CONGRESSIONAL RECORD — HOUSE

May 22, 2003

H4571

from California (Mr. HUNTER) had been disposed of.

SEQUENTIAL VOTES POSTED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceeding now will resume on those amendments which further proceedings were postponed in the following order: amendment No. 3 offered by the gentlewoman from California (Ms. SANCHEZ), amendment No. 4 offered by the gentlewoman from California (Ms. TAUCHEIMER), amendment No. 5 offered by the gentleman from Florida (Mr. Goss), and amendment No. 8 offered by the gentlewoman from New Jersey (Mr. SAXTON).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MS. SANCHEZ OF CALIFORNIA

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SANCHEZ) on further proceedings postponed and on which the noes prevailed by voice vote.

The vote was taken after adjournment of the House and a quorum being present, 2 minutes being allowed for a reconsideration of the vote. The results of the vote were ordered recorded.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. SANCHEZ of California:

At the end of title VII (page 196, after line 12), add the following new section:

SEC. 709. LIMITATION OF USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS TO FACILITIES IN THE UNITED STATES.

Section 1039(b) of title 10, United States Code, is amended by inserting "in the United States" after "Defense."
Mr. GILCHREST changed his vote from "no" to "aye." So the amendment was rejected.

The vote was taken by electronic device, and there were—ayes 199, noes 226, not voting 9, as follows:

[Vote not available]

The Clerk will redesignate the amendment.

The CHAIRMAN pro tempore. The amendment was rejected by a recorded vote. Not voting 7, as follows:

[Blank]

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The amendment was rejected by a recorded vote. Not voting 7, as follows:

[Blank]
Amendment No. 6 offered by Mr. Goss. At the end of title XII (page 384, after line 13), insert the following new section:

SEC. ___ REPORT ON ACTIONS THAT COULD BE TAKEN REGARDING COUNTRIES THAT INITIATE CERTAIN LEGAL ACTIONS AGAINST UNITED STATES OFFICIALS.

(a) FINDING.—Congress finds that actions for or on behalf of a foreign government that constitute attempts to commence legal proceedings against, or attempts to compel the appearance for the production of documents from, any current or former official or employee of the United States or member of the Armed Forces of the United States relating to the performance of official duties constitutes a threat to the ability of the United States to take necessary and timely military action.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on appropriate steps that could be taken (including restrictions on military travel and limitations on military support and exchange programs) to respond to any action by a foreign government described in subsection (a).

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

The CHAIRMAN pro tempore. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 412, noes 11, not voting 11, as follows:

[Roll No. 217]

AYES—412

Abercrombie Burns Diablo-Balarat, M.
Ackerman Burr Dick
Aderholt Buyer Dingel
Akkin Calvert Doggett
Alexander Camp Doyle (CA)
Allen Cannon Dojillot
Andrews Cantor Doyle
Baca Capito Dreier
Bachus Capps Duncan
Baird Corder Dunn
Baldwin Cardoza Ehlers
Baillier Carson (OK) Engel
Barrett (SC) Carter English
Barrett (NY) Case Eshoo
Bartlett (CA) Castle Etheredge
Barton (TX) Chabot Evans
Beauprez Chaput Everett
Becerra Clay Fair
Bel Clyburn Fattah
Berenger Cole Feeney
Berman Collins Ferguson
Berry Cooper Fletcher
Biggert Costello Foley
Billikirk Cramer Forbes
Bishop (GA) Crane Ford
Bishop (NY) Culbin Forsell
Bishop (UT) Crowley Frank (MA)
Blackburn Cumbersome Fuller
Blumenauer Cummings Franks (AZ)
Boehlert Cunningham Gallegly
Bonner Davis (AL) Garrett (NJ)
Bonner Davis (CA) Gerlach
Bosco Davis (GA) Gibson
Bowman Davis (IL) Gilchrist
Booswell Davis (TN) Gilmor
Boozeman Davis, Jo Ann Gingrich
Bradley (NH) Davis, Tom Gonzales
Bradley (PA) Deal (GA) Goodale
Brady (TX) DeGette Goodloe
Brown (OH) Delahunt Goss
Brown (SC) Deloule Groener
Brown, Corrine Delay Graves
Brown-Waite Dunn Greenwood
Burgess Diaz-Balart, L. Greenwood

NOT VOTING—11

Bonilla Emerson
Burns (IN) Ge. Ormond
Burns (MI) Issa
Cox (GA) Lewis (GA)

ANNOUNCEMENT

The CHAIRMAN pro tempore (Mr. LAHood) (during the vote). The Chair will advise Members there are two minutes left to vote.

Mr. PAYNE changed his vote from “aye” to “no.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on amendment No. 8 offered by the gentleman from New Jersey [Mr. SAXTON] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. Offered by Mr. SAXTON: At the end of subtitle B of title V (page 91, after line 16), insert the following new section:

SEC. 514. REPEAL OF REQUIRED GRADE OF DEFENSE ATTACHE IN FRANCE.

(a) IN GENERAL.—Section 714 of title 10, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 41 of such title is amended by striking the item relating to section 714.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 302, noes 123, not voting 9, as follows:

[Roll No. 218]

AYES—302

Ackerlson Aderholt
Ackerman Bradly (PA)
Alderman Bradly (TX)
Allen Brown (SC)
Andrews Brown-Waite, Ginny
Baca Burgess
Baker Davis, Jo Ann
Baldwin Davis, Tom
Baker Buerry
Baldinger DeLay
Barrett (SC) Calvert
Barrett (NY) Cartwright
Bartlett (CA) Castle
Barton (TX) Chabot
Beauprez Chaput
Becerra Clay
Bell Clyburn
Berenger Cole
Berman Collins
Berry Cooper
Biggert Costello
Billikirk Cramer
Bishop (GA) Crane
Bishop (NY) Culbin
Bishop (UT) Crowley
Blackburn Cumbersome
Blumenauer Cummings
Boehlert Cunningham
Bonner Davis (AL)
Bonner Davis (CA)
Bosco Davis (IL)
Bowman Davis (IL)
Booswell Davis (TN)
Boozeman Davis, Jo Ann
Bradley (NH) Davis, Tom
Bradley (PA) Deal (GA)
Brady (TX) DeGette
Brown (OH) Delahunt
Brown (SC) Deloule
Brown, Corrine Delay
Brown-Waite Dunn
Burgess Diaz-Balart, L.

NOT VOTING—9

Bonilla Emerson
Burns (IN) Ge. Ormond
Burns (MI) Issa
Cox (GA) Lewis (GA)

CONGRESSIONAL RECORD — HOUSE
NOES—17

The CHAIRMAN pro tempore (during the vote). The Chair advises there are 2 minutes to vote.

MESSRS. TOWNS, PRICE of North Carolina and PALLONE, Ms. LORETTA SANCHEZ of California and Ms. MCCOLLUM changed their vote from "aye" to "no." So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. Pursuant to House Resolution 247, no further amendment to the committee amendment in the nature of a substitute is in order except those printed in House Report 108-122 and amendments en bloc described in section 2 of the resolution.

