

Mr. Peter R. Chaveas, of Pennsylvania, to be Ambassador to the Republic of Sierra Leone.

Mr. Aubrey Hooks, of Virginia, to be Ambassador to the Democratic Republic of the Congo.

Mr. Donald J. McConnell, of Ohio, to be Ambassador to the State of Eritrea.

Ms. Nancy J. Powell, of Iowa, to be Ambassador to the Republic of Ghana.

Mr. George M. Staples, of Kentucky, to be Ambassador to the Republic of Cameroon, and to serve concurrently and without additional compensation as Ambassador to the Republic of Equatorial Guinea.

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

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, July 11, 2001, at 9 a.m. for a business meeting to consider pending committee business.

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

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, July 11, 2001, at 9:30 a.m. for a hearing regarding S. 803, the e-Government Act of 2001.

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

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on achieving parity for mental health treatment during the session of the Senate on Wednesday, July 11, 2001, at 10 a.m.

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

#### COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a nominations hearing on Wednesday, July 11, 2001, at 2 p.m., in Dirksen 226.

Panel I: Roger L. Gregory, of Virginia, to be U.S. circuit judge for the Fourth Circuit.

Panel II: Richard F. Cebull, of Montana, to be U.S. district judge for the District of Montana; Sam E. Haddon, of Montana, to be U.S. district judge for the District of Montana.

Panel III: Eileen J. O'Connor, of Maryland, to be Assistant Attorney General for the Tax Division.

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

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, July 11, 2001 at 2:30 p.m., to hold a hearing on intelligence matters.

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

#### SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. REID. Mr. President, I ask unanimous consent that the subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, July 11, 2001, at 9:30 a.m., in open session to receive testimony on the readiness of the U.S. Military Forces and the FY2002 budget amendment, in review of the Defense authorization request for fiscal year 2002.

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

#### SUBCOMMITTEE ON STRATEGIC

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Strategic of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, July 11, 2001, at 2:00 p.m., in open session to receive testimony on the budget request for national security space programs, policies operations and strategic systems and programs, in review of the Defense authorization request for fiscal year 2002.

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

#### PRIVILEGE OF THE FLOOR

Mr. BYRD. Mr. President, I ask unanimous consent that Scott Dalzell, a detailee with the majority staff, and Mark Davis, a detailee with the minority staff, be afforded privileges of the floor during the pendency of H.R. 2217.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SUPPLEMENTAL APPROPRIATIONS ACT, 2001

On July 10, 2001, the Senate amended and passed H.R. 2216, as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 2216) entitled "An Act making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:*

#### TITLE I—NATIONAL SECURITY MATTERS CHAPTER 1

##### DEPARTMENT OF JUSTICE

##### RADIATION EXPOSURE COMPENSATION

##### PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

*For an additional amount for "Payment to Radiation Exposure Compensation Trust Fund" for claims covered by the Radiation Exposure Compensation Act, \$84,000,000, to remain available until expended.*

#### CHAPTER 2

##### DEPARTMENT OF DEFENSE

##### MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

*For an additional amount for "Military Personnel, Army", \$164,000,000.*

##### MILITARY PERSONNEL, NAVY

*For an additional amount for "Military Personnel, Navy", \$84,000,000.*

##### MILITARY PERSONNEL, MARINE CORPS

*For an additional amount for "Military Personnel, Marine Corps", \$69,000,000.*

##### MILITARY PERSONNEL, AIR FORCE

*For an additional amount for "Military Personnel, Air Force", \$126,000,000.*

##### RESERVE PERSONNEL, ARMY

*For an additional amount for "Reserve Personnel, Army", \$52,000,000.*

##### RESERVE PERSONNEL, AIR FORCE

*For an additional amount for "Reserve Personnel, Air Force", \$2,000,000.*

##### NATIONAL GUARD PERSONNEL, ARMY

*For an additional amount for "National Guard Personnel, Army", \$6,000,000.*

##### NATIONAL GUARD PERSONNEL, AIR FORCE

*For an additional amount for "National Guard Personnel, Air Force", \$12,000,000.*

##### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

*For an additional amount for "Operation and Maintenance, Army", \$784,500,000.*

##### OPERATION AND MAINTENANCE, NAVY

*For an additional amount for "Operation and Maintenance, Navy", \$1,037,900,000.*

##### OPERATION AND MAINTENANCE, MARINE CORPS

*For an additional amount for "Operation and Maintenance, Marine Corps", \$62,000,000.*

##### OPERATION AND MAINTENANCE, AIR FORCE

*For an additional amount for "Operation and Maintenance, Air Force", \$824,900,000.*

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

*For an additional amount for "Operation and Maintenance, Defense-wide", \$62,050,000.*

##### OPERATION AND MAINTENANCE, ARMY RESERVE

*For an additional amount for "Operation and Maintenance, Army Reserve", \$20,500,000.*

##### OPERATION AND MAINTENANCE, NAVY RESERVE

*For an additional amount for "Operation and Maintenance, Navy Reserve", \$12,500,000.*

##### OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

*For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$1,900,000.*

##### OPERATION AND MAINTENANCE, AIR FORCE RESERVE

*For an additional amount for "Operation and Maintenance, Air Force Reserve", \$34,000,000.*

##### OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

*For an additional amount for "Operation and Maintenance, Army National Guard", \$42,900,000.*

##### OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

*For an additional amount for "Operation and Maintenance, Air National Guard", \$119,300,000.*

#### PROCUREMENT

##### OTHER PROCUREMENT, ARMY

*For an additional amount for "Other Procurement, Army", \$3,000,000, to remain available for obligation until September 30, 2003.*

##### SHIPBUILDING AND CONVERSION, NAVY

##### (TRANSFER OF FUNDS)

*For an additional amount for "Shipbuilding and Conversion, Navy", \$297,000,000: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amount specified: Provided further, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred:*

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1995/2001":

Carrier Replacement Program, \$84,000,000;

DDG-51 Destroyer Program, \$300,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1996/2001":

DDG-51 Destroyer Program, \$14,600,000;

LPD-17 Amphibious Transport Dock Ship Program, \$140,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1997/2001":

DDG-51 Destroyer Program, \$12,600,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1998/2001":

NSSN Program, \$32,000,000;

DDG-51 Destroyer Program, \$13,500,000.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$78,000,000, to remain available for obligation until September 30, 2003.

#### MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$15,500,000, to remain available for obligation until September 30, 2003.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$31,200,000, to remain available for obligation until September 30, 2003.

#### OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$165,650,000, to remain available for obligation until September 30, 2003.

#### PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-wide", \$5,800,000, to remain available for obligation until September 30, 2003.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$123,000,000, to remain available for obligation until September 30, 2002.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$227,500,000, to remain available for obligation until September 30, 2002.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-wide", \$35,000,000, to remain available for obligation until September 30, 2002.

#### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$178,400,000, to remain available until expended.

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,522,200,000 for operation and maintenance: Provided, That of the funds made available under this heading, not more than \$655,000,000 may be used to cover TRICARE contract costs associated with the provision of health care services to eligible beneficiaries of all the uniformed services: Provided further, That of the funds made available under this heading, not less than \$220,000,000 shall be made available upon enactment only for the requirements of the direct care system and military medical treatment facilities, to be administered solely by the uniformed services Surgeons General.

