

person) file notification pursuant to rules under subsection (d)(1) and the waiting period described in subsection (b)(1) has expired, if—

“(1) the acquiring person, or the person whose voting securities or assets are being acquired, is engaged in commerce or in any activity affecting commerce; and

“(2) as a result of such acquisition, the acquiring person would hold an aggregate total amount of the voting securities and assets of the acquired person—

“(A) in excess of \$200,000,000 (as adjusted and published for the first fiscal year beginning after September 30, 2002, and each third fiscal year thereafter, in the same manner as provided in section 8(a)(5) of this Act to reflect the percentage change in the gross national product for such fiscal year compared to the gross national product for the year ending September 30, 2001); or

“(B)(i) in excess of \$50,000,000 (as so adjusted and published) but not in excess of \$200,000,000 (as so adjusted and published); and

“(ii)(I) any voting securities or assets of a person engaged in manufacturing which has annual net sales or total assets of \$10,000,000 (as so adjusted and published) or more are being acquired by any person which has total assets or annual net sales of \$100,000,000 (as so adjusted and published) or more;

“(II) any voting securities or assets of a person not engaged in manufacturing which has total assets of \$10,000,000 (as so adjusted and published) or more are being acquired by any person which has total assets or annual net sales of \$100,000,000 (as so adjusted and published) or more; or

“(III) any voting securities or assets of a person with total assets or annual net sales of \$100,000,000 (as so adjusted and published) or more are being acquired by any person with total assets or annual net sales of \$10,000,000 (as so adjusted and published) or more.

In the case of a tender offer, the person whose voting securities are sought to be acquired by a person required to file notification under this subsection shall file notification pursuant to rules under subsection (d).”.

SEC. 3. INFORMATION AND DOCUMENTARY REQUESTS.

Section 7A(e)(1) of the Clayton Act (15 U.S.C. 18a(e)(1)) is amended—

(1) by inserting “(A)” after “(1)”; and

(2) by adding at the end the following:

“(B)(i) The Assistant Attorney General and the Federal Trade Commission shall each designate a senior official who does not have direct responsibility for the review of any enforcement recommendation under this section concerning the transaction at issue to hear any petition filed by such person to determine—

“(I) whether the request for additional information or documentary material is unreasonably cumulative, unduly burdensome, or duplicative; or

“(II) whether the request for additional information or documentary material has been substantially complied with by the petitioning person.

“(ii) Internal review procedures for petitions filed pursuant to clause (i) shall include reasonable deadlines for expedited review of such petitions, after reasonable negotiations with investigative staff, in order to avoid undue delay of the merger review process.

“(iii) Not later than 90 days after the date of the enactment of the 21st Century Acquisition Reform and Improvement Act of 2000, the Assistant Attorney General and the Federal Trade Commission shall conduct an internal review and implement reforms of the merger review process in order to eliminate

unnecessary burden, remove costly duplication, and eliminate undue delay, in order to achieve a more effective and more efficient merger review process.

“(iv) Not later than 120 days after the date of the enactment of the 21st Century Acquisition Reform and Improvement Act of 2000, the Assistant Attorney General and the Federal Trade Commission shall issue or amend their respective industry guidance, regulations, operating manuals, and relevant policy documents, to the extent appropriate, to implement each reform in this subparagraph.

“(v) Not later than 180 days after the date of the enactment of the 21st Century Acquisition Reform and Improvement Act of 2000, the Assistant Attorney General and the Federal Trade Commission shall each report to Congress—

“(I) which reforms each agency has adopted under this subparagraph;

“(II) which steps each agency has taken to implement internal reforms under this subparagraph; and

“(III) the effects of such reforms.”.

SEC. 4. CALCULATION OF TIME PERIODS.

Section 7A of the Clayton Act (15 U.S.C. 18a) is amended—

(1) in subsection (e)(2), by striking “20 days” and inserting “30 days”; and

(2) by adding at the end the following:

“(k) If the end of any period of time provided in this section falls on a Saturday, Sunday, or legal public holiday (as defined in section 6103(a) of title 5, United States Code), then such period shall be extended to the end of the next day that is not a Saturday, Sunday, or legal public holiday.”.