Each amendment printed in the report shall be offered only in the order printed, except as specified in section 3, may be offered only by a Member designated in the resolution, shall be considered read, and shall not be subject to a demand for division of the question.

Each amendment printed in the report shall be debatable for 15 minutes, unless otherwise specified in the report, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services each amendable for the purpose of further debate on any pending amendment.

It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in the report not earlier disposed of or germane modifications authorized by paragraph (2).

Mr. HUNTER. Mr. Chairman, I offer an en bloc amendment.

The CHAIRMAN pro tempore (Mr. LAHOOD). The Clerk will designate the amendments en bloc and report the modifications, as follows:

Amendments en bloc printed in House Report 108-122 offered by Mr. HUNTER consisting of amendment No. 1; amendment No. 2; amendment No. 3; amendment No. 4; amendment No. 5; amendment No. 6; amendment No. 7; amendment No. 8; amendment No. 10; amendment No. 11; as amended; amendment No. 12; amendment No. 13; amendment No. 14; amendment No. 15; amendment No. 16; amendment No. 17; amendment No. 18; amendment No. 19; amendment No. 20; amendment No. 21, as modified; amendment No. 22; amendment No. 23; amendment No. 24; amendment No. 25; amendment No. 26; amendment No. 27; amendment No. 28; amendment No. 29; and amendment No. 30.

AMENDMENT NO. 1 OFFERED BY MR. KLINE

The text of the amendment is as follows:

At the end of division A (page 433, after line 20), insert the following new title:

TITLE XV—HIGHER EDUCATION RELIEF OPPORTUNITIES FOR STUDENTS

SEC. 1501. SHORT TITLE; REFERENCE.

(a) SHORT TITLE.—This title may be cited as the "Higher Education Relief Opportunities for Students Act of 2003." (b) REFERENCE.—References in this title to the "Act" are references to the Higher Education Act of 1965, as amended by this title.

SEC. 1502. WAIVER AUTHORITY FOR RESPONSE TO MILITARY CONTINGENCIES AND NATIONAL EMERGENCIES.

(a) WAIVERS AND MODIFICATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, unless enacted with specific reference to this section, the Secretary of Education (referred to in this title as the "Secretary") may waive or modify any statutory or regulatory provision applicable to the student financial assistance programs under title IV of the Act as the Secretary deems necessary in connection with a war or other military operation or national emergency to provide the waivers or modifications authorized by paragraph (2).

(2) ACTIONS AUTHORIZED.—The Secretary is authorized to waive or modify any provision described in paragraph (1) as may be necessary to ensure that—

(A) recipients of student financial assistance under title IV of the Act who are affected individuals are not placed in a worse position financially in relation to that financial assistance because of their status as affected individuals;

(B) administrative requirements placed on affected individuals are not applicable to students who receive financial assistance.

The original proponent of an amendment included in the amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendments en bloc.
Amendment No. 2 offered by Mr. Brown of South Carolina.

The text of the amendment is as follows:

At the end of title III (page 394, after line 3), insert the following new section:

SEC. 1506. SENSE OF CONGRESS CONCERNING NATIONAL GUARD DUTY.

(a) FINDINGS.—Congress finds the following:

(1) The United States Sixth Fleet has not conducted regular visits to the port of Haifa, Israel, since the attack on the U.S.S. Cole in Aden, Yemen, on October 12, 2000, but previously visited that port on a regular basis, with an average of 90 United States warships visiting Haifa each year.

(2) The United States Navy has invested millions of dollars in expanding the capacity and capability of the port of Haifa to accommodate United States Navy requirements and the port of Haifa is among the most secure harbors in the world and offers reliable and efficient repair facilities with close proximity to capable air transport and communications.

(3) The forward presence of United States Navy ships in the Persian Gulf is a powerful deterrent to aggression and a tangible expression of American national interests.
(A) The visits of the United States Sixth Fleet to Haifa demonstrate the historic friendship of the American and Israeli people and the commitment of the United States to the security and survival of the State of Israel.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary of Defense and the United States Navy should engage with the Government of Israel and the Israel Defense Forces to establish appropriate and effective arrangements to ensure the safety of United States Navy vessels and personnel; and

(2) upon such arrangements being made, the Sixth Fleet should resume regular port visits to Haifa.

AMENDMENT NO. 5 OFFERED BY MR. HEFLEY

The text of the amendment is as follows:

At the end of title X (page 333, after line 21), insert the following new section:

SEC. 21. PILOT PROGRAM TO IMPROVE USE OF AIR FORCE AND AIR NATIONAL GUARD MODULAR AIRBORNE FIRE-FIGHTING SYSTEMS TO FIGHT WILDFIRES.

(a) TEMPORARY EXCEPTION TO ECONOMY ACT REQUIREMENT.—Notwithstanding section 1535(a)(4) of title 31, United States Code, the Secretary of Defense, or under the Secretary of Agriculture may procure the services of military aircraft (and personnel of the Armed Forces) to operate and maintain such aircraft, as well as Air Force and Air National Guard Modular Airborne Fire-Fighting Systems units in California, Colorado, North Carolina, and Wyoming to fight a wildfire without first comparing the cost and convenience of procuring such services from such source to the cost of procuring the same services from a commercial enterprise.

(b) DURATION OF PILOT PROGRAM.—The authority provided by subsection (a) expires December 31, 2005.

(c) REPORTING REQUIREMENT.—Not later than February 1, 2005, the Secretary of the Interior and the Secretary of Agriculture shall submit to Congress a report describing—

(1) the use of the exception provided in subsection (a) to expedite the procurement of the services of Air Force and Air National Guard Modular Airborne Fire-Fighting Systems units in California, Colorado, North Carolina, and Wyoming to fight a wildfire without first comparing the cost and convenience of procuring such services from such source to the cost of procuring the same services from a commercial enterprise; and

(2) the ability of such units in responding to wildfires in a timely and effective manner.

AMENDMENT NO. 6 OFFERED BY MR. LANTOS

The text of the amendment is as follows:

In section 1021, strike subsection (b) (page 274, lines 22 through 24), and redesignate subsequent subsections accordingly.

AMENDMENT NO. 7 OFFERED BY M.J. JACKSON-LEE OF TEXAS

The text of the amendment is as follows:

At the end of title X (page 333, after line 21), insert the following new section:

SEC. 3611. ESTABLISHMENT OF INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM IN SOUTH AND CENTRAL AMERICA FOR THE RECOVERY AND DESTRUCTION OF NUCLEAR MATERIALS threatening or used in support of terrorism.

(a) POLICY WITH RESPECT TO FORMER SOVIET UNION.—It is the policy of the United States to seek to cooperate with the Russian Federation and other independent states of the former Soviet Union to effect as quickly as is reasonably practical basic security measures (such as the replacement of doors, the bricking of or placement of bars in windows, the clearing of underbrush from facility perimeters, and the erection of fences) at each facility in the Russian Federation and each such country that are used for storing nuclear weapons or nuclear materials and is not yet protected by such measures.

