department of Defense and its subcomponents, without regard to levels of recognition;

(B) supersede all other collective bargaining agreements, including collective bargaining agreements negotiated with an exclusive representative at the level of recognition, except as otherwise determined by the Secretary; and

(C) not be subject to further negotiations for any purpose, including bargaining at the level of recognition, except as provided for by the Secretary.

(7) The National Guard Bureau and the Army and Air Force National Guard are excluded from coverage under this subsection.

(b) Apportionment.—(1) The Secretary of Defense is authorized to apply the National Security Personnel System established in accordance with subsection (a) to organizational or functional units including—

(A) up to 120,000 civilian employees of the Department of Defense for fiscal year 2004;

(B) up to 240,000 civilian employees of the Department of Defense in fiscal year 2005;

(C) up to 360,000 civilian employees in the first fiscal year after the Department meets the criteria specified in paragraph (2);

(D) up to 480,000 civilian employees in the second fiscal year after the Department meets the criteria specified in paragraph (2); and

(E) the entire civilian workforce of the Department of Defense in the third fiscal year after the Department meets the criteria specified in paragraph (2).

(2) The Secretary of Defense is authorized to apply the National Security Personnel System to organizational or functional units in accordance with subparagraphs (C), (D), and (E) of paragraph (1) in a fiscal year after fiscal year 2005, if the Director of the Office of Personnel Management has certified that the Department has in place—

(A) a performance management system that meets the criteria specified in subsection (g); and

(B) a pay formula that meets the criteria specified in subsection (f).

(3) Civilian employees in organizational or functional units participating in Department of Defense personnel demonstration projects shall be counted as participants in the National Security Personnel System for the purpose of the limitations established under paragraph (1).

(c) PROVISIONS RELATED TO SEPARATION AND RETIREMENT INCENTIVES.—(1) The Secretary may establish a program within the Department of Defense under which employees may be eligible for early retirement, offered separation incentive pay to separate from service voluntarily, or both. This authority may be used to reduce the number of personnel employed by the Department of Defense or to restructure the workforce to meet mission objectives without reducing the overall number of personnel. This authority is in addition to, and notwithstanding, any other authorities established by law or regulation for such programs.

(2)(A) The Secretary may not authorize the payment of voluntary separation incentive pay under paragraph (1) to more than 10,000 employees in any fiscal year, except that employees who receive voluntary separation incentive pay as a result of a closure or reorganization of a military installation under the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101-510; 10 U.S.C. 2807 note) shall not be included in that number.

(B) The Secretary shall prepare a report each fiscal year setting forth the number of
employees who received such pay as a result of a closure or realignment of a military base as described under subparagraph (A).

"(C) The Secretary shall submit the report under this paragraph to the Senate and to the House of Representatives.

"(1) the Committee on the Armed Services and the Committee on Government Affairs of the Senate; and

"(2) the Committee on Armed Services and the Committee on Government Reform of the House of Representatives.

"(3) In this section, the term 'employee' means an employee of the Department of Defense, serving under an appointment or without time limitation, except that such term does not include—

"(A) a reemployed annuitant under subchapter III of chapter 63 or chapter 84 of this title, or another retirement system for employees of the Federal Government;

"(B) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under any of the retirement systems referred to in paragraph (1); or

"(C) for purposes of eligibility for separation incentives under this section, an employee the rate of a decision not of involuntary separation for misconduct or unacceptable performance.

"(4) An employee who is at least 50 years of age and has 20 years of service, or has at least 25 years of service, may, pursuant to regulations promulgated under this section, apply and be retired from the Department of Defense if the employee would be entitled under any other retirement system to receive the same amount of benefit or any other amount as the Secretary determines is equitable under the circumstances.

"(5)(A) Separation pay shall be paid in a lump sum or in installments and shall be equal to the lesser of—

"(i) an amount equal to the amount the employee would be entitled to receive under section 5909(c) of this title, if the employee were entitled to payment under such section; or

"(ii) $25,000.

"(B) Separation pay shall not be a basis for payment of compensatory time, shall not be included in the computation, of any other type of Government benefit. Separation pay shall not be taken into account for the purpose of determining any severance pay on which an individual is entitled under section 5995 of this title, based on any other separation.

"(C) Separation pay, if paid in installments, shall cease to be paid upon the recipient's acceptance of employment by the Federal Government or commencement of work under a personal services contract as described in paragraph (5).

"(6) An employee who receives separation pay under this section shall not be required to repay the amount of separation pay to the Department of Defense, if the separation pay is based on the basis of a decision not of involuntary separation for misconduct or unacceptable performance, or to repay the entire amount of separation pay to the Department of Defense if the separation pay is based on the basis of a decision of an Executive agency (as defined by section 105 of this title) other than the Department of Defense, the Director may, at the request of the employee, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is within the Department of Defense, the Secretary may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with any entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with the judicial branch, the Director of the Administrative Office of the United States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position. If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

"(7) Under this program, early retirement and separation pay may be offered only pursuant to regulations established by the Secretary, subject to such limitations or conditions as the Secretary may require.

"(8) PROVISIONS RELATING TO HIRING.—Notwithstanding subsection (a), the Secretary may exercise any hiring flexibilities that would otherwise be available to the Secretary under section 4703(a)(1).

§ 9903. Contracting for personal services

(a) OUTSIDE THE UNITED STATES.—The Secretary may contract with individuals for services to be performed outside the United States as determined by the Secretary to be necessary and appropriate for supporting the activities and programs of the Department of Defense outside the United States.

"(b) NO FEDERAL EMPLOYEES.—Individuals employed by the Secretary under subsection (a) shall not, by virtue of such employment, be considered employees of the United States Government for the purposes of—

"(1) any law administered by the Office of Personnel Management; or

"(2) under the National Security Personnel System established under this chapter.

"(c) APPLICATION.—Any contract entered into under subsection (a) shall not be subject to any statutory provision prohibiting or restricting the use of personal services contracts.