SEC. 5. ADDITIONAL REQUIREMENTS FOR ANNUAL REPORTS.

Section 7A(j) of the Clayton Act (15 U.S.C. 18a(j)) is amended—

(1) by inserting “(1)” after “(j)”; and

(2) by adding at the end the following:

“(2) Beginning with the report filed in 2001, the Federal Trade Commission, in consultation with the Assistant Attorney General, shall include in the report to Congress required by this subsection—

“(A) the number of notifications filed under this section;

“(B) the number of notifications filed in which the Assistant Attorney General or Federal Trade Commission requested the submission of additional information or documentary material relevant to the proposed acquisition;

“(C) data relating to the length of time for parties to comply with requests for the submission of additional information or documentary material relevant to the proposed acquisition;

“(D) the number of petitions filed pursuant to rules and regulations promulgated under this Act regarding a request for the submission of additional information or documentary material relevant to the proposed acquisition and the manner in which such petitions were resolved;

“(E) data relating to the volume (in number of boxes or pages) of materials submitted pursuant to requests for additional information or documentary material; and

“(F) the number of notifications filed in which a request for additional information or documentary materials was made but never complied with prior to resolution of the case.”.

SEC. 6. CONFORMING AMENDMENTS TO CERTAIN REGULATIONS.

(a) IN GENERAL.—The thresholds established by rule and promulgated as 16 C.F.R. 802.20 shall be adjusted by the Federal Trade Commission on January 1, 2003, and each third year thereafter, in the same manner as is set forth in section 8(a)(5) of the Clayton

Act (15 U.S.C. 19(a)(5)). The adjusted amount shall be rounded to the nearest \$1,000,000.

(b) PUBLICATION.—As soon as practicable, but not later than January 31, 2003, and each third year thereafter, the Federal Trade Commission shall publish the adjusted amount required by this subsection (a).

SEC. 7. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the first day of the first month that begins more than 30 days after the date of the enactment of this Act.

EARTH, WIND, AND FIRE AUTHORIZATION ACT OF 2000

On October 18, 2000, the Senate amended and passed S. 1639, as follows:

S. 1639

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Earthquake Hazards Reduction Authorization Act of 2000”.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Section 12(a)(7) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(a)) is amended—

(1) by striking “and” after “1998”; and

(2) by striking “1999.” and inserting “1999; \$19,861,000 for the fiscal year ending September 30, 2001, of which \$450,000 is for National Earthquake Hazard Reduction Program-eligible efforts of an established multi-state consortium to reduce the unacceptable threat of earthquake damages in the New Madrid seismic region through efforts to enhance preparedness, response, recovery, and mitigation; \$20,705,000 for the fiscal year ending September 30, 2002; and \$21,585,000 for the fiscal year ending September 30, 2003.”.

(b) UNITED STATES GEOLOGICAL SURVEY.—Section 12(b) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(b)) is amended—

(1) by inserting after “operated by the Agency.” the following: “There are authorized to be appropriated to the Secretary of the Interior for purposes of carrying out, through the Director of the United States Geological Survey, the responsibilities that may be assigned to the Director under this Act \$48,360,000 for fiscal year 2001, of which \$3,500,000 is for the Global Seismic Network and \$100,000 is for the Scientific Earthquake Studies Advisory Committee established under section 10 of the Earthquake Hazards Reduction Act of 2000; \$50,415,000 for fiscal year 2002, of which \$3,600,000 is for the Global Seismic Network and \$100,000 is for the Scientific Earthquake Studies Advisory Committee; and \$52,558,000 for fiscal year 2003, of which \$3,700,000 is for the Global Seismic Network and \$100,000 is for the Scientific Earthquake Studies Advisory Committee;

(2) by striking “and” at the end of paragraph (1);

(3) by striking “1999,” at the end of paragraph (2) and inserting “1999;”; and

(4) by inserting after paragraph (2) the following:

“(3) \$9,000,000 of the amount authorized to be appropriated for fiscal year 2001;

“(4) \$9,250,000 of the amount authorized to be appropriated for fiscal year 2002; and

“(5) \$9,500,000 of the amount authorized to be appropriated for fiscal year 2003.”.