(b) POLICY WORLDWIDE.—It is the policy of the United States to cooperate with all appropriate nations—

(1) to attempt to ensure that all nuclear weapons and nuclear materials worldwide are secure and accounted for according to stringent standards; and

(2) to minimize the number of facilities worldwide at which separated plutonium and highly enriched uranium are present, so as to achieve the highest and most sustainable levels of security for such facilities in the most cost-effective manner.

(c) EXPANSION OF PROGRAM TO ADDITIONAL COUNTRIES AUTHORIZED.—(1) The Secretary of State may establish an international nuclear materials protection and cooperation program with respect to countries other than the Russian Federation and the other independent states of the former Soviet Union.

(2) In carrying out such program, the Secretary of State may provide such funds as are needed to remove nuclear materials from potentially vulnerable facilities, including funds to cover the costs of—

(A) transporting such materials from those facilities to secure storage; or

(B) purchasing such materials; and

(C) converting such facilities to a use that no longer requires nuclear materials; and

(D) providing incentives to facilitate the removal of such materials from such facilities.

(3)(A) The Secretary of Energy may provide technical assistance to the Secretary of State in the efforts of the Secretary of State, in carrying out the program, to assist such countries to review and improve their security programs with respect to nuclear weapons and nuclear materials.

(B) The technical assistance provided under subparagraph (A) may, when consistent with the treaty obligations of the United States, include the sharing of technology or methodologies with the countries referred to in that subparagraph; and such sharing shall take into account the sovereignty of the country concerned and the nuclear weapons programs of such country.

(4) The Secretary of Energy and the Secretary of the Interior shall include the development of outreach programs with respect to nuclear weapons and nuclear materials.

(5) The Secretary of Energy should engage with the Government of Israel for conducting such missions.

AMENDMENT NO. 8 OFFERED BY MS. JACKSON-LEE OF TEXAS

The text of the amendment is as follows:

In section 1021, strike subsection (b) (page 386, line 24, strike "$500,000", and insert "$78,000,000").

At the end of the bill, add the following new title:

TITLE XXXVI—NUCLEAR SECURITY INITIATIVE

SEC. 3601. SHORT TITLE.

This title may be cited as the "Nuclear Security Initiative Act of 2003".

Subtitle A—Nonproliferation Program Enhancements

SEC. 3611. ESTABLISHMENT OF INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM IN SOUTH AND CENTRAL AMERICA FOR THE RECOVERY AND DESTRUCTION OF NUCLEAR MATERIALS threatening or used in support of terrorism.

(a) POLICY WITH RESPECT TO FORMER SOVIET UNION.—It is the policy of the United States to seek to cooperate with the Russian Federation and other independent states of the former Soviet Union to effect as quickly as is reasonably practical basic security measures (such as the replacement of doors, the bricking of or placement of bars in windows, the clearing of underbrush from facility perimeters, and the erection of fences) at each facility in the Russian Federation and each such country that are used for storing nuclear weapons or nuclear materials and is not yet protected by such measures.

(b) POLICY WORLDWIDE.—It is the policy of the United States to cooperate with all appropriate nations—

(1) to attempt to ensure that all nuclear weapons and nuclear materials worldwide are secure and accounted for according to stringent standards; and

(2) to minimize the number of facilities worldwide at which separated plutonium and highly enriched uranium are present, so as to achieve the highest and most sustainable levels of security for such facilities in the most cost-effective manner.

(c) EXPANSION OF PROGRAM TO ADDITIONAL COUNTRIES AUTHORIZED.—(1) The Secretary of State may establish an international nuclear materials protection and cooperation program with respect to countries other than the Russian Federation and the other independent states of the former Soviet Union.

(2) In carrying out such program, the Secretary of State may provide such funds as are needed to remove nuclear materials from potentially vulnerable facilities, including funds to cover the costs of—

(A) transporting such materials from those facilities to secure storage; or

(B) purchasing such materials; and

(C) converting such facilities to a use that no longer requires nuclear materials; and

(D) providing incentives to facilitate the removal of such materials from such facilities.

(3)(A) The Secretary of Energy may provide technical assistance to the Secretary of State in the efforts of the Secretary of State, in carrying out the program, to assist such countries to review and improve their security programs with respect to nuclear weapons and nuclear materials.

(B) The technical assistance provided under subparagraph (A) may, when consistent with the treaty obligations of the United States, include the sharing of technology or methodologies with the countries referred to in that subparagraph; and such sharing shall take into account the sovereignty of the country concerned and the nuclear weapons programs of such country.

(4) The Secretary of Energy and the Secretary of the Interior shall include the development of outreach programs with respect to nuclear weapons and nuclear materials.

(5) The Secretary of Energy should engage with the Government of Israel for conducting such missions.

(c) The Secretary of State may include the Russian Federation in activities under this paragraph if the Secretary determines that the experience of the Russian Federation under the International Nuclear Materials Nonproliferation and Cooperation Program of the Department of Energy would make the participation of the Russian Federation in those activities useful in providing technical assistance under subparagraph (A).

Subtitle B—Administration and Oversight of Threat Reduction and Nonproliferation Programs

SEC. 3621. ANALYSIS OF EFFECT ON THREAT REDUCTION AND NONPROLIFERATION PROGRAMS OF CONGRESSIONAL OVERSIGHT MEASURES WITH RESPECT TO SUCH PROGRAMS.

(a) ANALYSIS OF AND REPORT ON CONGRESSIONAL OVERSIGHT MEASURES.—(1) The National Academy of Sciences shall carry out an analysis of the effect on threat reduction and nonproliferation programs of applicable congressional oversight measures. The analysis shall take into account—

(A) the national security interests of the United States;

(B) the need for accountability in the expenditure of funds by the United States;

(C) the effect of such congressional oversight measures on the continuity and effectiveness of such programs; and

(D) the oversight responsibilities of Congress with respect to such programs.

(2) In carrying out the analysis, the National Academy of Sciences shall consult with the chairs and ranking minority members of the Committees on Armed Services of the Senate and the House of Representatives.

REPORT.—Not later than November 1, 2004, the National Academy of Sciences shall submit to Congress a report on the analysis required by subsection (a). The report shall—

(A) identify, and describe the scope of, each congressional oversight measure; and

(B) set forth such recommendations as the National Academy of Sciences considers appropriate as to whether the measure should be retained, amended, or repealed, together with the reasoning underlying that determination.

(c) DEFINITIONS.—In this section:

(1) the term "congressional oversight measure" means—

(A) the restrictions in subsection (d) of section 1203 of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952);

(B) the eligibility requirements in paragraphs (1) through (4) of section 502 of the FREEDOM Support Act (22 U.S.C. 5952); or


(2) any restriction or prohibition on the use of funds otherwise available for threat reduction and nonproliferation programs.
reduction and nonproliferation programs that applies absent the submission to Congress (or any one or more officers or committees of Congress) of a report, certification, or other designation.

(2) The term ‘‘threat reduction and nonproliferation programs’’ means—

(A) the programs specified in section 1501(b) of the Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note); and

(B) any programs for which funds are made available for defense nuclear nonproliferation account of the Department of Energy.

SEC. 3622. ANNUAL REPORT ON THE USE OF FUNDS APPROPRIATED TO FACILITATE THREAT REDUCTION AND NONPROLIFERATION IN STATES OF THE FORMER SOVIET UNION.