§ 9904. Attracting highly qualified experts

"(a) IN GENERAL.—The Secretary may carry out a program using the authority provided in subsection (b) in order to attract highly qualified experts in needed occupations, as determined by the Secretary.

"(b) AUTHORITY.—Under the program, the Secretary may—

"(1) appoint personnel from outside the civil service and uniformed services (as such terms are defined in section 2101 of this title) to positions in the Department of Defense without regard to any provision of this title governing the appointment of employees to positions in the Department of Defense; and

"(2) prescribe the rates of basic pay (or positions to which employees are appointed under paragraph (1) at rates not in excess of the maximum rate of basic pay for senior-level positions under section 5376 of this title, based on any other retirement system for employees of the Federal Government, or commencement of work through a personal services contract as described under subparagraph (A).

"(c) Limitation on number of highly qualified experts.—The number of highly qualified experts appointed and retained by the Secretary under subsection (b)(1) shall not exceed 300 at any time.

§ 9905. Special pay and benefits for certain employees outside the United States

"(a) The Secretary may pay to any civilian employee of the Department of Defense assigned to activities outside the United States as determined by the Secretary to be necessary and appropriate for supporting the activities of the Department of Defense activities abroad hazardous to life or health or so specialized because of security requirements as to be clearly distinguishable from Federal Government employment—

"(1) allowances and benefits—

"(A) comparable to those provided by the Secretary of State to members of the Foreign Service under chapter 9 of title I of the Foreign Service Act of 1980 (Public Law 96–465, 22 U.S.C. 4001 et seq.) or any other provision of law; or

"(B) comparable to those provided by the Director of Central Intelligence to personnel of the Central Intelligence Agency; and...
express approval from the parties, take final action within 180 days after being presented with an impasse between agencies and employees within the Department of Defense.

SEC. 63. MILITARY LEAVE FOR MOBILIZED MEMBERS OF THE ARMED FORCES.

(a) In General.—Subsection (b) of section 6232 of title 5, United States Code, is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and at the end of clause (ii), as so redesignated, by inserting "or"; and

(B) by inserting "(2)" after "(1)"; and

(2) by inserting the following after the text beginning "The"—

"(B) performs full-time military service as a result of a call or order to active duty in support of a contingency operation as defined in section 101.";

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to military service performed on or after the date of the enactment of this Act.

SA 763. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 273, between lines 17 and 18, insert the following:

"(P) The results of a study, carried out by the Secretary of Defense, regarding the availability of family support services provided to the dependents of members of the National Guard and other reserve components of the Armed Forces who are called or directed to active duty under chapter 9 of this title, and under subparagraph referred to as "mobilized members", including, at a minimum, the following matters:

(I) A discussion of the extent to which cooperative agreements are in place or need to be entered into to ensure that dependents of mobilized members receive adequate family support services, supported by data on family readiness groups at military installations without regard to the members' armed force or component of an armed force.

(ii) A discussion of additional family support services, and what additional family support agreements between and among the Armed Forces (including the Coast Guard), are necessary to ensure that adequate family support services are provided to the families of mobilized members.

(iii) A discussion of what additional resources are necessary to ensure that adequate family support services are available to the dependents of each mobilized member at the military installation nearest the residence of the dependents.

(iv) The additional outreach programs that should be established between families of mobilized members and the sources of family support services at the military installations in their respective regions.

(v) A discussion of the procedures in place for providing information on the availability of family support services to families of mobilized members at the time the members are called or ordered to active duty.

SA 764. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

At the end of section C of title II, add the following:

SEC. 255. REQUIREMENT FOR SPECIFIC AUTHORIZATION OF CONGRESS FOR PROJECT OR DEVELOPMENT, OR DEPLOYMENT OF HIT-TO-KILL BALLISTIC MISSILE INTERCEPTORS.

No amount authorized to be appropriated by this Act for research, development, test, and evaluation, Defense-wide, and available for Ballistic Missile Defense Systems Interceptors (PE 060985C), may be obligated or expended to design, develop, or deploy hit-to-kill interceptors or other weapons for placement in space unless specifically authorized by Congress.

SA 766. Mr. NELSON of Florida (for himself, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

At the end of title B of title XXXI, add the following:

SEC. 3135. REQUIREMENT FOR SPECIFIC AUTHORIZATION OF CONGRESS FOR COMMENCEMENT OF ENGINEERING DEVELOPMENT PHASE OR SUBSEQUENT PHASES OF ROBUST NUCLEAR EARTH PENETRATOR.

The Secretary of Energy may not commence the engineering development phase (phase 6.3) of the nuclear weapons development process, or any subsequent phase, of a Robust Nuclear Earth Penetrator weapon unless specifically authorized by Congress.

SA 767. Mr. NELSON of Florida (for himself, Mr. WARNER, and Mr. LEVIN) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

At the appropriate place in Title XXXI in the bill add the following new section:

SEC. ___. RANGE MANAGEMENT.
(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

"§219. Range management.
(1) Definitions of solid waste.—(1) The term 'solid waste' as used in the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) does not include military munitions, including unexploded ordnance, the constituents thereof, that are or have been deposited, incident to their normal and expected use, and remain thereon. The term "solid waste" includes the deposit or presence on an operational range of any military munitions, including unexploded ordnance, and the constituents thereof, that are or have been deposited thereon incident to their normal and expected use.
(2) For the purposes of this section the term "solid waste" is defined to include any substance that is a constituent of a hazardous substance, as defined in the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), and is deposited thereon incident to their normal and expected use.
(b) OFFSETS.—Of the amount authorized to be appropriated under section 201(1)—
(1) the total amount available in PE 0602308A for the Immersive Simulation and Training Research, is hereby reduced by $500,000; and
(2) the total amount available in PE 0602712A for chemical vapor sensing, is hereby reduced by $500,000.