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 1201. Fuel transferred by the Defense Energy Supply Center to the Department of the In-

terior for use at Midway Island during fiscal year 2000 shall be deemed for all purposes to have been transferred on a nonreimbursable basis.

SEC. 1202. Funds appropriated by this Act or made available by the transfer of funds in this Act for intelligence activities are deemed to be specifically authorized by the Congress for the purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 1203. In addition to the amount appropriated in section 308 of Division A, Miscellaneous Appropriations Act, 2001, as enacted by section 1(a)(4) of Public Law 106-554 (114 Stat. 2763A-181 and 182), \$44,000,000 is hereby appropriated for "Operation and Maintenance, Navy", to remain available until expended: Provided, That such amount, and the amount previously appropriated in section 308, shall be for costs associated with the stabilization, return, refitting, necessary force protection upgrades, and repair of the U.S.S. COLE, including any costs previously incurred for such purposes: Provided further, That the Secretary of Defense may transfer these funds to appropriations accounts for procurement: Provided further, That funds so transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided herein is in addition to any other transfer authority available to the Department of Defense.

#### (RESCISSIONS)

SEC. 1204. Of the funds provided in Department of Defense Appropriations Acts, the following funds are rescinded, from the following accounts in the specified amounts:

"Overseas Contingency Operations Transfer Fund, 2001", \$200,000,000;

"Aircraft Procurement, Navy, 2001/2003", \$150,000,000;

"Shipbuilding and Conversion, Navy, 2001/2005", LPD-17(AP), \$75,000,000;

"Aircraft Procurement, Air Force, 2001/2003", \$363,000,000;

"Research, Development, Test and Evaluation, Defense-wide 2001/2002", \$4,000,000.

SEC. 1205. Notwithstanding any other provision of law, the Secretary of Defense may retain all or a portion of Fort Greely, Alaska as the Secretary deems necessary, to meet military, operational, logistics and personnel support requirements for missile defense.

SEC. 1206. Of the funds appropriated in the Department of Defense Appropriations Act, 2001, Public Law 106-259, in Title IV under the heading, "Research, Development, Test and Evaluation, Navy", \$2,000,000 may be made available for a Maritime Fire Training Center at the Marine and Environmental Research and Training Station (MERTS), and \$2,000,000 may be made available for a Maritime Fire Training Center at Barbers Point, including provision for laboratories, construction, and other efforts associated with research, development, and other programs of major importance to the Department of Defense.

SEC. 1207. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$8,000,000 shall be available for the purpose of repairing storm damage at Fort Sill, Oklahoma, and Red River Army Depot, Texas.

SEC. 1208. (a) Of the total amount appropriated under this Act to the Army for operation and maintenance, such amount as may be necessary shall be available for a conveyance by the Secretary of the Army, without consideration, of all right, title, and interest of the United States in and to the firefighting and rescue vehicles described in subsection (b) to the City of Bayonne, New Jersey.

(b) The firefighting and rescue vehicles referred to in subsection (a) are a rescue hazardous materials truck, a 2,000 gallon per

minute pumper, and a 100-foot elevating platform truck, all of which are at Military Ocean Terminal, Bayonne, New Jersey.

SEC. 1209. None of the funds available to the Department of Defense for fiscal year 2001 may be obligated or expended for retiring or dismantling any of the 93 B-1B Lancer bombers in service as of June 1, 2001, or for transferring or reassigning any of those aircraft from the unit, or the facility, to which assigned as of that date.

#### CHAPTER 3

#### DEPARTMENT OF ENERGY

##### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY ADMINISTRATION

##### WEAPONS ACTIVITIES

For an additional amount for "Weapons Activities", \$140,000,000, to remain available until expended: Provided, That funding is authorized for Project 01-D-107, Atlas Relocation and Operations, and Project 01-D-108, Microsystems and Engineering Science Application Complex.

##### OTHER DEFENSE RELATED ACTIVITIES

##### DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for "Defense Environmental Restoration and Waste Management", \$95,000,000, to remain available until expended.

##### DEFENSE FACILITIES CLOSURE PROJECTS

For an additional amount for "Defense Facilities Closure Projects", \$21,000,000, to remain available until expended.

##### DEFENSE ENVIRONMENTAL MANAGEMENT

##### PRIVATIZATION

For an additional amount for "Defense Environmental Management Privatization", \$29,600,000, to remain available until expended.

##### OTHER DEFENSE ACTIVITIES

For an additional amount for "Other Defense Activities", \$5,000,000, to remain available until expended.

#### CHAPTER 4

#### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$18,000,000, to remain available until September 30, 2005: Provided, That notwithstanding any other provision of law, such amount may be used by the Secretary of the Air Force to carry out a military construction and renovation project at the Masirah Island Airfield, Oman.

##### FAMILY HOUSING, ARMY

For an additional amount for "Family Housing, Army", \$27,200,000 for operation and maintenance.

##### FAMILY HOUSING, NAVY AND MARINE CORPS

For an additional amount for "Family Housing, Navy and Marine Corps", \$20,300,000 for operation and maintenance.

##### FAMILY HOUSING, AIR FORCE

For an additional amount for "Family Housing, Air Force", \$18,000,000 for operation and maintenance.

##### BASE REALIGNMENT AND CLOSURE ACCOUNT,

##### PART IV

For an additional amount for deposit into the "Department of Defense Base Realignment and Closure Account 1990", \$9,000,000, to remain available until expended.

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 1401. (a) In addition to amounts appropriated or otherwise made available elsewhere in the Military Construction Appropriations Act, 2001, and in this Act, the following amounts are hereby appropriated as authorized by section 2854 of title 10, United States Code, as follows for the purpose of repairing storm damage at Ellington Air National Guard Base, Texas, and Fort Sill, Oklahoma:

"Military Construction, Air National Guard", \$6,700,000;

"Family Housing, Army", \$1,000,000: Provided, That the funds in this section shall remain available until September 30, 2005.

(b) Of the funds provided in the Military Construction Appropriations Acts, 2000 and 2001, the following amounts are rescinded:

"Military Construction, Defense-Wide", \$6,700,000;

"Family Housing, Army", \$1,000,000.

SEC. 1402. Notwithstanding any other provision of law, the amount authorized, and authorized to be appropriated, for the Defense Agencies for the TRICARE Management Agency for a military construction project for Bassett Army Hospital at Fort Wainwright, Alaska, shall be \$215,000,000.

## TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS

### CHAPTER 1

#### DEPARTMENT OF AGRICULTURE

##### OFFICE OF THE SECRETARY

For an additional amount for "Office of the Secretary", \$3,000,000, to remain available until September 30, 2002: Provided, That of these funds, no less than \$1,000,000 shall be used for enforcement of the Animal Welfare Act: Provided further, That of these funds, no less than \$1,000,000 shall be used to enhance humane slaughter practices under the Federal Meat Inspection Act: Provided further, That no more than \$500,000 of these funds shall be made available to the Under Secretary for Research, Education and Economics for development and demonstration of technologies to promote the humane treatment of animals: Provided further, That these funds may be transferred to and merged with appropriations for agencies performing this work.

##### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$35,000,000, to remain available until September 30, 2002.

##### FARM SERVICE AGENCY

##### AGRICULTURAL CONSERVATION PROGRAM (RESCISSION)

Of the funds appropriated for "Agricultural Conservation Program" under Public Law 104-37, \$45,000,000 are rescinded.

##### NATURAL RESOURCES CONSERVATION SERVICE WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations", to repair damages to waterways and watersheds, resulting from natural disasters occurring in West Virginia on July 7 and July 8, 2001, \$5,000,000, to remain available until expended.

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 2101. Title I of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106-387; 114 Stat. 1549, 1549A-10) is amended by striking "until expended" under the heading "Buildings and Facilities" under the heading "Animal and Plant Health Inspection Service" and adding the following: "until expended: Provided, That notwithstanding any other provision of law (including chapter 63 of title 31, U.S.C.), \$4,670,000 of the amount shall be transferred by the Secretary and once transferred, shall be state funds for the construction, renovation, equipment, and other related costs for a post entry plant quarantine facility and related laboratories as described in Senate Report 106-288".

SEC. 2102. The paragraph under the heading "Rural Community Advancement Program" in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106-387; 114 Stat. 1549, 1549A-17) is amended—

(1) in the third proviso, by striking "ability of" and inserting "ability of low income rural communities and"; and

(2) in the fourth proviso, by striking "assistance to" the first place it appears and inserting "assistance and to".

SEC. 2103. (a) Not later than August 1, 2001, the Federal Crop Insurance Corporation shall promulgate final regulations to carry out section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 522(b)), without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 FR 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(b) In carrying out this section, the Corporation shall use the authority provided under section 808 of title 5, United States Code.

(c) The final regulations promulgated under subsection (a) shall take effect on the date of publication of the final regulations.

SEC. 2104. In addition to amounts otherwise available, \$20,000,000 from amounts pursuant to 15 U.S.C. 713a-4 for the Secretary of Agriculture to make available financial assistance related to water conservation to eligible producers in the Klamath Basin, as determined by the Secretary.

SEC. 2105. Under the heading of "Food Stamp Program" in Public Law 106-387, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, in the sixth proviso, strike "\$194,000,000" and insert in lieu thereof "\$191,000,000".

SEC. 2106. Of funds which may be reserved by the Secretary for allocation to State agencies under section 16(h)(1) of the Food Stamp Act of 1977 to carry out Employment and Training programs, \$39,500,000 made available in prior years are rescinded and returned to the Treasury.

SEC. 2107. In addition to amounts otherwise available, \$2,000,000 from amounts pursuant to 15 U.S.C. 713a-4 for the Secretary of Agriculture to make available financial assistance related to water conservation to eligible producers in the Yakima Basin, Washington, as determined by the Secretary.

### CHAPTER 2

#### DEPARTMENT OF COMMERCE

##### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### COASTAL AND OCEAN ACTIVITIES

##### (INCLUDING RESCISSION)

Of the funds made available in Public Law 106-553 for the costs of construction of a research center at the ACE Basin National Estuarine Research Reserve, for use under this heading until expended, \$8,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106-553 for which funds were rescinded in the preceding paragraph, \$3,000,000, to remain available until expended for construction and \$5,000,000, to remain available until expended for land acquisition.

##### DEPARTMENTAL MANAGEMENT

##### EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM

##### (RESCISSION)

Of the funds made available in the Emergency Oil and Gas Guaranteed Loan Program Act (chapter 2 of Public Law 106-51; 113 Stat. 255-258), \$114,800,000 are rescinded.

##### RELATED AGENCY

##### SMALL BUSINESS ADMINISTRATION

##### SALARIES AND EXPENSES

##### (INCLUDING RESCISSION)

Of the funds made available in Public Law 106-553 for the costs of technical assistance related to the New Markets Venture Capital Program for use under this heading in only fiscal year 2001, \$30,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106-553 for which funds

were rescinded in the preceding paragraph, \$30,000,000, to remain available until expended.

##### BUSINESS LOANS PROGRAM ACCOUNT

##### (INCLUDING RESCISSION)

Of the funds made available in Public Law 106-553 for the costs of guaranteed loans under the New Markets Venture Capital Program for use under this heading in only fiscal year 2001, \$22,000,000 are rescinded.

For an additional amount for the activities specified in Public Law 106-553 for which funds were rescinded in the preceding paragraph, \$22,000,000, to remain available until expended.

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. Section 144(d) of Division B of Public Law 106-554 is amended—

(1) in paragraph (1) and paragraph (5)(B) by striking "not later than May 1, 2001" and inserting in lieu thereof "as soon as practicable";

(2) in paragraph (2)(B)(i) by striking "paragraph" and inserting in lieu thereof "paragraph: Provided, That regulations published by the Secretary to implement this section shall provide for replacement vessels and the marriage of fishing history from different vessels, and no vessels shall be prevented from fishing by virtue of this sentence until such regulations are final";

(3) in paragraph (3) by striking "the May 1, 2001 date" and inserting in lieu thereof "the direction to issue regulations as soon as practicable as"; and

(4) in paragraph (3) by striking "with that date".

SEC. 2202. (a) Section 12102(c) of title 46, United States Code is amended—

(1) in paragraph (2)(B) by striking "or the use" and all that follows in such paragraph and inserting in lieu thereof "or the exercise of rights under loan or mortgage covenants by a mortgagee eligible to be a preferred mortgagee under section 31322(a) of this title, provided that a mortgagee not eligible to own a vessel with a fishery endorsement may only operate such a vessel to the extent necessary for the immediate safety of the vessel or for repairs, drydocking or berthing changes."; and

(2) by striking paragraph (4) and renumbering the remaining paragraph accordingly.

(b) Section 202(b) of the American Fisheries Act (Public Law 105-277, Division C, Title II) is amended by striking paragraph (4)(B) and all that follows in such paragraph and inserting in lieu thereof the following:

"(B) a state or federally chartered financial institution that is insured by the Federal Deposit Insurance Corporation;

"(C) a farm credit lender established under Title 12, Chapter 23 of the United States Code;

"(D) a commercial fishing and agriculture bank established pursuant to State law;

"(E) a commercial lender organized under the laws of the United States or of a State and eligible to own a vessel under section 12102(a) of this title; or

"(F) a mortgage trustee under subsection (f) of this section."

(c) Section 31322 of title 46, United States Code is amended by adding at the end the following new subsections:

"(f)(1) A mortgage trustee may hold in trust, for an individual or entity, an instrument or evidence of indebtedness, secured by a mortgage of the vessel to the mortgage trustee, provided that the mortgage trustee—

"(A) is eligible to be a preferred mortgagee under subsection (a)(4), subparagraphs (A)–(E) of this section;

"(B) is organized as a corporation, and is doing business, under the laws of the United States or of a State;

"(C) is authorized under those laws to exercise corporate trust powers;

"(D) is subject to supervision or examination by an official of the United States Government or a State;

"(E) has a combined capital and surplus (as stated in its most recent published report of condition) of at least \$3,000,000; and

“(F) meets any other requirements prescribed by the Secretary.