(a) REPORT.—Not later than December 31 of each year, the Secretary of Energy shall submit to Congress a report on the use, during the fiscal year ending September 30 of that year, of funds appropriated for threat reduction and nonproliferation programs in the Russian Federation and the other independent states of the former Soviet Union.

The report shall be prepared in consultation with the Secretary of Defense and shall include the following:

(1) A description of the use of such funds and the manner in which such funds are being monitored and accounted for, including—

(A) the amounts obligated, and the amounts expended, for such activities;

(B) the purposes for which such amounts were obligated and expended;

(C) the forms of assistance provided, and the justification for each form of assistance provided;

(D) the success of each such activity, including the purposes achieved for each such activity;

(E) a description of the participation in such activities by private sector entities in the United States and by Federal agencies; and

(F) any other information that the Secretary of Energy considers appropriate to provide a complete description of the operation and success of such activities.

(2) An accounting of the financial commitment made by the Russian Federation during the fiscal year ending September 30 of that year, of funds appropriated for threat reduction and nonproliferation programs in the Russian Federation.

(3) A description of the efforts made by the United States to encourage the Russian Federation to continue to maintain its current level of financial commitment at a level not less than the level of its commitment for fiscal year 2003, and the response of the Russian Federation to such efforts.

(4) A description of the access provided by the Russian Federation to the United States during the fiscal year covered by the report, to the destruction of its weapons of mass destruction and to threat reduction and nonproliferation programs.

(b) REPORT REQUIRED TO COVER BOTH PLANS.—Not later than January 31, 2003, and the response of the Russian Federation to the destruction of its weapons of mass destruction, and nuclear weapons; and

(3) In developing the plan required by subsection (a) and inserting ‘‘plans required by subsections (a) and (d)’’.

(3) in paragraph (2)—

(A) the latest report due after January 31, 2004.

The President shall develop with the President of the Russian Federation and submit to Congress a comprehensive, detailed plan—

(A) to account for, secure, and destroy all chemical and biological weapons, and the chemical and biological materials designed for use in such weapons, that are located in Russia and the independent states of the former Soviet Union; and

(B) to prevent the outflow from those states of the technology and scientific expertise that could be used for developing those weapons, including delivery systems.

(2) The plan required by paragraph (1) shall include the following:

(A) Specific goals and measurable objectives for the programs that are designed to carry out the requirements specified in subparagraphs (A) and (B) of paragraph (1).

(B) Identification of all significant obstacles to achieving those objectives and the means for overcoming those obstacles.

(C) Criteria for success for those programs and a strategy for eventual termination of United States contributions to the programs that are designed to provide continuing support of those programs by the Russian Federation.

(D) Specification of the fiscal and other resource requirements for the eight fiscal years after fiscal year 2003 to achieve those objectives, including contributions from the international community.

(E) Arrangements for the United States oversight and access to sites.

(F) Recommendations for any changes—

(i) in the structure or organization of the programs for carrying out those objectives; and

(ii) in regulations or legislation that would increase the efficiency and coordination of those programs and would otherwise contribute to the achievement of those objectives.

(3) In developing the plan required by paragraph (1), the President shall consult with—

(A) the majority and minority leadership of the appropriate committees of Congress; and

(B) appropriate officials of the states of the former Soviet Union.

(4)(A) The President, after consultation with the majority and minority leadership of the appropriate committees of Congress, shall designate a senior official of the Executive Branch, and provide that official with sufficient authorities and other resources, to coordinate the programs referred to in paragraph (2)(A).

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

(2) The Committee on Armed Services, Committee on Appropriations, and Committee on Foreign Relations of the Senate.

(2) The term ‘‘Chemical and Biological Weapons Plan’’ means—

(a) the plan described in section 1205 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1247), as redesignated by subsection (a), and

(b) by striking ‘‘plan required by subsection (a)’’ and inserting ‘‘plans required by subsections (a) and (d)’’.

(b) by striking ‘‘plan required by subsection (a)’’ and inserting ‘‘plans required by subsections (a) and (d)’’.

(B) under title VIII of the Energy Policy Act of 2001 (Public Law 107–56; 115 Stat. 336), and

(C) reports on the implementation of the Chemical and Biological Weapons Plan.

(2) The plan required by paragraph (1) shall include the following:

(A) A description of the use of such funds and assistance, and the manner in which such funds and assistance are being monitored and accounted for, including—

(i) the amounts obligated, and the amounts expended, for such activities;

(ii) the purposes for which such amounts were obligated and expended;

(iii) the forms of assistance provided, and the justification for each form of assistance provided;

(iv) the success of such activity, including the purposes achieved for such activity;

(v) a description of the participation in such activities by private sector entities in the United States and by Federal agencies; and

(vi) any other information that the Secretary of Energy considers appropriate to provide a complete description of the operation and success of such activities.

(b) if not later than January 31, 2003.

The report shall be prepared in consultation with the Secretary of Defense and shall include the following:

(1) A description of the use of such funds and the manner in which such funds are being monitored and accounted for, including—

(A) the amounts obligated, and the amounts expended, for such activities;

(B) the purposes for which such amounts were obligated and expended;

(C) the forms of assistance provided, and the justification for each form of assistance provided;

(D) the success of each such activity, including the purposes achieved for each such activity;

(E) a description of the participation in such activities by private sector entities in the United States and by Federal agencies; and

(F) any other information that the Secretary of Energy considers appropriate to provide a complete description of the operation and success of such activities.

(2) An accounting of the financial commitment made by the Russian Federation during the fiscal year ending September 30 of that year, of funds appropriated for threat reduction and nonproliferation programs in the Russian Federation.

(3) A description of the efforts made by the United States to encourage the Russian Federation to continue to maintain its current level of financial commitment at a level not less than the level of its commitment for fiscal year 2003, and the response of the Russian Federation to such efforts.

(4) A description of the access provided by the Russian Federation to the United States during the fiscal year covered by the report, to the destruction of its weapons of mass destruction and to threat reduction and nonproliferation programs.

(5) Data exchanges.—As part of the development of inventories under subsection (c), to the maximum extent practicable and consistent with the other provisions of law, the United States should seek to work with the Russian Federation to develop comprehensive inventories of Russian highly enriched uranium, weapons-grade plutonium, and assembled warheads, with special attention to be focused on tactical warheads and warheads that are no longer operationally deployed.

(c) CONFORMING AMENDMENT.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1247) is amended to read as follows:

SEC. 1205. PLANS FOR SECURING NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE OF, AND FOR COORDINATING CHEMICAL AND BIOLOGICAL WEAPONS PROGRAMS WITH STATES OF THE FORMER SOVIET UNION.

(d) EFFECTIVE DATE OF FIRST REPORT COVERING BOTH PLANS.—The amendments made by subsection (b) shall apply with respect to the first report due after January 31, 2004.

Subtitle C—United States—Russia Relations

SEC. 3631. COMPREHENSIVE INVENTORIES AND DATA EXCHANGES FOR NUCLEAR WEAPONS-GRADE MATERIAL AND NUCLEAR WEAPONS.