SA 769. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 332. RANGE MANAGEMENT.
(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

"§219. Range management.
(1) Definitions of solid waste.—(1) The term 'solid waste' as used in the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) does not include military munitions, including unexploded ordnance, and the constituents thereof, that are or have been deposited, incident to their normal and expected use, on an operational range; unless such military munitions, including unexploded ordnance, or the constituents thereof—
(A) are recovered, collected, and then disposed of by burial or land filling; or
(B) have migrated off an operational range and are not addressed through a response action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).
(2) The military munitions, including unexploded ordnance, or the constituents thereof that become a solid waste under subparagraph (A) or (B) of paragraph (1) shall be subject to the provisions of the Solid Waste Disposal Act, except for military munitions, including unexploded ordnance, or the constituents thereof, that are or have been deposited thereon incident to their normal and expected use.
(3) Nothing in this section affects the authority of Federal, State, interstate, or local regulatory authorities to determine when military munitions, including unexploded ordnance, or the constituents thereof, become hazardous waste for purposes of the Solid Waste Disposal Act, except for military munitions, including unexploded ordnance, or the constituents thereof, that are or have been deposited thereon incident to their normal and expected use.
(b) OFFSETS.—Of the amount authorized to be appropriated under section 201(1)—
(1) the total amount available in PE 0603515A for Immersive Simulation and training research, is hereby reduced by $710,000; and
(2) the total amount available in PE 0602308A for the Immersive Simulation and Training Research, is hereby reduced by $500,000; and
(3) the total amount available in PE 0602712A for chemical vapor sensing, is hereby reduced by $500,000.

SA 769. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:
requests of a SAFER grant are received, an amount equal to 25 percent of the amount of the SAFER grant funds received that year.

(iii) During the fourth year in which funds of a SAFER grant are received, an amount equal to 15 percent of the amount of the SAFER grant funds received that year.

(B) DIA FUNDS.—Funds appropriated for the activities of any agency of a tribal organization or for the Bureau of Indian Affairs to perform firefighting functions on any Indian land managed by the Secretary of the Interior shall be available to the States and localities within the State.

(A) REQUIREMENT.—To receive a SAFER grant, an eligible entity shall submit an application for the grant to the designated Federal procurement official.

(2) PERMITTED CATALOG TECHNOLOGIES AND SERVICES.—A State requesting anti-terrorism technologies or services, respectively, to the extent practicable and no later than 210 days after the enactment of this Act.

(B) WAIVER.—The designated Federal procurement official may waive the requirement for a non-Federal contribution described in subparagraph (A) in the case of any eligible entity.

(C) ASSET FORFEITURE FUNDS.—An eligible entity may use funds received from the disposition of property transferred to the eligible entity pursuant to section 706(q)(q) of title 31, United States Code, section 931(e) of title 18, United States Code, or section 616 of the Tariff Act of 1930 (19 U.S.C. 1616a) to provide the non-Federal share required under paragraph (1).

(D) BIA FUNDS.—Funds appropriated for the activities of any agency of a tribal organization or for the Bureau of Indian Affairs to perform firefighting functions on any Indian land managed by the Secretary of the Interior shall be available to the States and localities within the State.

3. Assistance to States and localities within the State

(A) REQUIREMENT.—To receive a SAFER grant, an eligible entity shall submit an application for the grant to the designated Federal procurement official.

(B) CONTENT.—Each application for a SAFER grant shall contain, for each fire service covered by the application, the following information:

(i) A long-term strategy for increasing the force of firefighters in the fire service to ensure readiness for appropriate and effective emergency response to incidents or threats of terrorism.

(ii) A detailed plan for implementing the strategy that reflects consultation with community groups, appropriate private and public entities, and consideration of any master plan that applies to the eligible entity.

(iii) An assessment of the ability of the eligible entity to increase the force of firefighters in the fire service without Federal assistance.

(iv) An assessment of the levels of community support for increasing that force, including financial and in-kind contributions and any other available community resources.

(v) Specific plans for obtaining necessary support and continued funding for the firefighter positions proposed to be added to the fire service by the application.

(vi) An assurance that the eligible entity will, to the extent practicable, seek to recrui...
this Act, the designated Federal procurement official shall submit to Congress a report on the SAFER grant program under this section. The report shall include an assessment of the effectiveness of the program for achieving its purpose, and may include any recommendations that the designated Federal procurement official has for increasing the forces in fire services.

(10) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

(i) a State;

(ii) a subdivision of a State;

(iii) a tribal organization;

(iv) an entity that the designated Federal procurement official determines appropriate for eligibility under this section; and

(v) a multijurisdictional or regional consortium of the entities described in clauses (i) through (iv).

(B) FIREFIGHTER.—The term ‘firefighter’ means an employee or volunteer member of a fire service, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker.

(ii) engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is threatened;

(ii) is trained in fire suppression and has the legal authority and responsibility to engage in fire suppression;

(C) FIRE SERVICE.—The term ‘fire service’ includes an organization described in section 4(5) of the Federal Fire Prevention and Control Act of 1974 that is under the jurisdiction of a tribal organization.

(D) MASTER PLAN.—The term ‘master plan’ has the meaning given the term in section 3(a)(2) of the Federal Fire Prevention and Control Act of 1974.

(E) SAFER GRANT.—The term ‘SAFER grant’ means a grant of financial assistance under this subsection.

(F) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(11) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the purpose of carrying out this section—

(A) $1,000,000,000 for fiscal year 2004;

(B) $1,030,000,000 for fiscal year 2005;

(C) $1,050,000,000 for fiscal year 2006;

(D) $1,093,000,000 for fiscal year 2007;

(E) $1,126,000,000 for fiscal year 2008;

(F) $1,159,000,000 for fiscal year 2009; and

(G) $1,194,000,000 for fiscal year 2010.

SA 771. Mr. DODD submitted an amendment intended to be proposed by him to Title II of H.R. 1050, to authorize appropriations for fiscal year 2004 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 each fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 111. CH-47 HELICOPTER PROGRAM.

(a) REQUIREMENT FOR STUDY.—The Secretary of the Army shall study the feasibility of the costs and benefits of providing for the participation of a second source in the production of gears for the helicopter transmissions incorporated into CH-47 helicopters being procured by the Army with funds authorized to be appropriated by this Act.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report on the results of the study to Congress.