(c) REAL-TIME SEISMIC HAZARD WARNING SYSTEM.—Section 2(a)(7) of the Act entitled “An Act To authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes (111 Stat. 1159; 42 U.S.C.

7704 nt) is amended by striking "1999." and inserting "1999, \$2,600,000 for fiscal year 2001, \$2,710,000 for fiscal year 2002, and \$2,825,000 for fiscal year 2003."

(d) NATIONAL SCIENCE FOUNDATION.—Section 12(c) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(c)) is amended—

(1) by striking "1998, and" and inserting "1998,"; and

(2) by striking "1999." and inserting "1999, and (5) \$19,000,000 for engineering research and \$11,900,000 for geosciences research for the fiscal year ending September 30, 2001. There are authorized to be appropriated to the National Science Foundation \$19,808,000 for engineering research and \$12,406,000 for geosciences research for fiscal year 2002 and \$20,650,000 for engineering research and \$12,933,000 for geosciences research for fiscal year 2003."

(e) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—Section 12(d) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706(d)) is amended—

(1) by striking "1998, and"; and inserting "1998,"; and

(2) by striking "1999." and inserting "1999, \$2,332,000 for fiscal year 2001, \$2,431,000 for fiscal year 2002, and \$2,534,300 for fiscal year 2003."

SEC. 3. REPEALS.

Section 10 and subsections (e) and (f) of section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7705d and 7706 (e) and (f)) are repealed.

SEC. 4. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

"SEC. 13. ADVANCED NATIONAL SEISMIC RESEARCH AND MONITORING SYSTEM.

"(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish and operate an Advanced National Seismic Research and Monitoring System. The purpose of such system shall be to organize, modernize, standardize, and stabilize the national, regional, and urban seismic monitoring systems in the United States, including sensors, recorders, and data analysis centers, into a coordinated system that will measure and record the full range of frequencies and amplitudes exhibited by seismic waves, in order to enhance earthquake research and warning capabilities.

"(b) MANAGEMENT PLAN.—Not later than 90 days after the date of the enactment of the Earthquake Hazards Reduction Authorization Act of 2000, the Director of the United States Geological Survey shall transmit to the Congress a 5-year management plan for establishing and operating the Advanced National Seismic Research and Monitoring System. The plan shall include annual cost estimates for both modernization and operation, milestones, standards, and performance goals, as well as plans for securing the participation of all existing networks in the Advanced National Seismic Research and Monitoring System and for establishing new, or enhancing existing, partnerships to leverage resources.

"(c) AUTHORIZATION OF APPROPRIATIONS.—

"(1) EXPANSION AND MODERNIZATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to establish the Advanced National Seismic Research and Monitoring System—

"(A) \$33,500,000 for fiscal year 2002;

"(B) \$33,700,000 for fiscal year 2003;

"(C) \$35,100,000 for fiscal year 2004;

"(D) \$35,000,000 for fiscal year 2005; and

"(E) \$33,500,000 for fiscal year 2006.

"(2) OPERATION.—In addition to amounts appropriated under section 12(b), there are authorized to be appropriated to the Secretary of the Interior, to be used by the Director of the United States Geological Survey to operate the Advanced National Seismic Research and Monitoring System—

"(A) \$4,500,000 for fiscal year 2002; and

"(B) \$10,300,000 for fiscal year 2003."

SEC. 5. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

The Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.) is amended by adding at the end the following new section:

"SEC. 14. NETWORK FOR EARTHQUAKE ENGINEERING SIMULATION.

"(a) ESTABLISHMENT.—The Director of the National Science Foundation shall establish the George E. Brown, Jr. Network for Earthquake Engineering Simulation that will upgrade, link, and integrate a system of geographically distributed experimental facilities for earthquake engineering testing of full-sized structures and their components and partial-scale physical models. The system shall be integrated through networking software so that integrated models and databases can be used to create model-based simulation, and the components of the system shall be interconnected with a computer network and allow for remote access, information sharing, and collaborative research.