(a) FINDINGS.—Congress finds that inventories of nuclear weapons-grade material and nuclear weapons should be tracked in order, among other things, to make it more likely that the Russian Federation can fully account for its entire inventory of nuclear weapons-grade material and nuclear weapons, and that the United States can more likely that the sources of any such material or weapons possessed or used by any foreign state or terrorist organization can be identified.

(b) STATEMENT OF POLICY.—To the extent that the President considers prudent, it is in the policy of the United States to seek to establish jointly with the Russian Federation comprehensive inventories and data exchanges of Russian Federation and United States nuclear weapons-grade material and nuclear weapons, with particular attention to tactical warheads and warheads that are no longer operationally deployed.

(c) ASSISTANCE IN DEVELOPING COMPREHENSIVE INVENTORIES.—To the extent permitted by any other provision of law, the United States should seek to work with the Russian Federation to develop comprehensive inventories of Russian chemical and biological weapons.

(d) DATA EXCHANGES.—As part of the development of inventories under subsection (c), to the maximum extent practicable and consistent with the other provisions of law, the United States should seek to work with the Russian Federation to develop comprehensive inventories of Russian highly enriched uranium, weapons-grade plutonium, and assembled warheads, with special attention to be focused on tactical warheads and warheads that are no longer operationally deployed.

(e) REPORT.—Not later than 12 months after the date of the enactment of this Act,
and annually thereafter until a comprehen-
sive inventory is created and the informa-
tion collected from the inventory is ex-
changed between the United States and the
Russian Federation. The President shall sub-
mit to Congress a report, in both classified
and unclassified form as necessary, describ-
ing the progress that has been made toward
creating an inventory and exchanging the in-
formation.

SEC. 3632. ESTABLISHMENT OF DUMA-Congress
NUCLEAR THREAT REDUCTION
WORKING GROUP.

(a) ESTABLISHMENT OF WORKING GROUP.—
There is hereby established a working group
to be known as the “Nuclear Threat Reduc-
tion Working Group” (known hereafter as the
Working Group) to facilitate a comprehensive
relationship described in subsection (a) is to
increase transparency and confidence with
the Russian Federation.

(b) PURPOSE OF WORKING GROUP.—The pur-
pose of the Working Group established by
subsection (a) shall be to explore means to
enhance cooperation between the United
States and the Russian Federation with re-
spect to nuclear nonproliferation and secu-
ritv, and such other issues related to reduc-
ing nuclear weapons dangers as the delega-
tions from the two legislative bodies may
consistently agree to.

(c) MEMBERSHIP.—(1) The majority leader
of the Senate, after consultation with the
minority leader of the Senate, shall appoint
30 Representatives to the Working Group
established by subsection (a).

(2) The Speaker of the House of Represent-
atives, after consultation with the minority
leader of the House of Representatives, shall
appoint 30 Representatives to the Working
Group.

SEC. 3633. JOINt UNITED STATES/NORTH ATLAN-
TIC TREATY ORGANIZATION CO-
OPERATIVE PROGRAM TO CONTROL
THEATER-LEVEL BALLISTIC MISSILE
DEFENSES.

(a) POLICY.—It is the policy of the United
States that the President should seek to en-
sure that the United States takes the lead in
arranging for the United States, in conjunc-
tion with the North Atlantic Treaty Organi-
tation, to enter into appropriate cooperative
relationships with the Russian Federation
with respect to the development and deploy-
ment of theater-level ballistic missile de-
fenses.

(b) PURPOSE OF COOPERATIVE RELA-
TIONS—It is the policy of the United States—
(1) that the cooperative relationships described in subsection (a) is to
increase transparency and confidence with
the Russian Federation.

(2) that United States defense and security cooperation with the Russian Federation should contribute to defining a new bilateral strategic framework that is not rooted in the concept of “mutual assured destruction”; and

(3) that that new bilateral strategic frame-
work should be based upon improving the
security of the United States and the Russian Federation by promoting transparency and confidence between the two countries.

(c) REPORT TO CONGRESS.—Not later than
one year after the date of the enactment of
this Act, the President shall transmit to
Congress a report (in unclassified or classi-
fied form as necessary) on the feasibility of
increasing cooperation with the Russian
Federation on the subject of theater-level
ballistic missile defenses and on the purposes
and objectives set forth in subsection (b).

The report shall include—
(1) recommendations from the Department of
Defense and Missile Defense Agency;

(2) a threat assessment; and

(3) an assessment of possible benefits to
missile defense programs of the United States.

SEC. 3634. ENCOURAGEMENT OF ENHANCED COL-
LABORATION TO ACHIEVE MORE RE-
LIABLE UNITED STATES EARLY WARNING
SYSTEMS.

(a) FINDINGS.—Congress finds that—
(1) the innovative United States-Russian
space-based remote sensor research and de-
development program known as the Russian-
American Observation Satellite (RAMOS)
program addresses a variety of defense con-
cerns while promoting enhanced transpar-
tency and confidence between the United
States and the Russian Federation; and

(2) an initial concept of co-orbiting United
States and Russian satellites for simulta-
naneous stereo observations is complete and
should be continued.

(b) POLICY.—To the extent that the Presi-
dent considers prudent, it is the policy of the
United States—

(1) to encourage joint efforts by the United
States and the Russian Federation to reduce
the chances of a Russian nuclear attack any-
where in the world as the result of misin-
formation or miscalculation by developing
the capabilities and increasing the reli-
ability of Russian ballistic missile early
warning systems, including the Russian-
American Observation Satellite (RAMOS)
program; and

(2) to encourage other United States-Rus-
sian programs to ensure that the Russia Fed-
eration has reliable information, including
real-time data, regarding launches of bal-
listic missiles anywhere in the world.

(c) INTERIM RAMOS FUNDING.—To the ex-
tent that the Secretary of Defense considers
prudent, the Secretary of Defense shall en-
sure that, pending the execution of a new
agreement between the United States and
the Russian Federation providing for the con-
duct of the RAMOS program, sufficient
funds are made available for that program
are used in order to ensure the satis-
factory continuation of that program during
fiscal years 2004 and 2005.

SEC. 3635. TELLER-KURCHATOV ALLIANCE FOR
PEACE.

(a) FINDINGS.—Congress finds that—
(1) Edward Teller of the United States and
Igor Kurchatov of the former Soviet Union
were architects of the nuclear weapons pro-
grams in their respective countries;

(2) these outstanding individuals both ex-
pressed a longing for peace and opposition
to war; and

(3) as the United States and the Russian
Federation work together to redirect the na-
tions of the world away from the pernicious
use of nuclear energy, seeking to improve the
quality of life for all human beings, it is ap-
propriate to establish an alliance for peace
in the names of Edward Teller and Igor
Kurchatov.

(b) TELLER-KURCHATOV ALLIANCE FOR
PEACE.—(1) The Secretary of Energy
shall seek to enter into an agreement with
the Teller-Kurchatov Alliance for Peace, to
develop and promote peaceful, safe, and environmentally
sensitive nuclear sciences.