SA 772. Mr. GRASSLEY (for himself, Mr. HARKIN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations 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 each fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 83, between lines 5 and 6, insert the following:

SEC. 370. PILOT PROGRAM TO CONSOLIDATE AND IMPROVE AUTHORITIES FOR ARMY WORKING-CAPITAL FUNDED FACILITIES AND FACILITIES OWNED OR OPERATED BY A PUBLIC-PRI

(a) AUTHORITY.—Chapter 433 of title 10, United States Code, is amended by adding at the end the following new section:

§4544. Army industrial facilities: public-private partnerships for Ground Systems Industrial Enterprise.

(b) PILOT PROGRAM AUTHORITY FOR PUB-PRIVATE PARTNERSHIPS.—(1) The Secretary of the Army may enter into public-private partnerships, for a period determined by the head of the Department of Defense, with one or more non-Army entities (including excess capacity) of the facility (in-use contract or otherwise, of the facility) to perform the services.

(2) The Secretary may designate additional working-capital funded Army industrial facilities as participants in the Ground Systems Industrial Enterprise or may terminate such a designation as a result of an Army reorganization or realignment.

(c) AUTHORIZED PARTNERSHIP ACTIVITIES.—A public-private partnership established into by an Enterprise facility may, subject to subsection (d), engage in any of the following activities:

(1) The sale of articles manufactured by the facility or services performed by the facility to persons outside the Department of Defense.

(2) The performance of—

(A) work by a non-Army entity at the facility; or

(B) work for a non-Army entity by the facility.

(3) The sharing of work by the facility and one or more non-Army entities.

(4) The leasing, or use under a facilities use contract or otherwise, of the facility (including excess capacity) or equipment (including excess equipment) of the facility by a non-Army entity.

(5) The preparation and submission of joint offers by the facility and one or more non-Army entities for competitive procurements entered into with a department or agency of the United States.

(6) Any other cooperative effort by the facility and one or more non-Army entities that the Secretary determines appropriate, whether or not the effort is similar to an activity described in another paragraph of this subsection.

(d) CONDITIONS FOR PUBLIC-PRIVATE PARTNERSHIPS.—An activity described in subsection (c) may be carried out as a public-private partnership of an Enterprise facility only under the following conditions:

(1) In the case of an article to be manufactured or services to be performed by the facility, the articles can be substantially manufactured, or the services can be substantially performed, by the facility without subcontracting for more than incidental performance.

(2) The activity does not interfere with performance of—

(A) work by the facility for the Department of Defense or for a contractor of the Department of Defense; or

(B) a military mission of the facility.

(3) The activity meets one of the following objectives:

(A) Maximize utilization of the capacity of the facility.

(B) Reduce or eliminate the cost of ownership of the facility.

(C) Preserve the forces or equipment related to a core competency of the facility.

(4) The non-Army entity partner or purchaser agrees to hold harmless and indemnify the United States from any claim or liability for damages or injury to any person or property, including any damages or injury arising out of a decision by the Secretary of the Army or the Secretary of Defense to suspend or terminate a public-private partnership, or any portion thereof, during a war or national emergency, except—

(A) in any case of willful misconduct or gross negligence on the part of an officer or employee of the United States; and

(B) 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 any applicable law or regulation.

(e) METHODS OF PUBLIC-PRIVATE PART-}

(f) maximates the use of the facilities and the performance of—

(A) work by the facility for the Department of Defense.

(1) The sale of articles manufactured by the facility or services performed by the facility to persons outside the Department of Defense.

(2) The performance of—

(A) work by a non-Army entity at the facility; or

(B) work for a non-Army entity by the facility.

(3) The sharing of work by the facility and one or more non-Army entities.

(4) The leasing, or use under a facilities use contract or otherwise, of the facility (including excess capacity) or equipment (including excess equipment) of the facility by a non-Army entity.

(5) The preparation and submission of joint offers by the facility and one or more non-Army entities for competitive procurements entered into with a department or agency of the United States.

(6) Any other cooperative effort by the facility and one or more non-Army entities that the Secretary determines appropriate, whether or not the effort is similar to an activity described in another paragraph of this subsection.

(g) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report on the results of the study to Congress.

(h) PILOT PROGRAM TO CONSOLIDATE AND IMPROVE AUTHORITIES FOR ARMY WORKING-CAPITAL FUNDED FACILITIES AND FACILITIES OWNED OR OPERATED BY A PUBLIC-PRI

(i) AUTHORITY.—Chapter 433 of title 10, United States Code, is amended by adding at the end the following new section:

§4544. Army industrial facilities: public-private partnerships for Ground Systems Industrial Enterprise.

(b) PILOT PROGRAM AUTHORITY FOR PUB-PRIVATE PARTNERSHIPS.—(1) The Secretary of the Army may enter into public-private partnerships, for a period determined by the head of the Department of Defense, with one or more non-Army entities (including excess capacity) of the facility (in-use contract or otherwise, of the facility) to perform the services.

(2) The Secretary may designate additional working-capital funded Army industrial facilities as participants in the Ground Systems Industrial Enterprise or may terminate such a designation as a result of an Army reorganization or realignment.

(c) AUTHORIZED PARTNERSHIP ACTIVITIES.—A public-private partnership established into by an Enterprise facility may, subject to subsection (d), engage in any of the following activities:

(1) The sale of articles manufactured by the facility or services performed by the facility to persons outside the Department of Defense.

(2) The performance of—

(A) work by a non-Army entity at the facility; or

(B) work for a non-Army entity by the facility.

(3) The sharing of work by the facility and one or more non-Army entities.

(4) The leasing, or use under a facilities use contract or otherwise, of the facility (including excess capacity) or equipment (including excess equipment) of the facility by a non-Army entity.

(5) The preparation and submission of joint offers by the facility and one or more non-Army entities for competitive procurements entered into with a department or agency of the United States.

(6) Any other cooperative effort by the facility and one or more non-Army entities that the Secretary determines appropriate, whether or not the effort is similar to an activity described in another paragraph of this subsection.