"(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated under section 12(c), there are authorized to be appropriated \$28,200,000 for fiscal year 2001 for the Network for Earthquake Engineering Simulation. In addition to amounts appropriated under section 12(c), there are authorized to be appropriated to the National Science Foundation for the Network for Earthquake Engineering Simulation—

"(1) \$24,400,000 for fiscal year 2002;

"(2) \$4,500,000 for fiscal year 2003; and

"(3) \$17,000,000 for fiscal year 2004."

SEC. 6. BUDGET COORDINATION.

Section 5 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704) is amended—

(1) by striking subparagraph (A) of subsection (b)(1) and redesignating subparagraphs (B) through (F) of subsection (b)(1) as subparagraphs (A) through (E), respectively;

(2) by striking "in this paragraph" in the last sentence of paragraph (1) of subsection (b) and inserting "in subparagraph (E)"; and

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

"(c) BUDGET COORDINATION.—

"(1) GUIDANCE.—The Agency shall each year provide guidance to the other Program agencies concerning the preparation of requests for appropriations for activities related to the Program, and shall prepare, in conjunction with the other Program agencies, an annual Program budget to be submitted to the Office of Management and Budget.

"(2) REPORTS.—Each Program agency shall include with its annual request for appropriations submitted to the Office of Management and Budget a report that—

"(A) identifies each element of the proposed Program activities of the agency;

"(B) specifies how each of these activities contributes to the Program; and

"(C) states the portion of its request for appropriations allocated to each element of the Program."

SEC. 7. REPORT ON AT-RISK POPULATIONS.

Not later than one year after the date of the enactment of this Act, and after a period for public comment, the Director of the Federal Emergency Management Agency shall transmit to the Congress a report describing the elements of the Program that specifi-

cally address the needs of at-risk populations, including the elderly, persons with disabilities, non-English-speaking families, single-parent households, and the poor. Such report shall also identify additional actions that could be taken to address those needs and make recommendations for any additional legislative authority required to take such actions.

SEC. 8. PUBLIC ACCESS TO EARTHQUAKE INFORMATION.

Section 5(b)(2)(A)(ii) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(2)(A)(ii)) is amended by inserting ", and development of means of increasing public access to available locality-specific information that may assist the public in preparing for or responding to earthquakes" after "and the general public".

SEC. 9. LIFELINES.

Section 4(6) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7703(6)) is amended by inserting "and infrastructure" after "communication facilities".

SEC. 10. SCIENTIFIC EARTHQUAKE STUDIES ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Director of the United States Geological Survey shall establish a Scientific Earthquake Studies Advisory Committee.

(b) ORGANIZATION.—The Director shall establish procedures for selection of individuals not employed by the Federal Government who are qualified in the seismic sciences and other appropriate fields and may, pursuant to such procedures, select up to ten individuals, one of whom shall be designated Chairman, to serve on the Advisory Committee. Selection of individuals for the Advisory Committee shall be based solely on established records of distinguished service, and the Director shall ensure that a reasonable cross-section of views and expertise is represented. In selecting individuals to serve on the Advisory Committee, the Director shall seek and give due consideration to recommendations from the National Academy of Sciences, professional societies, and other appropriate organizations.

(c) MEETINGS.—The Advisory Committee shall meet at such times and places as may be designated by the Chairman in consultation with the Director.

(d) DUTIES.—The Advisory Committee shall advise the Director on matters relating to the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program, including the United States Geological Survey's roles, goals, and objectives within that Program, its capabilities and research needs, guidance on achieving major objectives, and establishing and measuring performance goals. The Advisory Committee shall issue an annual report to the Director for submission to Congress on or before September 30 of each year. The report shall describe the Advisory Committee's activities and address policy issues or matters that affect the United States Geological Survey's participation in the National Earthquake Hazards Reduction Program.

EXTENDING ENERGY CONSERVATION PROGRAMS

Mr. SESSIONS. Mr. President, I ask unanimous consent the Senate proceed to the consideration of H.R. 2884, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2884) to extend energy conservation programs under the Energy Policy