(2) The cooperative venture referred to in
paragraph (1) shall involve the national secu-
ritv and Lawrence Livermore National Labora-
ty, and other national laboratories, with
the Kurchatov Institute of the Russian Federa-
tion and Lawrence Livermore National Lab-
atory, international exchange fellowships,
to be known as Teller-Kurchatov Fellow-
ships, in the nuclear nonproliferation
sciences.

(3) The purpose of the program shall be to
provide opportunities for advancement in the
nuclear nonproliferation sciences to
scientists who, as demonstrated by their academic or
professional achievements, show particular
promise of making significant contributions in
that field.

(4) A fellowship awarded to a scientist
under the program shall include—

(A) travel expenses;

(B) any tuition and fees at an institution
of higher education for study or training
under the fellowship; and

(C) any other expenses that the Adminis-
trator considers appropriate, such as room
and board.

(b) FUNDING.—Amounts available to the
Department of Energy for defense nuclear
nonproliferation activities shall be available for the fellowships authorized by subsection (a).

(c) DEFINITIONS.—In this section—
(1) the term “nuclear nonproliferation
sciences” means bodies of scientific knowl-
edge relevant to developing or advancing
the means to prevent or impede the proliferation of nuclear weapons;

(2) the term “scientist” means an indi-
vidual who has a degree from an institution
of higher education in a science that is empowered by
an appropriate authority, as determined by
the Administrator, to award degrees
higher than the baccalaureate level.

Subtitle D—Other Matters

SEC. 3641. PROMOTION OF DISCUSSIONS ON NU-
CLEAR AND RADIATION SECURITY
AND THE INTERNATIONAL ATOMIC
ENERGY AGENCY AND THE ORGANIZATION
FOR ECONOMIC COOPERATION AND
DEVELOPMENT.

(a) FINDINGS.—Congress finds that—

(1) nuclear nonproliferation programs to control poten-
tial threats from any fissile and radiological
materials, whatever and wherever their

national security laboratories, with each
laboratory represented on a rotating basis.

SEC. 3636. NONPROLIFERATION FELLOWSHIPS.

(a) IN GENERAL.—(1) From amounts made
available to carry out this section, the Ad-
ministrator for Nuclear Security may carry
out a program under which the Adminis-
trator awards, to scientists employed at the
Kurchatov Institute of the Russian Federa-
tion and Lawrence Livermore National Lab-
atory, international exchange fellowships,
to be known as Teller-Kurchatov Fellow-
ships, in the nuclear nonproliferation
sciences.

(2) The purpose of the program shall be to
provide opportunities for advancement in the
nuclear nonproliferation sciences to
scientists who, as demonstrated by their academic or
professional achievements, show particular
promise of making significant contributions in
that field.

(3) A fellowship awarded to a scientist
under the program shall be for study and
training at (and, where appropriate, at an in-
stitution of higher education in the vicinity of)—

(A) the Kurchatov Institute, in the case of a
scientist employed at the Kurchatov Institute;

(B) Lawrence Livermore National Labora-
tory, in the case of a scientist employed at the Lawrence Livermore Labora-
tory; or

(C) any other expenses that the Adminis-
trator considers appropriate, such as room
and board.

(b) FUNDING.—Amounts available to the
Department of Energy for defense nuclear
nonproliferation activities shall be available for the fellowships authorized by subsection (a).

(c) DEFINITIONS.—In this section—
(1) the term “nuclear nonproliferation
sciences” means bodies of scientific knowl-
edge relevant to developing or advancing
the means to prevent or impede the proliferation of nuclear weapons;

(2) the term “scientist” means an indi-
vidual who has a degree from an institution
of higher education in a science that is empowered by
an appropriate authority, as determined by
the Administrator, to award degrees
higher than the baccalaureate level.
sources, should be expanded to include additional states and international organizations;

(2) addressing issues of nuclear weapons and materials and the threat posed by the issue of radiological dispersal bombs, in new forums around the world is crucial to the generation of innovative mechanisms directed at addressing the purposes of such discussions.

(b) SENSE OF CONGRESS REGARDING INITIATION OF DIALOGUE BETWEEN THE IAEA AND THE OECD.—It is the sense of Congress that—

(1) the United States should seek to initiate discussions between the International Atomic Energy Agency and the Organization for Economic Cooperation and Development for the purpose of exploring issues of nuclear and radiological security and safety, including the creation of new sources of revenue (including debt reduction) for states to provide nuclear security; and

(2) the discussions referred to in paragraph (1) should also provide a forum to explore possible sources of funds in support of the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction.

(c) REPORT.—Not later than 12 months after the date of the enactment of this Act, the President shall submit to Congress a report on—

(1) the efforts made by the United States to initiate the discussions described in subsection (b); and

(2) the results of those efforts; and

(3) any plans for further discussions and the purposes of such discussions.

AMENDMENT NO. 12 OFFERED BY MR. ROGERS OF MICHIGAN

The text of the amendment is as follows:

At the end of title XII (page 384, after line 3), insert the following new section:

SEC. 112. ASSISTANCE TO IRAQI CHILDREN IN RESPONSE TO CERTAIN DOMESTIC TERRORISTIC ATTACKS.

(a) AVAILABILITY OF SPECIAL PAY.—Subsection (c) of section 330 of title 37, United States Code, as amended by section 616 of this Act, is amended—

(1) by striking “or” at the end of subparagraph (C); and

(2) by redesigning subparagraph (D) as subparagraph (E); and

(b) FIRST RESPONDER DEFINED.—Such section is further amended by adding at the end the following new subsection:

(1) the term ‘first responder’ means a member of the uniformed services who, as part of the member’s assigned duties, is expected to be present at or near the site of a terrorist attack within 12 hours after the attack.

AMENDMENT NO. 14 OFFERED BY MR. VITTER

The text of the amendment is as follows:

At the end of section 2317 (page 615, after line 12) add the following new subsection:

(c) TELECOMMUNICATIONS EQUIPMENT.—The telecommunications and other electronic equipment on an existing vessel that is reconfigured under the laws of the United States for operation under an operating agreement under this subtitle shall be deemed to satisfy all Federal Communications Commission equipment certification requirements, if—

(1) such equipment complies with all applicable international agreements and associated guidelines as determined by the country in which the vessel was documented immediately before becoming documented under the laws of the United States;

(2) that country has not been identified by the Secretary as inadequately enforcing international regulations as to that vessel; and

(3) at the end of its useful life, such equipment will be replaced with equipment that meets Federal Communications Commission equipment certification standards.

AMENDMENT NO. 15 OFFERED BY MR. HUNTER

The text of the amendment is as follows:

At the end of subtitle B of title I (page 20, after line 24), insert the following new section:

SEC. 112. CONFIGURATION OF FOURTH STRYKER BRIGADE COMBAT TEAM.

(a) CONFIGURATION, LETHALITY ENHANCEMENTS, AND SUSTAINABILITY.—The Secretary of the Army shall configure the fourth Stryker brigade combat team so that the brigade combat team provides the commanders of combatant commands with enhanced combat capability and sustainability well beyond current sustainment capabilities provided by any of the first three fielded Stryker brigade combat teams.

(b) FUNDS.—The amount provided in section 201(1) for research, development, test, and evaluation, Army, is hereby increased by $3,000,000, to be available for research, development, test, and evaluation for the fourth Stryker brigade combat team.