(d) CONDITIONS FOR PUBLIC-PRIVATE PART-
On page 355, after line 23, add the following:

(b) TOTAL PROJECT AUTHORIZATION AMOUNT FOR CERTAIN ARMY NATIONAL GUARD PROJECTS—The authorized project amount for the Armed Forces Reserve Complex Center, Eugene, Oregon, for which $9,000,000 is authorized to be appropriated by subsection (a)(1)(A), is $27,051,000.

On page 44, between lines 18 and 19, insert the following:

SEC. 313. INVENTORY MANAGEMENT.

(a) LIMITATION ON PURCHASE OF EXCESS INVENTORY.—(1) Subject to paragraph (4), no funds authorized to be appropriated by this Act may be obligated or expended for purchasing in excess of the inventory of the Department of Defense that would exceed the requirement objectives for that inventory of such items.

(b) TheSecretary shall, within 30 days after the date of the enactment of this Act, review all pending orders for the purchase of that item and ensure compliance with the limitation in paragraph (1) with respect to that item.

SEC. 1039. REPEAL OF MTOPS REQUIREMENT FOR COMPUTER EXPORT CONTROLS.

(a) REPEAL.—Subtitle B of title XII of, and section 3157 of, the National Defense Authorization Act for Fiscal Year 1998 (10 U.S.C. App. 2404 note) are repealed.

(b) CONSULTATION REQUIRED.—Before implementing any regulations relating to an export administration system for high-performance computers, the President shall consult with the following congressional committees:

(1) The Select Committee on Homeland Security, the Committee on Armed Services, and the Committee on International Relations of the House of Representatives.

(2) The Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(c) REPORT.—Not later than 30 days after implementing any regulations described in subsection (b), the President shall submit to Congress a report that:

(1) identifies the functions of the Secretary of Commerce, Secretary of Defense, Secretary of Energy, Secretary of State, Secretary of Homeland Security, and any other relevant national security or intelligence agencies under the export administration system embraced by those regulations; and

(2) explains how the export administration system will effectively advance the national security objectives of the United States.
to the bill S. 1050, to authorize for fiscal year 2004 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 the Armed Forces on active duty and for other purposes; which was ordered to lie on the table; as follows:

On page 103, between lines 18 and 19, insert the following:

'熛(3) The requirement for the payment of costs and fees of instruction under paragraph (1) shall also apply with respect to instruction provided by the Air Force Institute of Technology, except that, for the purpose of this paragraph, any reference in paragraph (1) to the Naval Postgraduate School shall be treated as a reference to the Air Force Institute of Technology.'
and (iv) shall be coordinated with the Director of Central Intelligence before submission to the court.

(b) Decennial Review of Exempted Operational Files.—(1) Not less than once every 10 years, the Director of the National Security Agency and the Director of Central Intelligence shall review the exemptions in force under subsection (a) and determine whether such exemptions may be removed from a category of exempted files or any portion thereof. The Director of Central Intelligence must approve any determination to remove such exemptions.

(2) The review required by paragraph (1) shall include consideration of the historical value or public interest in the subject matter of a particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein.

(3) A complainant that alleges that NSA has improperly withheld records because of failure to comply with this subsection may seek judicial review in the district court of the United States of the district in which any of the parties reside, or in the District of Columbia. In such a proceeding, the court's review shall be limited to determining the following:

(A) Whether NSA has conducted the review required by paragraph (1) before the expiration of the 10-year period beginning on the date of the enactment of the National Security Authorization Act for Fiscal Year 2004 or before the expiration of the 10-year period beginning on the date of the most recent review.

(B) Whether NSA, in fact, considered the criteria set forth in paragraph (2) in conducting the required review.

(c) Conforming Amendments.—(1) Section 702(b) of the National Security Act of 1947 (50 U.S.C. 432(b)) is amended by striking "for purposes of this title" and inserting "in this section and section 702."

(2) Section 702(c) of such Act (50 U.S.C. 432(c)) is amended by striking "enactment of this title" and inserting "October 13, 1984."

(3) (A) The title heading for title VII of such Act is amended to read as follows: "TITLE VII—PROTECTION OF OPERATIONAL FILES."

(B) The title heading for section 701 of such Act is amended to read as follows: "PROTECTION OF OPERATIONAL FILES OF THE CENTRAL INTELLIGENCE AGENCY."

(C) The section heading for section 702 of such Act is amended to read as follows: "DECLINIAL REVIEW OF EXEMPTED CENTRAL INTELLIGENCE AGENCY OPERATIONAL FILES."

(d) Clerical Amendments.—The table of contents for the National Security Act of 1947 is amended:

(1) by striking the items relating to sections 105C and 105D; and

(2) by striking the items relating to title VII and inserting the following new items:

"TITLE VII—PROTECTION OF OPERATIONAL FILES."

"Sec. 701. Protection of operational files of the Central Intelligence Agency."

"Sec. 702. Decennial review of exempted Central Intelligence Agency operational files."

"Sec. 703. Protection of operational files of the National Imagery and Mapping Agency."

"Sec. 704. Protection of operational files of the National Reconnaissance Office."

"Sec. 705. Protection of operational files of the National Security Agency."

SEC. 653. Modification of Amount of Back Pay for Members of Navy and Marine Corps Selected for Promotion While Interned as Prisoners of War During World War II to Take Into Account Changes in Consumer Price Index.

(a) Modification.—Section 667(c) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398, 114 Stat. 1654A–170) is amended by adding at the end the following new paragraph:

"(3) The amount determined for a person under paragraph (1) shall be increased by an amount equal to the product of the basic pay referred to in paragraph (1)(B) paid to or for that person, calculated on the basis of the Consumer Price Index (all items) published bi-monthly by the Bureau of Labor Statistics, and

(b) Recalculation of Previous Payments.—In the case of any payment of back pay made under section 667 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 before the date of the enactment of this Act, the Secretary of Defense shall:

(1) recalculate the amount of back pay to which the person is entitled by reason of the amendment made by subsection (a); and

(2) if the amount of back pay, as so recalculated, exceeds the amount of back pay so paid, pay the person, or the surviving spouse of the person, an amount equal to the excess.