“(2) If the beneficiary under the trust arrangement is not a commercial lender, a lender syndicate or eligible to be a preferred mortgagee under subsection (a)(4), subparagraphs (A)–(E) of this section, the Secretary must determine that the issuance, assignment, transfer, or trust arrangement does not result in an impermissible transfer of control of the vessel to a person not eligible to own a vessel with a fishery endorsement under section 12102(c) of this title.

“(3) A vessel with a fishery endorsement may be operated by a mortgage trustee only with the approval of the Secretary.

“(4) A right under a mortgage of a vessel with a fishery endorsement may be issued, assigned, or transferred to a person not eligible to be a mortgagee of that vessel under this section only with the approval of the Secretary.

“(5) The issuance, assignment, or transfer of an instrument or evidence of indebtedness contrary to this subsection is voidable by the Secretary.

“(g) For purposes of this section a ‘commercial lender’ means an entity primarily engaged in the business of lending and other financing transactions with a loan portfolio in excess of \$100,000,000, of which not more than 50 per centum in dollar amount consists of loans to borrowers in the commercial fishing industry, as certified to the Secretary by such lender.

“(h) For purposes of this section a ‘lender syndicate’ means an arrangement established for the combined extension of credit of not less than \$20,000,000 made up of four or more entities that each have a beneficial interest, held through an agent, under a trust arrangement established pursuant to subsection (f), no one of which may exercise powers thereunder without the concurrence of at least one other unaffiliated beneficiary.”.

(d) Section 31322 of title 46, United States Code as amended in this section, and as amended by section 202(b) of the American Fisheries Act (Public Law 105–277, Division C, Title II) shall not take effect until April 1, 2003, nor shall the Secretary of Transportation, in determining whether a vessel owner complies with the requirements of section 12102(c) of title 46, United States Code, consider the citizenship status of a lender, in its capacity as a lender with respect to that vessel owner, until after April 1, 2003.

#### CHAPTER 3

##### DISTRICT OF COLUMBIA FUNDS

###### GOVERNMENTAL DIRECTION AND SUPPORT

For an additional amount for “Governmental Direction and Support”, \$5,400,000 from local funds for a natural gas increase.

###### ECONOMIC DEVELOPMENT AND REGULATION

For an additional amount for “Economic Development and Regulation”, \$1,000,000 from local funds for the implementation of the New Economy Transformation Act of 2000, (D.C. Act 13–543), and \$624,820 for the Department of Consumer and Regulatory Affairs for the purposes of D.C. Code, sec. 5–513: Provided, That the Department shall transfer all local funds resulting from the lapse of personnel vacancies, caused by transferring Department of Consumer and Regulatory Affairs employees into NSO positions without the filling of the resultant vacancies, into the general fund to be used to implement the provisions in DC Bill 13–646, the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, pertaining to the prevention of the demolition by neglect of historic properties: Provided further, That the fees established and collected pursuant to Bill 13–646 shall be identified, and an accounting provided, to the Committee on Consumer and Regulatory Affairs of the Council of the District of Columbia.

###### PUBLIC SAFETY AND JUSTICE

For an additional amount for “Public Safety and Justice”, \$8,901,000 from local funds, in-

cluding \$2,800,000 for the Metropolitan Police Department (\$800,000 for the speed camera program, \$2,000,000 for the Fraternal Order of Police arbitration award and the Fair Labor Standards Act liability), \$5,540,000 for the Fire and Emergency Medical Services Department's pre-tax payments for pension, health and life insurance premiums, \$400,000 for the fifth firefighter on trucks initiative, and \$161,000 for the Child Fatality Review Committee established pursuant to the Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14–40) and the Child Fatality Review Committee Establishment Temporary Act of 2001 (Bill 14–165).

In addition, all funds whenever deposited in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3–169; D.C. Code § 28–4516), the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6–85; D.C. Code § 1–1188.20), and the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for Fiscal Year 2001 (D.C. Law 13–172; D.C. Code § 28–3911), are hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2002, in accordance with the statutes that established these funds.

###### (RESCISSION)

Of the funds appropriated under this heading for the fiscal year ending September 30, 2001, in the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106–522), \$131,000 for Taxicab Inspectors are rescinded.

##### PUBLIC EDUCATION SYSTEM

For an additional amount for “Public Education System”, \$1,000,000 from local funds for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school and \$12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school session.

In addition, Section 108(b) of the District of Columbia Public Education Act, Public Law 89–791 as amended (sec. 31–1408, D.C. Code), is amended by adding a new sentence at the end of the subsection, which states: “In addition, any proceeds and interest accruing thereon, which remain from the sale of the former radio station WDCU in an escrow account of the District of Columbia Financial Management and Assistance Authority for the benefit of the University of the District of Columbia, shall be used for the University of the District of Columbia's Endowment Fund. Such proceeds may be invested in equity based securities if approved by the Chief Financial Officer of the District of Columbia.”.

##### HUMAN SUPPORT SERVICES

Notwithstanding any other provisions of the District of Columbia Appropriations Act, 2001, for an additional amount for “Human Support Services”, \$28,000,000 from local funds (including \$19,000,000 for Medicaid expansion and increased utilization and a DSH cap increase, \$3,000,000 for a disability compensation fund, \$1,000,000 for the Office of Latino Affairs, and \$5,000,000 for the Children Investment Trust).

##### PUBLIC WORKS

For an additional amount for “Public Works”, \$131,000 from local funds for Taxicab Inspectors.

##### FINANCING AND OTHER USES

###### WORKFORCE INVESTMENTS

For expenses associated with the workforce investments program, \$40,500,000 from local funds.

###### WILSON BUILDING

For an additional amount for “Wilson Building”, \$7,100,000 from local funds.

##### ENTERPRISE AND OTHER FUNDS

###### WATER AND SEWER AUTHORITY

For an additional amount for “Water and Sewer Authority”, \$2,151,000 from local funds for initiatives associated with complying with stormwater legislation and proposed right-of-way fees.

##### GENERAL PROVISION—THIS CHAPTER

SEC. 2301. REPORT BY THE MAYOR. Pursuant to Section 222 of Public Law 104–8, the Mayor of the District of Columbia shall provide the House and Senate Committees on Appropriations, the Senate Committee on Governmental Affairs, and the House Committee on Government Reform with recommendations relating to the transition of responsibilities under Public Law 104–8, the District of Columbia Financial Responsibility Act of 1995, at the earliest time practicable.

#### CHAPTER 4

##### DEPARTMENT OF DEFENSE—CIVIL

###### DEPARTMENT OF THE ARMY

###### CORPS OF ENGINEERS—CIVIL

###### FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, \$50,000,000, as authorized by Section 5 of the Flood Control Act of August 18, 1941, as amended, to remain available until expended.

##### DEPARTMENT OF ENERGY

###### ENERGY PROGRAMS

###### NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For an additional amount for “Non-Defense Environmental Management”, \$11,400,000, to remain available until expended.

###### URANIUM FACILITIES MAINTENANCE AND REMEDIATION

###### (TRANSFER OF FUNDS)

For an additional amount for “Uranium Facilities Maintenance and Remediation”, \$18,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

##### GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. AUTHORIZATION TO ACCEPT PREPAYMENT OF OBLIGATIONS. (a) IN GENERAL.—Notwithstanding section 213(a) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(a)), the Bureau of Reclamation may accept prepayment for all financial obligations under Contract 178r–423 (including Amendment 4) (referred to in this section as the “Contract”) entered into with the United States.

(b) CONTRACTUAL OBLIGATIONS.—If full prepayment of all financial obligations under the Contract is offered—

(1) the Secretary of the Interior shall accept the prepayment; and

(2) on acceptance by the Secretary of the prepayment all land covered by the Contract shall not be subject to the ownership and full cost pricing limitation under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

SEC. 2402. Of the funds provided under the heading “Power Marketing Administration, Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration”, in Public Law 106–377, not less than \$250,000 shall be provided for a study to determine the costs and feasibility of transmission expansion: Provided, That these funds shall be non-reimbursable: Provided further, That these funds shall be available until expended.

SEC. 2403. INCLUSION OF RENAL CANCER AS BASIS FOR BENEFITS UNDER THE ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT OF 2000. Section 3621(17) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (title XXXVI of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by

Public Law 106-398); 114 Stat. 1654A-502) is amended by adding at the end the following new subparagraph:

“(C) Renal cancers.”.

#### CHAPTER 5

### BILATERAL ECONOMIC ASSISTANCE AGENCY FOR INTERNATIONAL DEVELOPMENT

#### CHILD SURVIVAL AND DISEASE PROGRAMS FUND (INCLUDING RESCISSION)

For an additional amount for “Child Survival and Disease Programs Fund”, \$100,000,000, to remain available until expended: Provided, That this amount may be made available, notwithstanding any other provision of law, for a United States contribution to a global trust fund to combat HIV/AIDS, malaria, and tuberculosis.

Of the funds made available under this heading in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, (as contained in section 101(a) of Public Law 106-429) which are designated for a contribution to an international HIV/AIDS fund, \$10,000,000 are rescinded.

#### GENERAL PROVISION—THIS CHAPTER

SEC. 2501. The final proviso in section 526 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted into law by section 1000(a)(2) of Public Law 106-113), as amended, is hereby repealed, and the funds identified by such proviso shall be made available pursuant to the authority of section 526 of Public Law 106-429.

#### CHAPTER 6

### DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT MANAGEMENT OF LANDS AND RESOURCES (INCLUDING TRANSFERS OF FUNDS)

For an additional amount to address increased permitting responsibilities related to energy needs, \$3,000,000, to remain available until expended, and to be derived by transfer from unobligated balances available to the Department of the Interior for the acquisition of lands and interests in lands.

#### NATIONAL PARK SERVICE OPERATION OF THE NATIONAL PARK SYSTEM (INCLUDING RESCISSIONS)

Of the amounts made available to the National Park Service under this heading in Public Law 106-291, \$200,000 for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin, are rescinded.

For an additional amount for “Operation of the National Park System”, \$200,000, to remain available until expended, for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin: Provided, That these funds shall be made available under the same terms and conditions as authorized for the funds in Public Law 106-291.

Of the amounts transferred to the Secretary of the Interior, pursuant to section 311 of chapter 3 of division A of appendix D of Public Law 106-554 for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999, \$4,000,000 are rescinded.

For an additional amount for “Operation of the National Park System”, \$4,000,000, to remain available until expended, for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999: Provided, That these funds shall be made available under the same terms and conditions as authorized for the funds pursuant to section 311 of chapter 3 of division A of appendix D of Public Law 106-554.

#### BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Operation of Indian Programs”, \$50,000,000, to remain avail-

able until September 30, 2002, for electric power operations at the San Carlos Irrigation Project, of which such amounts as necessary may be transferred to other appropriations accounts for repayment of advances previously made for such power operations.

#### RELATED AGENCY

### DEPARTMENT OF AGRICULTURE FOREST SERVICE

#### STATE AND PRIVATE FORESTRY

For an additional amount for “State and Private Forestry” to repair damage caused by ice storms in the States of Arkansas and Oklahoma, \$10,000,000, to remain available until expended.

For an additional amount for “State and Private Forestry”, \$750,000 to be provided to the Kenai Peninsula Borough Spruce Bark Beetle Task Force for emergency response and communications equipment and \$1,750,000 to be provided to the Municipality of Anchorage for emergency fire fighting equipment and response to respond to wildfires in spruce bark beetle infested forests, to remain available until expended: Provided, That such amounts shall be provided as direct lump sum payments within 30 days of enactment of this Act.

#### NATIONAL FOREST SYSTEM

For an additional amount for the “National Forest System” to repair damage caused by ice storms in the States of Arkansas and Oklahoma, \$10,000,000, to remain available until expended.

#### CAPITAL IMPROVEMENT AND MAINTENANCE

#### (INCLUDING RESCISSION)

Of the funds appropriated in Title V of Public Law 105-83 for the purposes of section 502(e) of that Act, the following amounts are rescinded: \$1,000,000 for snow removal and pavement preservation and \$4,000,000 for pavement rehabilitation.

For an additional amount for “Capital Improvement and Maintenance”, \$5,000,000, to remain available until expended, for the purposes of section 502(e) of Public Law 105-83.

For an additional amount for “Capital Improvement and Maintenance” to repair damage caused by ice storms in the States of Arkansas and Oklahoma, \$4,000,000, to remain available until expended.

#### GENERAL PROVISIONS—THIS CHAPTER

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 2601. Pursuant to title VI of the Steens Mountain Cooperative Management and Protection Act, Public Law 106-399, the Bureau of Land Management may transfer such sums as are necessary to complete the individual land exchanges identified under title VI from unobligated land acquisition balances.

SEC. 2602. Section 338 of Public Law 106-291 is amended by striking “105-825” and inserting in lieu thereof: “105-277”.

SEC. 2603. Section 2 of Public Law 106-558 is amended by striking subsection (b) in its entirety and inserting in lieu thereof:

“(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.”.

SEC. 2604. Federal Highway Administration emergency relief for Federally owned roads, made available to the Forest Service as Federal-aid highways funds, may be used to reimburse Forest Service accounts for expenditures previously completed only to the extent that such expenditures would otherwise have qualified for the use of Federal-aid highways funds.

SEC. 2605. Notwithstanding any other provision of law, \$2,000,000 provided to the Forest Service in Public Law 106-291 for the Region 10 Jobs in the Woods program shall be advanced as a direct lump sum payment to Ketchikan Public Utilities within thirty days of enactment: Provided, That such funds shall be used by Ketchikan Public Utilities specifically for hiring workers for the purpose of removing timber within the right-of-way for the Swan Lake-Lake Tyee Intertie.

SEC. 2606. Section 122(a) of Public Law 106-291 is amended by:

(1) inserting “hereafter” after “such amounts”; and

(2) striking “June 1, 2000” and inserting “June 1 of the preceding fiscal year”.

SEC. 2607. Section 351 of Public Law 105-277 is amended by striking “prior to September 30, 2001” and inserting in lieu thereof: “and hereafter”.

SEC. 2608. SUDDEN OAK DEATH SYNDROME. In addition to amounts transferred under section 442(a) of the Plant Protection Act (7 U.S.C. 7772(a)), the Secretary of Agriculture shall transfer to the Forest Service, pursuant to that section, an additional \$1,400,000 to be used by appropriate offices within the Forest Service that carry out research and development activities to arrest, control, eradicate, and prevent the spread of Sudden Oak Death Syndrome, to be derived by transfer from the unobligated balance available to the Secretary of Agriculture for the acquisition of land and interests in land.

#### CHAPTER 7

### DEPARTMENT OF LABOR

#### EMPLOYMENT AND TRAINING ADMINISTRATION

#### TRAINING AND EMPLOYMENT SERVICES

#### (INCLUDING RESCISSIONS)

For an additional amount to carry out chapter 4 of the Workforce Investment Act, \$45,000,000 to be available for obligation for the period April 1, 2001 through June 30, 2002.

Of the funds made available under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554), \$45,000,000 are rescinded including \$25,000,000 available for obligation for the period April 1, 2001 through June 30, 2002 to carry out section 169 of the Workforce Investment Act, and \$20,000,000 available for obligation for the period July 1, 2001 through June 30, 2002 for Safe Schools/Healthy Students.

Of the funds made available under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554), for Dislocated Worker Employment and Training Activities, \$217,500,000 available for obligation for the period July 1, 2001 through June 30, 2002 are rescinded: Provided, That, notwithstanding any other provision of law, \$160,000,000 is from amounts allotted under section 132(a)(2)(B), and \$57,500,000 is from the National Reserve under section 132(a)(2)(A) of the Workforce Investment Act: Provided further, That notwithstanding any other provision of law, the Secretary shall increase State allotments under section 132(b)(2) of the Workforce Investment Act for program year 2001 by the reallocation of excess unexpended balances, as determined by the Secretary, as of June 30, 2001, from those States determined to have excess unexpended balances: Provided further, That the rescission of funds under section 132(a)(2)(B) is effective at the time the Secretary re-allots excess unexpended balances to the States: Provided further, That the amount reallocated to any State, when added to the State's formula allotment under section 132(b)(2), shall equal, to the extent possible, the amount the State would have received on July 1, 2001 had no rescission been enacted.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

#### HEALTH RESOURCES AND SERVICES ADMINISTRATION

#### HEALTH RESOURCES AND SERVICES

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554) is amended by striking “\$226,224,000” and inserting “\$224,724,000”.

The provision for Northeastern University is amended by striking "doctors" and inserting "allied health care professionals".

#### NATIONAL INSTITUTES OF HEALTH (TRANSFER OF FUNDS)

Funds appropriated to the Office of the Director, National Institutes of Health, in fiscal year 2001 for the Office of Biomedical Imaging, Bioinformatics and Bioengineering are transferred to the National Institute of Biomedical Imaging and Bioengineering.

#### SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

##### SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out the Public Health Service Act with respect to mental health services, \$6,500,000 for maintenance, repair, preservation, and protection of the Federally owned facilities, including the Civil War Cemetery, at St. Elizabeths Hospital, which shall remain available until expended.

#### ADMINISTRATION FOR CHILDREN AND FAMILIES LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for "Low Income Home Energy Assistance" under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), \$300,000,000, to remain available until expended: Provided, That these funds are for the home energy assistance needs of one or more States, as authorized by section 2604(e) of that Act and notwithstanding the designation requirement of section 2602(e) of such Act.

#### DEPARTMENT OF EDUCATION EDUCATION REFORM

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106-554; House Report 106-1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to Technology Innovation Challenge Grants under the heading "Education Reform", the amount specified for Western Kentucky University to improve teacher preparation programs that help incorporate technology into the school curriculum shall be deemed to be \$400,000.

##### EDUCATION FOR THE DISADVANTAGED

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554) is amended by striking "\$7,332,721,000" and inserting "\$7,237,721,000".

For an additional amount (to the corrected amount under this heading) for "Education for the Disadvantaged" to carry out part A of title I of the Elementary and Secondary Education Act of 1965 in accordance with the eighth proviso under that heading, \$161,000,000, which shall become available on July 1, 2001, and shall remain available through September 30, 2002.

##### IMPACT AID

Of the \$12,802,000 available under the heading "Impact Aid" in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554) for construction under section 8007 of the Elementary and Secondary Education Act of 1965, \$6,802,000 shall be used as directed in the first proviso under that heading, and the remaining \$6,000,000 shall be distributed to eligible local educational agencies under section 8007, as such section was in effect on September 30, 2000.

##### SPECIAL EDUCATION

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106-554; House Report 106-1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating

to Special Education Research and Innovation under the heading "Special Education", the provision for training, technical support, services and equipment through the Early Childhood Development Project in the Mississippi Delta Region shall be applied by substituting "Easter Seals—Arkansas" for "the National Easter Seals Society".

#### EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106-554) is amended by striking "\$139,624,000" and inserting "\$139,853,000".

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106-554; House Report 106-1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to the Fund for the Improvement of Education under the heading "Education Research, Statistics and Improvement"—

(1) the aggregate amount specified shall be deemed to be \$139,853,000;

(2) the amount specified for the National Mentoring Partnership in Washington, DC for establishing the National E-Mentoring Clearinghouse shall be deemed to be \$461,000; and

(3) the provision specifying \$1,275,000 for one-to-one computing shall be deemed to read as follows:

"\$1,275,000—NetSchools Corporation, to provide one-to-one e-learning pilot programs for Dover Elementary School in San Pablo, California, Belle Haven Elementary School in East Menlo Park, California, East Rock Magnet School in New Haven, Connecticut, Reid Elementary School in Searchlight, Nevada, and McDermitt Combined School in McDermitt, Nevada.".

#### GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. (a) Section 117 of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2327) is amended—

(1) in subsection (a), by inserting "that are not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.)" after "institutions";

(2) in subsection (b), by adding "institutional support of" after "for";

(3) in subsection (d), by inserting "that is not receiving Federal support under the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Act (25 U.S.C. 640a et seq.)" after "institution"; and

(4) in subsection (e)(1)—

(A) by striking "and" at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting "; and"; and

(C) by adding at the end the following:

"(D) institutional support of vocational and technical education.".

##### (b) EFFECTIVE DATE.—

(1) The amendments made by subsection (a) shall take effect on the date of enactment of this section.

(2) The amendments made by subsection (a) shall apply to grants made for fiscal year 2001 only if this section is enacted before August 4, 2001.

SEC. 2702. (a) ESTABLISHMENT OF GRANT PROGRAM.—Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by adding the following new subsection:

#### "GRANT ASSISTANCE FOR TRANSITION TO DIGITAL BROADCASTING.

"(n)(1) The Corporation may, by grant, provide financial assistance to eligible entities for the purpose of supporting the transition of those

entities from the use of analog to digital technology for the provision of public broadcasting services.

"(2) Any 'public broadcasting entity' as defined in section 397(11) of the Communications Act of 1934 (47 U.S.C. 397(11)) is an entity eligible to receive grants under this subsection.

"(3) Proceeds of grants awarded under this subsection may be used for costs associated with the transition of public broadcasting stations to assure access to digital broadcasting services, including for the support of digital transmission facilities and for the development, production, and distribution of digital programs and services.

"(4) The grants shall be distributed to the eligible entities in accordance with principles and criteria established by the Corporation in consultation with the public broadcasting licensees and officials of national organizations representing public broadcasting licensees. The principles and criteria shall include special priority for providing digital broadcast services to:

"(A) rural or remote areas;

"(B) areas under-served by public broadcasting stations; and

"(C) areas where the conversion to, or establishment of primary digital public broadcasting services, is impaired by an insufficient availability of private funding for that purpose by reason of the small size of the population or the low average income of the residents of the area.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (k)(1) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended—

(1) by re-designating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

"(D) In addition to any amounts authorized under any other provision of this or any other Act to be appropriated to the Fund, funds are hereby authorized to be appropriated to the Fund solely (notwithstanding any other provision of this subsection) for carrying out the purposes of subsection (n) as follows:

"(i) For fiscal year 2001, \$20,000,000 to carry out the purposes of subsection (n);

"(ii) For fiscal year 2002, such sums as may be necessary to carry out the purposes of subsection (n)."

SEC. 2703. IMPACT AID. (a) LEARNING OPPORTUNITY THRESHOLD PAYMENTS.—Section 8003(b)(3)(B)(iv) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(3)(B)(iv)) (as amended by section 1806(b)(2)(C) of the Impact Aid Reauthorization Act of 2000 (as enacted into law by section 1 of Public Law 106-398)) is amended by inserting "or less than the average per-pupil expenditure of all the States" after "of the State in which the agency is located".

(b) FUNDING.—The Secretary of Education shall make payments under section 8003(b)(3)(B)(iv) of the Elementary and Secondary Education Act of 1965 from the \$882,000,000 available under the heading "Impact Aid" in title III of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by section 1 of Public Law 106-554) for basic support payments under section 8003(b).

#### CHAPTER 8

##### OFFICE OF COMPLIANCE

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$35,000.

##### GOVERNMENT PRINTING OFFICE

##### CONGRESSIONAL PRINTING AND BINDING

For an additional amount for "Congressional Printing and Binding", \$9,900,000.



GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the "Government Printing Office Revolving Fund", \$6,000,000, to remain available until expended, for air-conditioning and lighting systems.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2801. Section 101(a) of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h-6(a)) is amended—

(1) by inserting after the second sentence the following: "The President *pro tempore emeritus* of the Senate is authorized to appoint and fix the compensation of one individual consultant, on a temporary or intermittent basis, at a daily rate of compensation not in excess of that specified in the first sentence of this subsection."; and

(2) in the last sentence by inserting "President *pro tempore emeritus*," after "President *pro tempore*,".

SEC. 2802. The Abraham Lincoln Bicentennial Commission Act, Public Law 106-173, February 25, 2000 is hereby amended in section 7 by striking subsection (e) and inserting the following:

"(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Librarian of Congress shall provide to the Commission, on a reimbursable basis, administrative support services necessary for the Commission to carry out its responsibilities under this Act, including disbursing funds available to the Commission, and computing and disbursing the basic pay for Commission personnel."

SEC. 2803. Notwithstanding any limitation in 31 U.S.C. sec. 1553(b) and 1554, the Architect of the Capitol may use current year appropriations to reimburse the Department of the Treasury for prior year water and sewer services payments otherwise chargeable to closed accounts.

SEC. 2804. That notwithstanding any other provision of law, and specifically section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)), the Members of the Senate to be appointed by the President of the Senate shall for the duration of the One Hundred Seventh Congress, be represented by six Members of the majority party and five Members of the minority party.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$92,000,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements", \$4,000,000, to remain available until expended, for the repair of Coast Guard facilities damaged during the Nisqually earthquake or for costs associated with moving the affected Coast Guard assets to an alternative site within Seattle, Washington.

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, \$30,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

EMERGENCY HIGHWAY RESTORATION

For the costs associated with the long term restoration or replacement of seismically-vulnerable highways recently damaged during the Nisqually earthquake, \$12,800,000, to remain available until expended: Provided, That of the amount made available under this heading, \$3,800,000 shall be for the Alaskan Way Viaduct in Seattle, Washington and \$9,000,000 shall be for the Magnolia Bridge in Seattle, Washington.

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under Public Law 94-280, Public Law 95-599, Public

Law 97-424, Public Law 102-240, and Public Law 100-17, \$14,000,000 are rescinded.

ALASKA RAILROAD COMMISSION

To enable the Secretary of Transportation to make an additional grant to the Alaska Railroad, \$2,000,000 for a joint United States-Canada commission to study the feasibility of connecting the rail system in Alaska to the North American continental rail system.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2901. (a) Item 143 in the table under the heading "Capital Investment Grants" in title I of the Department of Transportation and Related Agencies Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-456) is amended by striking "Northern New Mexico park and ride facilities" and inserting "Northern New Mexico park and ride facilities and State of New Mexico, Buses and Bus-Related Facilities".

(b) Item 167 in the table under the heading "Capital Investment Grants" in title I of the Department of Transportation and Related Agencies Appropriations Act, 2000 (Public Law 106-69; 113 Stat. 1006) is amended by striking "Northern New Mexico Transit Express/Park and Ride buses" and inserting "Northern New Mexico park and ride facilities and State of New Mexico, Buses and Bus-Related Facilities".

SEC. 2902. Notwithstanding section 47105(b)(2) of title 49, United States Code or any other provision of law, an application for a project grant under chapter 471 of that title may propose projects at Abbeville Municipal Airport and Akutan Airport, and the Secretary may make project grants for such projects.

SEC. 2903. Hereafter, funds made available under "Capital Investment Grants" in Public Law 105-277 for item number 15 and for any new fixed guideway system project cited as a "fixed guideway modernization" project shall not be made available for any other Federal transit project.

CHAPTER 10

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Salaries and Expenses" to reimburse any agency of the Department of the Treasury or other Federal agency for costs of providing operational and perimeter security at the 2002 Winter Olympics in Salt Lake City, Utah, \$59,956,000, to remain available until September 30, 2002.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$49,576,000, to remain available through September 30, 2002.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For an additional amount for "Processing, Assistance, and Management", \$66,200,000, to remain available through September 30, 2002.

FEDERAL PAYMENT TO MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

Of the funds made available under this heading in H.R. 5658 of the 106th Congress, as incorporated by reference in Public Law 106-554, \$1,000,000 shall be transferred and made available for necessary expenses incurred pursuant to section 6(7) of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5604(7)), to remain available until expended.

GENERAL PROVISION—THIS CHAPTER

SEC. 21001. Section 413 of H.R. 5658, as incorporated by reference in Public Law 106-554, is amended to read as follows:

"SEC. 413. DESIGNATION OF THE PAUL COVERDELL BUILDING. The recently-completed class-

room building constructed on the Core Campus of the Federal Law Enforcement Training Center in Glynco, Georgia, shall be known and designated as the 'Paul Coverdell Building'."

CHAPTER 11

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for "Compensation and Pensions", \$589,413,000, to remain available until expended.

READJUSTMENT BENEFITS

For an additional amount for "Readjustment Benefits", \$347,000,000, to remain available until expended.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(TRANSFER OF FUNDS)

Of the amounts available in the Medical Care account, not more than \$19,000,000 may be transferred not later than September 30, 2001, to the General Operating Expenses account, for the administrative expenses of processing compensation and pension claims, of which up to \$5,000,000 may be used for associated travel expenses.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

NATIVE AMERICAN HOUSING BLOCK GRANTS

For an additional amount for "Native American Housing Block Grants", \$5,000,000, to remain available until expended: Provided, That these funds shall be made available to the Turtle Mountain Band of Chippewa for emergency housing, housing assistance and other assistance to address the mold problem at the Turtle Mountain Indian Reservation: Provided further, That these funds shall be released upon the submission of a plan by the Turtle Mountain Band of Chippewa to the Secretary of Housing and Urban Development to address these emergency housing needs and related problems: Provided further, That the Federal Emergency Management Agency shall provide technical assistance to the Turtle Mountain Band of Chippewa with respect to the acquisition of emergency housing and related issues on the Turtle Mountain Indian Reservation.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING RESCISSION)

Except for the amount made available for the cost of guaranteed loans as authorized under section 108 of the Housing and Community Development Act of 1974, the unobligated balances available in Public Law 106-377 for use under this heading in only fiscal year 2001 are rescinded as of the date of enactment of this provision.

The amount of the unobligated balances rescinded in the preceding paragraph is appropriated for the activities specified in Public Law 106-377 for which such balances were available, to remain available until September 30, 2003.

The referenced statement of the managers under this heading in Public Law 106-377 is deemed to be amended with respect to the amount made available for Rio Arriba County, New Mexico by striking the words "for an environmental impact statement" and inserting the words "for a regional landfill".

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(TRANSFER OF FUNDS)

Of the amounts available for administrative expenses and administrative contract expenses under the headings, "FHA—Mutual Mortgage Insurance Program Account", "FHA—General and Special Risk Program Account", and "Salaries and expenses, management and administration" in title II of the Departments of Veterans Affairs and Housing and Urban Development,

and Independent Agencies Appropriations Act, 2001, as enacted by Public Law 106-377, not to exceed \$8,000,000 is available to liquidate deficiencies incurred in fiscal year 2000 in the "FHA—Mutual Mortgage Insurance Program Account".

FHA—GENERAL AND SPECIAL RISK PROGRAM  
ACCOUNT

The matter under this heading in title IV of the Legislative Branch Appropriations Act, 2001, as enacted by reference by Public Law 106-554 (114 Stat. 2763A-124), is amended by striking the three provisos.

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in Public Law 106-377 is deemed to be amended by striking all after the words "Beloit, Wisconsin" in reference to item number 236, and inserting the words "extension of separate sanitary sewers and extension of separate storm sewers".

FEDERAL EMERGENCY MANAGEMENT AGENCY  
DISASTER RELIEF

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$1,000,000 to remain available until expended for costs related to Tropical Storm Allison.

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION

HUMAN SPACE FLIGHT

Notwithstanding the proviso under the heading, "Human Space Flight", in Public Law 106-74, \$40,000,000 of the amount provided therein shall be available for preparations necessary to carry out future research supporting life and micro-gravity science and applications.

TITLE III—GENERAL PROVISIONS

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3002. UNITED STATES-CHINA SECURITY REVIEW COMMISSION. There are hereby appropriated, out of any funds in the Treasury not otherwise appropriated, \$1,700,000, to remain available until expended, to the United States-China Security Review Commission.

SEC. 3003. DESIGNATION OF ENGINEERING AND MANAGEMENT BUILDING AT NORFOLK NAVAL SHIPYARD, VIRGINIA, AFTER NORMAN SISISKY. The engineering and management building (also known as Building 1500) at Norfolk Naval Shipyard, Portsmouth, Virginia, shall be known as the Norman Sisisky Engineering and Management Building. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Norman Sisisky Engineering and Management Building.

This Act may be cited as the "Supplemental Appropriations Act, 2001".

UNANIMOUS CONSENT  
AGREEMENT—H.R. 333

Mr. REID. Mr. President, I ask unanimous consent that the previously ordered debate with respect to the Nelson of Florida amendment No. 893 occur immediately following the vote on cloture on the motion to proceed to H.R. 333; the offering of the substitute amendment, and cloture being filed on that amendment, as under the previous order; further, that no amendments be in order to the substitute amendment to H.R. 333 prior to the cloture vote on the substitute amendment.

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

AUTHORIZING USE OF THE  
ROTUNDA OF THE CAPITOL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 174 just received from the House.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 174) authorizing the Rotunda of the Capitol to be used on July 26, 2001, for a ceremony to present Congressional Gold Medals to the original 29 Navajo Code Talkers.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 174) was agreed to.

EXECUTIVE SESSION

NOMINATION OF OTHONEIL  
ARMENDARIZ TO BE A MEMBER  
OF THE FEDERAL LABOR RELATIONS  
AUTHORITY

NOMINATION OF KAY COLES  
JAMES TO BE DIRECTOR OF THE  
OFFICER OF PERSONNEL MAN-  
AGEMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations reported earlier today by the Government Affairs Committee:

Othoneil Armendariz, to be a member of the Federal Labor Relations Authority;

Kay Coles James, to be the Director of the Office of Personnel Management;

that the nominations be confirmed, the motions to reconsider be laid on the table, that any statements thereon appear at the appropriate place in the RECORD, and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

OFFICE OF PERSONNEL MANAGEMENT

Kay Coles James, of Virginia, to be Director of the Office of Personnel Management.

FEDERAL LABOR RELATIONS AUTHORITY

Othoneil Armendariz, of Texas, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2005.

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to executive session to consider the following nominations: Nos. 182 through 196 and all nominations on the Secretary's desk; that the nominations be confirmed, en bloc; that any statements therein be printed at the appropriate place in the RECORD; the motions to reconsider be laid upon the table; the President be immediately notified of the Senate's action, and the Senate return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF STATE

Pierre-Richard Prosper, of California, to be Ambassador at Large for War Crimes Issues.

Charles J. Swindells, of Oregon, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Samoa.

Margaret DeBardeleben Tutwiler, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Wendy Jean Chamberlin, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Islamic Republic of Pakistan.

William S. Farish, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Great Britain and Northern Ireland.

Francis Xavier Taylor, of Maryland, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Robert D. Blackwill, of Kansas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

Anthony Horace Gioia, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta.

Howard H. Leach, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France.

William A. Eaton, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Assistant Secretary of State (Administration).

Alexander R. Vershbow, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

Clark T. Randt, Jr., of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

C. David Welch, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Arab Republic of Egypt.

Douglas Alan Hartwick, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lao People's Democratic Republic.

Daniel C. Kurtzer, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.