AMENDMENT NO. 13 OFFERED BY MR. UPTON

The text of the amendment is as follows:

At the end of section 101(3) is hereby increased by $100,000,000, to be available for procurement of additional lethality and sustainability enhancements for the fourth Stryker brigade combat team.

AMENDMENT NO. 15 OFFERED BY MR. HUNTER

The text of the amendment is as follows:

The amount provided in section 201(1) for research, development, test, and evaluation, Army, is hereby increased by $3,000,000, to be available for research, development, test, and evaluation, Navy, is hereby increased by $5,000,000, to be available for Shipboard Aviation Systems in Program Element 0604312N to complete research and development for the AutoREAD system for improving the accuracy and reducing the workload of collecting preventive maintenance data on aircraft launch and recovery systems.

(e) SPIKE URBAN WARFARE SYSTEM.—The amount provided in section 201(2) for research, development, test, and evaluation, Navy, is hereby increased by $5,000,000, to be available for Shipboard Aviation Systems in Program Element 0604312N for the development of lightweight carriage cases for ammunition.

(f) RESEARCH IN HYDROGRAPHIC SCIENCES.—The amount provided in section 201(2) for research, development, test, and evaluation, Navy, is hereby increased by $3,250,000, to be available for Air/Ocean Tactical Applications Advanced Component Development and prototyping in Program Element 0603207N for hydrographic sciences research.

(g) SHIPBOARD ELECTRONIC WARFARE IMPROVEMENTS.—The amount provided in section 201(2) for research, development, test, and evaluation, Navy, is hereby increased by $5,000,000, to be available for System Development and Demonstration in Program Element 0604231N for an at-sea demonstration for shipboard
(h) AEROSPACE SENSORS.—The amount provided in section 201(4) for development, test, and evaluation, Defense-wide, is hereby increased by $2,000,000, to be available for Aerospace Sensors in Program Element 0602204F for development of general purpose, reconfigurable signal processors suitable for time critical sensor processing for broad military intelligence, surveillance, and reconnaissance applications.

(i) ELEMENTAL DETECTOR TECHNOLOGY APPRAISAL.—The amount provided in section 201(3) for research, development, test, and evaluation, Defense-wide, is hereby increased by $5,000,000, to be available for Development and Advanced Concept Technology Demonstrations, to evaluate the capability of an elemental detector to provide directional cueing to concentrations of specific elements and compounds.

(j) MUSTARD GAS ANTIDOTE.—The amount provided in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by $5,000,000, to be available for Chemical-Biological Defense Applied Research in Program Element 0603284BP for continuing applied research on an antidote for mustard gas.

SEC. 305. REDUCTION IN AUTHORIZATION FOR AIR FORCE OPERATION AND MAINTENANCE ACCOUNT.

The amount authorized to be appropriated in section 301(4) for operations and maintenance, Defense-wide, for the United States Special Operations Command, is hereby reduced by $135,500,000.

SEC. 306. REDUCTION IN AUTHORIZATION FOR THE UNITED STATES SPECIAL OPERATIONS COMMAND.

The amount authorized to be appropriated in section 301(4) for operations and maintenance, Defense-wide, for the United States Special Operations Command, is hereby reduced by $1,100,000, to be made available for the initiative for accurately tracing portable, sensitive items exported beyond the borders of the United States.

SEC. 307. COUNTEREXPLOITATION INITIATIVE.

Within the amount authorized to be appropriated by section 301(5) for operations and maintenance, Defense-wide, the amount for the Counterexploitation Initiative, is hereby reduced by $215,427,000, to be made available for the initiative for accurately tracing portable, sensitive items exported beyond the borders of the United States.

SEC. 308. APPLICABILITY OF CERTAIN COMMERCIAL ITEMS AUTHORITY.

— (a) AUTHORITY.—With respect to a procurement referred to in section 852, the head of an executive agency may deem any item to be a commercial item under section 852(f) of title 41, United States Code, except that this section shall not apply to procurements referred to in subpart 2 of part 12 of such title, except that this section shall not apply in the event that such employee or individual subsequently becomes reemployed in the civil service.

SEC. 309. CLARIFICATION OF HATCH ACT.

No Federal employee or individual who, before the date of the enactment of this Act, was employed in the Office of the Secretary of Defense, was of the military or National Guard, shall be subject to the provisions of the Hatch Act, except that this section shall not apply in the event that such employee or individual subsequently becomes reemployed in the civil service.

SEC. 310. AMENDMENTS TO TITLE IX OF THE CRIMINAL JUSTICE ACT.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Criminal Justice Act, is hereby reduced by $15,000,000, to be made available for the initiative for accurately tracing portable, sensitive items exported beyond the borders of the United States.

SEC. 311. AMENDMENTS RELATING TO FEDERAL EMERGENCY PROCUREMENT FLEXIBILITY.

(a) REPEAL OF SENATE FOR AUTORITY APPLICABLE TO PROCUREMENTS FOR DEFENSE AGAINST OR RECOVERY FROM TERRORISM OR NUCLEAR, BIOLOGICAL, CHEMICAL, OR RADIOLOGICAL ATTACK.—Section 852 of the Homeland Security Act of 2002 (Public Law 107–286; 116 Stat. 2236) is amended by striking ‘‘(a) THRESHOLD AMOUNTS.—For a procurement referred to in section 852, the simplified acquisition threshold referred to in section 411 of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)) is deemed to be—’’.

(b) APPLICABILITY OF INCREASED SIMPLIFIED ACQUISITION THRESHOLD FOR CERTAIN PROCUREMENTS.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 853 and inserting the following:

SEC. 853. INCREASED SIMPLIFIED ACQUISITION THRESHOLD FOR CERTAIN PROCUREMENTS.

The table of contents in section 1(b) of such Act is amended by striking the item relating to section 853 and inserting the following:

SEC. 853. INCREASED SIMPLIFIED ACQUISITION THRESHOLD FOR CERTAIN PROCUREMENTS.

SEC. 312. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

— (a) The amount provided in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

(b) MILITARY INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE APPLICATIONS.—The amount provided in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

(c) RECONFIGURABLE SIGNAL PROCESSORS.—The amount provided in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

(d) SIGNAL PROCESSORS.—The amount provided in section 201(4) for research, development, test, and evaluation, Defense-wide, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

SEC. 313. AMENDMENTS TO TITLE IX OF THE CRIMINAL JUSTICE ACT.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Criminal Justice Act, is hereby reduced by $2,000,000, to be made available for the initiative for accurately tracing portable, sensitive items exported beyond the borders of the United States.

SEC. 314. COUNTEREXPLOITATION INITIATIVE.

Within the amount authorized to be appropriated by section 301(5) for operations and maintenance, Defense-wide, the amount for the Counterexploitation Initiative, is hereby reduced by $15,000,000, to be made available for the initiative for accurately tracing portable, sensitive items exported beyond the borders of the United States.

SEC. 315. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

SEC. 316. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

SEC. 317. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

 SEC. 318. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

SEC. 319. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

SEC. 320. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

SEC. 321. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.

SEC. 322. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $5,000,000, to be available for Pro-connaissance applications.

SEC. 323. APPLICABILITY TO MILITARY READINESS ACTIVITIES.

Within the amount authorized to be appropriated by section 301(4) for operations and maintenance, Defense-wide, the amount for the Military Readiness Activities, is hereby increased by $2,000,000, to be available for Pro-connaissance applications.
the conveyance, the Secretary shall refund the excess amount to the County.

(2) Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account to which the costs incurred by the Secretary in carrying out the conveyance amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the County.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

In section 312(e), insert “as amended by section 3112 after “906’’” (page 513, line 29).

Page 357, line 23, strike the first close parenthesis.

Page 544, line 13, insert “Authorization” after “National Defense”.

Page 557, line 9, strike “(c)” and insert “(d)”.

Page 560, line 24, insert open quotation marks before “Sec.”.

Page 572, line 11, strike “ON” and insert “To Congress of’’.

Page 572, line 15, strike “Fiscal Year’’.

Page 574, line 8, strike “of” the first place it appears and insert “after”.

Page 587, line 23, strike “99” and insert “59”.

Page 616, line 9, insert “by redesignating the second subsection (e) as subsection (f), and inserting”.

Page 616, line 10, strike “(e)” and insert “(g)”.

Page 622, lines 15 and 16, strike “(e)” each place it appears and insert “(g)”.

AMENDMENT NO. 16 OFFERED BY MR. SIMMONS
The text of the amendment is as follows:

At the end of title X (page 333, after line 21), insert the following new section:

SEC. 827. DATA COLLECTION AND TECHNICAL ASSISTANCE CENTER RELATING TO MACHINE TOOLS.

(a) COLLECTION OF DATA ON CONTRACTS USING MACHINE TOOLS.—The Secretary of Defense shall collect data in order to identify all contractors and subcontractors that use machine tools in carrying out any defense contract in an amount that is $5,000 or greater.

(b) TECHNICAL ASSISTANCE CENTER.—The Secretary of Defense shall establish a center to provide technical assistance to machine tool companies in the United States, and entities that use machine tools, to seek guidance with respect to government contracting regulations, including compliance procedures, and opportunities for contracting with the Department of Defense. As part of the establishment of the Technical Assistance Center, the Secretary may provide information about defense contracts that are expected to be carried out through the use of machine tools.

(c) DEFINITION.—In this section the term “machine tools” includes machine tools in the North American Industry Classification System (NAICS) codes 333514, and 333515.

AMENDMENT NO. 22 OFFERED BY MS. KAPTUR
The text of the amendment is as follows:

Page 220, after line 12, insert the following new section (and conform the table of contents accordingly):

SEC. 887. BUY AMERICAN ENHANCEMENT.

Section 2533 of title 10, United States Code, is amended—

(3) MATTERS TO BE INCLUDED IN REVIEW.—In providing for the review under this subsection, the Secretary shall require the Federal entity conducting the review to assess—

(A) the United States defense industrial base, including defense suppliers, their availability, and the uniqueness of the products and services; and

(B) the extent to which the United States defense industrial base can be enhanced or maintained through investments in the United States defense industrial base.
of 1990 (part A of title XXIX of Public Law
line 6), insert the following new section:

SEC. 1051. ASSISTANCE FOR STUDY OF FEASI-

lows:

able at the time of the determination.''.
United States and a foreign country that is
Secretary of Defense shall not consider the pro-
section (c); and
(2) The Secretary shall require the or-
ganization conducting the study under subsection (a) to submit to Congress, together with such comments on the report as the Secretary considers appropriate, a report containing the results of the study not later than Sep-
AMENDMENT NO. 26 OFFERED BY MR. HOEFFEL
The text of the amendment is as follows:
At the end of subsection B of title XXVIII (page 479, before line 19), insert the following new section:

SEC. 827. REQUIREMENT RELATING TO PUR-

chases by Department of Defense Subject to Buy American Act.

In applying section 2 of the Buy American Act (41 U.S.C. 10a) to acquisitions by the De-

partment of Defense, the term "substantially all" shall mean at least 65 percent.

AMENDMENT NO. 26 OFFERED BY MR. HOEFFEL
The text of the amendment is as follows:

At the end of title B of title XXXVIII (page 745, after line 12), insert the following new section:

SEC. 875. SENSE OF CONGRESS ON REMOVAL OF ARMY TACONY WAREHOUSE DEPOT SITE, PHILADELPHIA, PENN-

sylvania.

(a) FINDINGS.—Congress finds the fol-

lowing:

(1) The Department of Defense Appropriations Act, 2001 (Public Law 106-259; 114 Stat. 659), appropriated $5,000,000 for the demoli-

tion of the Army Tacony Warehouse depot site in Philadelphia, Pennsylvania, operated by Fort Dix.

(2) The Secretary of the Army has yet to implement plans to demolish the Tacony warehouse.
(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Army should take swift action to finally demolish the Tacony warehouse, as previously re-

quired by Act of Congress.

AMENDMENT NO. 27 OFFERED BY MR. HOSTETTLER
The text of the amendment is as follows:

In section 2534(a) of title 10, United States Code, as proposed to be added by section 821(a), strike "Packaging in direct contact with meals" (page 212, line 8 and insert: "Preformed meals in direct contact with main entree meals".

AMENDMENT NO. 28 OFFERED BY MR. FARR
The text of the amendment is as follows:

At the end of title XXVIII (page 495, after line 6), insert the following new section:

SEC. 828. DESCRIPTION OF PROPERTY.—The exact
description of the real property to be conveyed under section 827, consisting of approximately 7,500 square feet of existing space in Building 406 at the Naval Station, Bremerton, Wash-

ington, immediately adjacent to the Bremerton Transportation Center.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City, directly or through an agreement with another entity, shall replace administrative space on the parcel to be conveyed by ren-

ovating for new occupancy approximately 7,500 square feet of existing space in Building 406 at the Naval Station, Bremerton, Wash-

ington, at no cost to the United States, in accordance with plans and specifications ac-
ceptable to the Secretary. In lieu of any por-
tion not in such renovation, the City may accept other facility alteration or repair of not less than equal value.
(c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The Secretary shall require the City to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the con-
veyance under subsection (a) (including survey costs, costs related to environmental docu-
mation, and other administrative costs related to the conveyance. If amounts are received from the City for such activities, the Secretary shall retain the actual costs, and the amount collected exceed the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.
(2) Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall not be merged with the fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.
(d) ENVIRONMENTAL CONDITIONS.—The Sec-

ratory may use funds available in the Envi-
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ronto. Response, Compensation, and Li-
ability Act of 1980 (42 U.S.C. 9620), including the requirement to consider the anticipated future use and the use of the property.
(e) EXEMPTION FROM FEDERAL SCREENING.—The conveyance authorized by subsection (a) is exempt from the requirement to screen the property for other Federal use pursuant to sections 2693 and 2696 of title 10, United States Code.
(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.
(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Sec-
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ratory considers appropriate to protect the interests of the United States.
In complete record of House proceedings. Today's House proceedings will be continued in the next issue of the Record.