SEC. 781. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

On page 156, after line 20, insert the following:

SEC. 782. Mr. Voinovich submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:


SEC. 783. Mr. McCaien submitted an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be stricken, insert the following:

SEC. 812. Waiver Authority for Domestic Source or Content Requirements.

(a) Authority.—Subchapter V of chapter 128 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2539c. Waiver of domestic source or content requirements.

"(a) Authority.—Except as provided in subsection (f), the Secretary of Defense may waive the application of any domestic source requirement or domestic content requirement referred to in subsection (b) and thereunder by the procuring of items that are grown, reprocessed, reused, produced, or manufactured—

(1) in a foreign country that has a Declaration of Principles with the United States;

(2) in a foreign country that has a Declaration of Principles with the United States;

(3) in the United States substantially from components and materials grown, reprocessed, reused, produced, or manufactured in the United States or any foreign country that has a Declaration of Principles with the United States;

(b) Covered Requirements.—For purposes of this section:

"(1) A domestic source requirement is any requirement under law that the Department of Defense satisfy its requirements for an item by procuring an item that is grown, reprocessed, reused, produced, or manufactured in the United States or by a manufacturer that is part of the national technology and industrial base (as defined in section 2501(3) of this title).

(2) A domestic content requirement is any requirement under law that the Department of Defense satisfy its requirements for an item by procuring an item produced or manufactured partly or wholly from components and materials grown, reprocessed, reused, produced, or manufactured in the United States.
"(c) Applicability.—The authority of the Secretary to waive the application of a domestic source or content requirement under subsection (a) applies to the procurement of items intended for anti-terrorism technologies or anti-terrorism services to the Federal Government may not be required to offer such technology or services to a State or unit of local government under the program.

(b) Responsibilities of the Contracting Official.—In carrying out the program established under subsection (c) to address the procurement of anti-terrorism technologies and anti-terrorism services by States and units of local government under contracts awarded by the designated official.

(c) Required Procedures.—The procedures required by subsection (b)(2) shall implement the following requirements and authorities:

(1) Submissions by States.

(a) Requests and Payments.—Except as provided in subparagraph (B), each State desiring to participate in the procurement of anti-terrorism technologies and anti-terrorism services through a contract entered into by the designated Federal procurement official shall submit to the designated Federal procurement official a contract entered into by the designated Federal procurement official that is in the form and manner and at such times as such official prescribes the following:

(i) Request.—A request consisting of an enumeration of the technologies or services, respectively, that are desired by the State and units of local government within the State.

(ii) Payment.—Advance payment for each requested technology or service in an amount determined by the designated official based on estimated or actual costs of the technology or service and administrative costs incurred by such official.

(iii) Other Contracts.—The designated Federal procurement official may award and designate contracts under which States and units of local government may procure anti-terrorism technologies and anti-terrorism services through a contract entered into by the designated Federal procurement official.

(j) Declaration of Principles.—In this section, the term 'Declaration of Principles' means a written understanding between the Department of Defense and its counterpart in a foreign country specifying a cooperative relationship between the Department and its counterpart to standardize or make interoperable defense equipment used by the armed forces and the armed forces of the department of defense across a broad spectrum of defense activities, including:

(A) harmonization of military requirements and acquisition processes;

(B) security of supply;

(C) export procedures;

(D) security of information;

(E) ownership and corporate governance;

(F) development;

(G) flow of technical information; and

(H) defense trade.

(2) A Declaration of Principles is underpinned by a memorandum of understanding or other agreement providing for the reciprocal procurement of defense items between the United States and the foreign country concerned, including standards and practices in accordance with section 2531 of this title.

(b) Clerical Amendment.—The table of sections at the beginning of this subchapter is amended by inserting after the item relating to section 2593c the following new item:

"2593e. Waiver of domestic source or content requirements."
any eligible entity.

(1).

non-Federal share required under paragraph

United States Code, section 981(e) of title 18,

entity pursuant to section 9703(h) of title 31,

posal of property transferred to the eligible

service to ensure staffing at levels and with

skill mixes that are adequate emergency re-

services to ensure staffing at levels and with

force of firefighters in the fire service to en-

ment covered by the application, the fol-

contain, for each fire

(b) Waiver.—The designated Federal pro-

require the preparation of an application for a

The report shall include an assessment of the

supporting increases in the number of

SAFER grant funds received that year.

SAFER grant funds received that year.

SAFER grant funds received that year.

SAFER grant funds received that year.

(A) REQUIREMENT.—An eligible entity may

SAFER grant shall contain, for each fire

(ii) adjustment for inflation.—Effective

on October 1 of each year, the total annual

(iii) a tribal organization;

(ii) a subdivision of a State;

(i) A State;

(v) a multijurisdictional or regional con-

fire service, including a firefighter, para-

(i) in fire suppression and has been

(ii) engaged in the prevention, control, and

(iii) exercise of fire service in emergency

(iii) A SAFER grant shall be used to supple-

not supplement other Federal funds, State funds,

from a subdivision of a State, or, in the case

provided by the Bureau of Indian Affairs, that

are available for salaries or benefits for fire-

(B) LIMITATION RELATING TO COMPENSA-

(i) in general.—The proceeds of a SAFER

grant may not be used to fund the pay and

benefits of a full-time firefighter if the total

safe use of funds (as otherwise defined by

safely for funding firefighting functions on any In-

United States Code, or section 416 of the Tar-

Act of 1930 (19 U.S.C. 1016a) to provide the non-

duration (as otherwise defined by

(B) REPORT TO CONGRESS.—Not later than

years after the date of the enactment of this Act,

(C) $1,061,000,000 for fiscal year 2006;

$1,030,000,000 for fiscal year 2005;

$1,000,000,000 for fiscal year 2004;

$933,000,000 for fiscal year 2003;

$903,000,000 for fiscal year 2002.

$1,000,000,000 for fiscal year 2004;

$903,000,000 for fiscal year 2002.
SA 786. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; which was ordered to lie on the table; as follows:

SEC. 212. NON-TELEMETRY IMAGING SYSTEMS. 
(a) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy and available for Power Projection Applied Research (PE 62114N), $2,000,000 may be available for non-telemetry imaging systems.
(b) SUPPORT TO SUPPLANT.—The amount available under subsection (a) for the purpose specified in that subsection is in addition to any other amounts available under this Act for that purpose.

SA 788. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize for fiscal year 2004 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; which was ordered to lie on the table; as follows:

SEC. 123. INFORMATION OPERATIONS SUSTAINMENT FOR LAND FORCES READINESS OF ARMY RESERVE.
(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS FOR.
(1) The amount authorized to be appropriated by section 301(d) for operation and maintenance for the Army Reserve is hereby increased by $5,000,000.
(b) AVAILABILITY FOR INFORMATION OPERATIONS SUSTAINMENT.—(1) Of the amount authorized to be appropriated by section 301(d) for operation and maintenance for the Army Reserve, as increased by subsection (a), $3,000,000 may be available for Information Operations (Account #19640) for Land Forces Readiness-Information Operations Sustainment.
(2) The amount available under paragraph (1) for the purpose specified in that paragraph is in addition to any other amounts available under this Act for that purpose.

(c) REPORT.—(1) Not later than March 1, 2004, the Secretary of the Army and the Secretary of the Air Force shall jointly submit to Congress a report assessing whether the repeal of section 3136 of the National Defense Authorization Act for Fiscal Year 2004, which is in effect in the Persian Gulf as a result of the September 11, 2001 terrorist attacks, affords the United States and what actions if any the United States can and should take to minimize any negative effects.
(2) The report shall be submitted in unclassified form, but may include a classified annex if necessary.

SA 791. Mr. DASCHLE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize for fiscal year 2004 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; which was ordered to lie on the table; as follows:

SEC. 123. B-1B BOMBER AIRCRAFT.
(a) AMOUNT FOR AIRCRAFT.—(1) Of the amount authorized to be appropriated under section 103(c), $20,300,000 shall be available to reconstitute the fleet of B-1B bomber aircraft through modifications of 23 B-1B bombers through the B-1B Bomber Modernization Program, and for other defense 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; which was ordered to lie on the table; as follows:

SEC. 1009. SENSE OF SENATE ON DEPLOYMENT OF AIRBORNE CHEMICAL AGENT MONITORING SYSTEMS AT CHEMICAL WEAPONS STORAGE DISPOSAL SITES IN THE UNITED STATES.
(a) FINDINGS.—The Senate makes the following findings:
(1) The United States owns or controls more than 100 chemical weapons storage sites and depots.
(2) The Secretary of the Air Force shall submit to the congressional defense committees a report that specifies the amounts necessary to include in the budget, for the fiscal year 2003, for missile defense, for defense procurement, for defense R&D, and for other purposes, that the United States is prepared to include in its military budget to reconstitute the B-1B bomber aircraft fleet of the Air Force.
SA 792. Mr. WARNER proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

On page 25, between lines 11 and 12, insert the following:

SEC. 213. AMOUNT FOR JOINT ENGINEERING DATA MANAGEMENT INFORMATION AND CONTROL SYSTEM.

(a) NAVY RDT&E.—The amount authorized to be appropriated under section 102(2) is hereby increased by $2,500,000. Such amount may be used for the Joint Engineering Data Management Information and Control System (JEDMICS).

(b) NAVY PROCUREMENT.—The amount authorized to be appropriated under section 102(a)(4) is hereby reduced by $2,500,000, to be derived from the amount provided for the joint Engineering Data Management Information and Control System (JEDMICS).

SA 793. Mr. LEVIN (for Mr. WYDEN (for Senators Mr. COLLINS and Mr. CLINTON, Mr. BYRD, Mr. LAUTENBERG)) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

On page 273, between lines 20 and 21, insert the following:

(d) REPORTING REQUIREMENT RELATING TO NONCOMPETITIVE CONTRACTING FOR THE RECONSTRUCTION OF INFRASTRUCTURE OF IRAQ.—

(1) If a contract for the maintenance, rehabilitation, or repair of infrastructure in Iraq is entered into under the oversight and direction of the Secretary of Defense or the Office of Reconstruction and Humanitarian Assistance in the Office of the Secretary of Defense without full and open competition, the Secretary shall publish in the Federal Register or Commerce Business Daily and otherwise make available to the public, not later than 30 days after the date on which the contract is entered into, the following information:

(i) The amount of the contract.

(ii) A brief description of the scope of the contract.

(iii) A discussion of how the executive agency identified, and solicited offers from, potential contractors to perform the contract, together with a list of the potential contractors that were issued solicitations for the offers.

(iv) The justification and approval documents on which was based the determination to use procedures different from those procedures that provide for full and open competition.

(B) Subparagraph (A) does not apply to a contract entered into more than one year after the date of enactment.

2(2) The head of an executive agency may—

(i) withhold from publication and disclosure under paragraph (1) any document that is classified for restricted access in accordance with an Executive order in the interest of national security or foreign policy; and

(ii) redact any part so classified that is in a document not so classified before publication and disclosure of the document under paragraph (1).

(B) In any case in which the head of an executive agency withholds information under subparagraph (A), the head of such executive agency shall provide an unclassified or redacted version of the document containing that information to the chairman and ranking member of each of the following committees of Congress:

(i) The Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(ii) The Committees on Appropriations of the Senate and the House of Representatives.

(iii) Each committee that the head of the executive agency for military has legislative jurisdiction for the operations of such department or agency to which the information relates.

(3) This subsection shall apply to contracts entered into on or after October 1, 2002, except that, in the case of a contract entered into before the date of the enactment of this Act, paragraph (1) shall be applied as if the contract had been entered into on the date of the enactment of this Act.

(4) Nothing in this subsection shall be construed as affecting obligations to disclose United States Government information under any other provision of law.

SA 794. Mr. WARNER (for Mr. McCAIN (for himself and Mr. BAYH)) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 for the Armed Forces, for defense 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; as follows:

On page 109, between lines 9 and 10, insert the following:

SEC. 353. FUNDING OF EDUCATION ASSISTANCE ENLISTMENT INCENTIVES TO FACILITATE NATIONAL SERVICE THROUGH DEPARTMENT OF DEFENSE EDUCATION BENEFITS FUND.

(a) In general.—Subsection (i) of section 510 of title 10, United States Code, is amended to read as follows:

"(i) FUNDING.—(1) Amounts for the payment of incentives under paragraphs (1) and (2) of subsection (e) shall be derived from amounts available to the Secretary of the military department concerned for the payment of pay, allowances and other expenses of the members of the armed force concerned.

"(2) Amounts for the payment of incentives under paragraphs (3) and (4) of subsection (e) shall be derived from the Department of Defense Education Benefits Fund under section 2006 of this title.

(b) CONFORMING AMENDMENTS.—Section 2006(b) of such title is amended—

(1) in paragraph (1), by inserting "paragraphs (3) and (4) of section 510(e) and" after "Department of Defense under"; and

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

"(E) The present value of future benefits payable from the Fund for educational assistance under paragraphs (3) and (4) of section 510(e) of this title to persons who during such period become entitled to such assistance.";

SA 795. Mr. WARNER (for Mr. ROBERTS) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

On page 81, between lines 19 and 20, insert the following:

(e) DEMONSTRATION PROJECTS FOR CONTRACTORS EMPLOYING PERSONS WITH DISABILITIES.—(1) The Secretary of Defense may carry out two demonstration projects for the purpose of providing opportunities for participation by severely disabled individuals in the industries of manufacturing and information technology.

On each demonstration project, the Secretary may enter into one or more contracts with an eligible contractor for each of fiscal years 2004 and 2005 for the acquisition of:

(A) aerospace end items or components; or

(B) information technology products or services.

SA 796. Mr. LEVIN (for Mrs. FEINSTEIN (for herself and Mr. STEVENS)) proposed an amendment to the bill S. 1050, to authorize appropriations for
SA 797. Mr. LEVIN (for Mr. LIEBERMAN) proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

At the end of subtitle C of title II, add the following:

SEC. 235. DEPARTMENT OF DEFENSE STRATEGY FOR MANAGEMENT OF ELECTROMAGNETIC SPECTRUM.—

(a) IN GENERAL.—The Secretary of Defense shall—

(1) in accordance with subsection (b), develop a strategy for the Department of Defense for the management of the electromagnetic spectrum to improve spectrum access and high-bandwidth connectivity to military assets;

(2) in accordance with subsection (c), communicate with civilian departments and agencies of the Federal Government in the development of the strategy identified in paragraph (a)(1); and

(b) STRATEGY FOR DEPARTMENT OF DEFENSE STRATEGY FOR SPECTRUM MANAGEMENT.—(1) Not later than December 1, 2004, the Secretary of Defense shall develop a strategy for the Department of Defense for the management of the electromagnetic spectrum in order to ensure the development and use of spectrum-efficient technologies to facilitate the availability of adequate spectrum for network-centric warfare. The strategy shall include specific timelines, metrics, plans for implementation including the implementation of technologies for the efficient use of spectrum, and proposals for program funding.

(2) In developing the strategy, the Board shall consider and take into account the research and development program carried out under section 234.

(3) The Board shall assist in updating the strategy developed under paragraph (1) on a biennial basis to address changes in circumstances.

(4) The Board shall communicate with other departments and agencies of the Federal Government in the development of the strategy described in subsection (a)(1), representatives of the military departments, the Federal Communications Commission, the National Telecommunications and Information Administration, the Department of Homeland Security, the Federal Aviation Administration, and other appropriate departments and agencies of the Federal Government.

(c) BOARD.—In this section, the term “Board” means the Board of Senior Acquisition Officials as defined in section 822.

SA 798. Mr. WARNER proposed an amendment to the bill S. 1050, to authorize appropriations for fiscal year 2004 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; as follows:

On page 326, strike lines 8 and all that follow through page 326, line 13.

On page 326, strike line 14 through 3.

On page 328, line 21, strike “(1), (2), and (3)” and insert “(1) and (2)”.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, June 4, at 10 a.m. in Room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 959—The Wild Sky Wilderness Act of 2003; S. 1003—To clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River; H. R. 417—To authorize the exchange of lands between an Alaska Native Village Corporation and the Department of the Interior, and for other purposes; S. 714—a bill to provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, and for other purposes.


Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510.

For further information, please contact the staff as indicated above.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALLARD. Mr. President, I ask unanimous consent that the committee on Agriculture, Nutrition, and Forestry be authorized to conduct a business meeting during the session of the Senate on Wednesday, May 21, 2003. The purpose of this meeting will be to consider the nominations of Glen Klippenstein, Julia Bartling, and Lowell J. unkins to be members of the Board of Directors of the Federal Agricultural Mortgage Corporation and Tom Dorr to be a member of the Board of Directors of the Commodity Credit Corporation, and the nominations of the Secretary of Agriculture for Rural Development.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 21, 2003, at 10:00 a.m. to conduct an oversight hearing on “national export strategy.”

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, May 21, 2003, at 9:30 a.m. on TBA-21. R. reauthorization, in SR–253.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALLARD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 21, 2003, at 10:00 a.m. to consider pending calendar business.

Agenda Item No. 2—S. 520—A bill to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho for use as a wildlife refuge; and to require the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era.

Agenda Item No. 3–S. 625—A bill to authorize the Bureau of Reclamation to conduct certain feasibility studies in the Tualatin River Basin in Oregon, and for other purposes.

Agenda Item No. 4–S. 500—A bill to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era.

Agenda Item No. 6–S. 635—A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes.

Agenda Item No. 7–S. 651—A bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes.