

appealed and overturned. I believe that the Court has misinterpreted the intent of the Framers of the Constitution and has sought to undermine one of the bedrock values of our democracy, that we are indeed "one nation under God," as embodied in the Pledge of Allegiance to the flag of the United States of America.

While our men and women in uniform are battling overseas and defending us here at home to preserve the freedom that we all cherish for our country and its citizens, we should never forget the blessings of Divine Providence that undergird our Nation. That includes the freedom to recite the pledge of allegiance in our Nation's schools. I can only imagine how they will feel about this decision as they risk their lives for our values.

And the children of America, who share a bond with each other and with our Nation by reciting the pledge each day, what effect will a decision like this have on them? It will cause them to wonder about the ways in which our beliefs can be stretched, our heritage can be assaulted. It is the wrong decision, and it is an unfair decision, especially unfair to those who defend our Nation, and to the young people who will inherit our Nation's future.

Ours is a Nation founded by people of faith. People of faith have helped lead some of the most significant movements of social justice throughout our history: to end slavery, to win civil rights for all Americans. No one is required to have faith, and our Government does not impose faith on its citizens. But ours is the most faith-filled nation on Earth, and there is no moral or constitutional argument why our Pledge of Allegiance cannot acknowledge our commonly held belief that ours is one nation, under God, indivisible, with liberty and justice for all.

I am honored to support S. 292, the Pledge of Allegiance resolution, and I hope that the rule of law will be upheld by an ultimate rejection of this wrong-headed decision of the Ninth Circuit Court of Appeals.

Mr. SMITH of New Hampshire. Mr. President, I am outraged with the decision by the 9th U.S. Circuit Court of Appeals that the Pledge of Allegiance is unconstitutional because it contains the words "Under God."

The pledge is part of the fabric of our society, a wonderful tradition that is observed in thousands of schools each day by millions of school children.

For two activist judges to decide for thousands of schools and thousands of parents that their children can't recite the pledge is the height of liberal intolerance and arrogance.

The Declaration of Independence talks about our Creator. Our coins and dollars have "In God We Trust" imprinted on them. Our public officials take their oath on the Bible. The Ten Commandments is posted in the U.S. Supreme Court. The House and Senate start off each day with the Pledge of Allegiance. If it's good enough for Sen-

ators to say the pledge each day, it's good enough for America's school children to do the same.

There are countless more examples of religion in American public life. The First Congress enacted the Northwest Ordinance, which provided that "religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." President George Washington offered a prayer at his First Inaugural Address. Many of our nation's Founding Fathers and Framers of our Constitution commented publicly and privately about the values and importance of religion in American public life. Our armed services provide chaplains, priests and rabbis. The U.S. House of Representatives and the U.S. Senate begin each day with an opening prayer. For this court to single out the pledge for including the phrase "One Nation, Under God," is simply incredible.

Nobody's forcing school children to recite the pledge. What we want, and what millions of parents want, is to simply give American children the chance to pledge allegiance to our Flag and to everything that it represents: patriotism, sacrifice, courage, justice, perseverance. The list goes on.

Now, more than ever, we should encourage our young people to learn and respect the patriotic values embodied in our Flag, the symbol of our country, and in the Pledge of Allegiance.

Mr. HOLLINGS. Mr. President, the judges who today declared the Pledge of Allegiance unconstitutional because of the words "under God" threw out reason and common sense and misread the Constitution. What we are left with is an absurd result.

The first amendment of the Constitution allows for not only freedom of religion, but freedom to exercise religion. It is ludicrous that we can't say "under God." Using these judges' twisted logic, "In God We Trust" couldn't be on coins, and we would have to edit the Declaration of Independence because it says that all men are "endowed by their Creator."

When reason, common sense, and the correct interpretation of the Constitution return, this opinion will be reversed.

I thank the Chair and yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MILLER). Without objection, it is so ordered.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003—Continued

AMENDMENT NO. 4111, AS MODIFIED

Mr. REID. Mr. President, I ask unanimous consent the previously agreed to Lott amendment, No. 4111, be modified with the changes that are now at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4111), as modified, is as follows:

On page 100, between lines 3 and 4, insert the following:

### SEC. 503. REINSTATEMENT OF AUTHORITY TO REDUCE SERVICE REQUIREMENT FOR RETIREMENT IN GRADES ABOVE O-4

(a) OFFICERS ON ACTIVE DUTY.—Subsection (a)(2)(A) of section 1370 of title 10, United States Code, is amended—

(1) by striking "may authorize" and all that follows and inserting "may, in the case of retirements effective during the period beginning on September 1, 2002, and ending on December 31, 2004, authorize—"; and

(2) by adding at the end the following:

"(1) The Deputy Under Secretary of Defense for Personnel and Readiness to reduce such 3-year period of required service to a period not less than two years for retirements in grades above colonel or, in the case of the Navy, captain; and

"(2) The Secretary of a military department or the Assistant Secretary of a military department having responsibility for manpower and reserve affairs to reduce such 3-year period to a period of required service not less than two years for retirements in grades of lieutenant colonel and colonel or, in the case of the Navy, commander and captain."

(b) RESERVE OFFICERS.—Subsection (d)(5) of such section is amended—

(1) in the first sentence—

(A) by striking "may authorize" and all that follows and inserting "may, in the case of retirements effective during the period beginning on September 1, 2002, and ending on December 31, 2004, authorize—"; and

(B) by adding at the end the following:

"(A) The Deputy Under Secretary of Defense for Personnel and Readiness to reduce such 3-year period of required service to a period not less than two years for retirements in grades above colonel or, in the case of the Navy, captain; and

"(B) The Secretary of a military department or the Assistant Secretary of a military department having responsibility for manpower and reserve affairs to reduce such 3-year period of required service to a period not less than two years for retirements in grades of lieutenant colonel and colonel or, in the case of the Navy, commander and captain."

(2) by designating the second sentence as paragraph (6) and realigning such paragraph, as so redesignated 2 ems from the left margin; and

(3) in paragraph (6), as so redesignated, by striking "this paragraph" and inserting "paragraph (5)".

(c) ADVANCE NOTICE TO THE PRESIDENT AND CONGRESS.—Such section is further amended by adding at the end the following new subsection:

"(e) ADVANCE NOTICE TO CONGRESS.—(1) The Secretary of Defense shall notify the Committees on Armed Services of the Senate and House of Representatives of—

"(A) an exercise of authority under paragraph (2)(A) of subsection (a) to reduce the 3-year minimum period of required service on

active duty in a grade in the case of an officer to whom such paragraph applies before the officer is retired in such grade under such subsection without having satisfied that 3-year service requirement; and

“(B) an exercise of authority under paragraph (5) of subsection (d) to reduce the 3-year minimum period of service in grade required under paragraph (3)(A) of such subsection in the case of an officer to whom such paragraph applies before the officer is credited with satisfactory service in such grade under subsection (d) without having satisfied that 3-year service requirement.

“(2) The requirement for a notification under paragraph (1) is satisfied in the case of an officer to whom subsection (c) applies if the notification is included in the certification submitted with respect to such officer under paragraph (1) of such subsection.

“(3) The notification requirement under paragraph (1) does not apply to an officer being retired in the grade of lieutenant colonel or colonel or, in the case of the Navy, commander or captain.”.

AMENDMENTS NOS. 4117 THROUGH 4163, EN BLOC

Mr. REID. Mr. President, I ask unanimous consent that it be in order for the Senate to consider, en bloc, the amendments that are at the desk; that the amendments be considered and agreed to, en bloc; that the motion to reconsider be laid on the table, en bloc, and that the consideration of these amendments appear separately in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 4117

(Purpose: To provide an amount for lift support for mine warfare ships and other vessels)

On page 90, between lines 19 and 20, insert the following:

**SEC. 346. LIFT SUPPORT FOR MINE WARFARE SHIPS AND OTHER VESSELS.**

(a) AMOUNT.—Of the amount authorized to be appropriated by section 302(2), \$10,000,000 shall be available for implementing the recommendations resulting from the Navy's Non-Self Deployable Watercraft (NDSW) Study and the Joint Chiefs of Staff Focused Logistics Study, which are to determine the requirements of the Navy for providing lift support for mine warfare ships and other vessels.

(b) OFFSETTING REDUCTION.—Of the amount authorized to be appropriated by section 302(2), the amount provided for the procurement of mine countermeasures ships cradles is hereby reduced by \$10,000,000.

AMENDMENT NO. 4118

(Purpose: To add an amount for the Navy Data Conversion and Management Laboratory to support data conversion activities for the Navy, and to provide an offset)

On page 90, between lines 19 and 20, insert the following:

**SEC. 346. NAVY DATA CONVERSION ACTIVITIES.**

(a) AMOUNT FOR ACTIVITIES.—The amount authorized to be appropriated by section 301(a)(2) is hereby increased by \$2,000,000. The total amount of such increase may be available for the Navy Data Conversion and Management Laboratory to support data conversion activities for the Navy.

(b) OFFSET.—The amount authorized to be appropriated by section 301(a)(1) is hereby reduced by \$2,000,000 to reflect a reduction in the utilities privatization efforts previously planned by the Army.

AMENDMENT NO. 4119

(Purpose: To require a report on efforts to ensure the adequacy of fire fighting staffs at military installations)

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

**SEC. 1035. REPORT ON EFFORTS TO ENSURE ADEQUACY OF FIRE FIGHTING STAFFS AT MILITARY INSTALLATIONS.**

Not later than May 31, 2003, the Secretary of Defense shall submit to Congress a report on the actions being undertaken to ensure that the fire fighting staffs at military installations are adequate under applicable Department of Defense regulations.

AMENDMENT NO. 4120

(Purpose: To set aside \$1,500,000 for the Navy Pilot Human Resources Call Center, Cutler, Maine)

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

**SEC. 305. NAVY PILOT HUMAN RESOURCES CALL CENTER, CUTLER, MAINE.**

Of the amount authorized to be appropriated by section 301(a)(2) for operation and maintenance for the Navy, \$1,500,000 may be available for the Navy Pilot Human Resources Call Center, Cutler, Maine.

AMENDMENT NO. 4121

(Purpose: To authorize, with an offset, \$9,000,000 for a military construction project for the Army National Guard for a Reserve Center in Lane County, Oregon)

At the end of title XXVI, add the following:

**SEC. 2602. ARMY NATIONAL GUARD RESERVE CENTER, LANE COUNTY, OREGON.**

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 2601(1)(A) for the Army National Guard of the United States is hereby increased by \$9,000,000.

(b) AVAILABILITY.—(1) Of the amount authorized to be appropriated by section 2601(1)(A) for the Army National Guard of the United States, as increased by subsection (a), \$9,000,000 may be available for a military construction project for a Reserve Center in Lane County, Oregon.

(2) The amount available under paragraph (1) for the military construction project referred to in that paragraph is in addition to any other amounts available under this Act for that project.

(c) OFFSET.—(1) The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby reduced by \$2,500,000, with the amount of the reduction to be allocated to Warfighter Sustainment Advanced Technology (PE0603236N).

(2) The amount authorized to be appropriated by section 301(a)(6) for operation and maintenance for the Army Reserve is hereby reduced by \$6,000,000, with the amount of the reduction to be allocated to the Enhanced Secure Communications Program.

AMENDMENT NO. 4122

(Purpose: To authorize a military construction project in the amount of \$3,580,000 for construction of a National Guard Readiness Center, Kosciusko, Mississippi)

In section 301(a)(1), decrease the amount by \$1,100,000.

In section 2601(1)(A), increase the amount by \$3,580,000.

In section 2204(a)(5), reduce the amount by \$2,000,000.

AMENDMENT NO. 4123

(Purpose: To authorize, with an offset, a military construction project in the amount of \$7,500,000 for construction of a new air traffic control facility at Dover Air Force Base, Delaware)

At the end of title XXIII, add the following:

**SEC. 2305. ADDITIONAL PROJECT AUTHORIZATION FOR AIR TRAFFIC CONTROL FACILITY AT DOVER AIR FORCE BASE, DELAWARE.**

(a) PROJECT AUTHORIZED.—In addition to the projects authorized by section 2301(a), the Secretary of the Air Force may carry out carry out a military construction project, including land acquisition relating thereto, for construction of a new air traffic control facility at Dover Air Force Base, Delaware, in the amount of \$7,500,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 2304(a), and by paragraph (1) of that section, is hereby increased by \$7,500,000.

(c) OFFSET.—The amount authorized to be appropriated by section 301(a)(10) for operation and maintenance for the Army National Guard is hereby reduced by \$7,500,000, with the amount of the reduction to be allocated to the Classified Network Program.

AMENDMENT NO. 4124

(Purpose: To authorize, with an offset, \$3,000,000 for a planning and design for a new anechoic chamber at White Sands Missile Range, New Mexico (Project No. 56232))

At the end of title XXI, add the following:

**SEC. 2109. PLANNING AND DESIGN FOR ANECHOIC CHAMBER AT WHITE SANDS MISSILE RANGE, NEW MEXICO.**

(a) PLANNING AND DESIGN.—The amount authorized to be appropriated by section 2104(a)(5), for planning and design for military construction for the Army is hereby increased by \$3,000,000, with the amount of the increase to be available for planning and design for an anechoic chamber at White Sands Missile Range, New Mexico.

(b) OFFSET.—The amount authorized to be appropriated by section 301(a)(1) for the Army for operation and maintenance is hereby reduced by \$3,000,000, with the amount of the reduction to be allocated to Base Operations Support (Servicewide Support).

AMENDMENT NO. 4125

(Purpose: To authorize, with an offset, \$10,000,000 for the Air National Guard for a military construction project for a Composite Support Facility for the 183rd Fighter Wing of the Illinois Air National Guard)

In title XXVI, add at the end the following:

**SEC. 2602. ADDITIONAL PROJECT AUTHORIZATION FOR COMPOSITE SUPPORT FACILITY FOR ILLINOIS AIR NATIONAL GUARD.**

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 2601(3)(A) for the Air National Guard is hereby increased by \$10,000,000.

(b) AVAILABILITY.—Of the amount authorized to be appropriated by section 2601(3)(A) for the Air National Guard, as increased by subsection (a), \$10,000,000 shall be available for a military construction project for a Composite Support Facility for the 183rd Fighter Wing of the Illinois Air National Guard.

(c) OFFSET.—The amount authorized to be appropriated by section 301(a)(5) for operation and maintenance, defense-wide, is hereby reduced by \$10,000,000, with the amount of the reduction to be allocated to amounts available for the Information Operations Program.

## AMENDMENT NO. 4126

(Purpose: To authorize \$8,000,000 for the construction of a parking garage at Walter Reed Army Medical Center, Washington, District of Columbia, and to offset the amount with a reduction in operation and maintenance for the Army in amounts available for Base Operations Support (Servicewide Support))

In section 301(a)(1), strike “\$24,195,242,000” and insert “\$24,187,242,000”.

In the table in section 2101(a), in the item relating to Walter Reed Army Medical Center, District of Columbia, strike “\$9,500,000” in the amount column and insert “\$17,500,000”.

In the table in section 2101(a), strike the amount identified as the total in the amount column and insert “\$964,697,000”.

In section 2104(a), strike “\$2,999,345,000” in the matter preceding paragraph (1) and insert “\$3,007,345,000”.

In section 2104(a)(1), strike “\$750,497,000” and insert “\$758,497,000”.

## AMENDMENT NO. 4127

(Purpose: To authorize a military construction project in the amount of \$8,400,000 for the Air National Guard for completion of construction of the Composite Aviation Aircraft Maintenance Complex (PN#BKTZ989063) in Nashville, Tennessee, and to offset the authorization with a reduction of \$2,400,000 in operation and maintenance for the Army from amounts available for Base Operations Support (Servicewide Support), a reduction of \$3,000,000 in operation and maintenance for the Army from amounts available for Recruiting and Advertising, and a reduction of \$3,000,000 in operation and maintenance for the Air Force from amounts available for Recruiting and Advertising)

In section 301(a)(1), decrease the amount indicated by \$5,400,000.

In section 301(a)(2), decrease the amount indicated by \$3,000,000.

In section 2601(3)(A), add \$8,400,000 to the amount indicated.

## AMENDMENT NO. 4128

(Purpose: To authorize, with an offset, \$15,200,000 for a military construction project for the Air Force for consolidation of the materials computational research facility at Wright-Patterson Air Force Base, Ohio (PNZH7V03301A))

At the end of title XXIII, add the following:

**SEC. 2305. AVAILABILITY OF FUNDS FOR CONSOLIDATION OF MATERIALS COMPUTATIONAL RESEARCH FACILITY AT WRIGHT-PATTERSON AIR FORCE BASE, OHIO.**

(a) AVAILABILITY.—Of the amount authorized to be appropriated by section 2304(a), and paragraph (1) of that section, for the Air Force and available for military construction projects at Wright-Patterson Air Force Base, Ohio, \$15,200,000 may be available for a military construction project for consolidation of the materials computational research facility at Wright-Patterson Air Force Base (PNZH7V03301A).

(b) OFFSET.—(1) The amount authorized to be appropriated by section 301(a)(4) for the Air Force for operation and maintenance is hereby reduced by \$2,800,000, with the amount of the reduction to be allocated to Recruiting and Advertising.

(2) Of the amount authorized to be appropriated by section 2304(a), and paragraph (1) of that section, for the Air Force and available for military construction projects at Wright-Patterson Air Force Base—

(A) the amount available for a dormitory is hereby reduced by \$10,400,000; and

(B) the amount available for construction of a Fully Contained Small Arms Range Complex is hereby reduced by \$2,000,000.

## AMENDMENT NO. 4129

(Purpose: To authorize \$2,000,000 for research, development, test, and evaluation for the Air Force for Support Systems Development (PE0708611F) for Aging Aircraft and to offset the amount with a reduction in research, development, test, and evaluation for the Navy from amounts available for Warfighting Sustainment Advanced Technology (PE0603236N))

In section 201(2), strike “\$12, 929,135,000” and insert “\$12,927,135,000”.

In section 201(3), strike “\$18,603,684,000” and insert “\$18,605,684,000”.

## AMENDMENT NO. 4130

(Purpose: To authorize, with an offset, \$4,500,000 for research, development, test, and evaluation for the Army for radar power technology)

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

**SEC. 214. RADAR POWER TECHNOLOGY FOR THE ARMY.**

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 201(1) for the Department of Defense for research, development, test, and evaluation for the Army is hereby increased by \$4,500,000, with the amount of the increase to be allocated to Army missile defense systems integration (DEM/VAL) (PE0603308A).

(b) AVAILABILITY FOR RADAR POWER TECHNOLOGY.—(1) Of the amount authorized to be appropriated by section 201(1) for the Department of Defense for research, development, test, and evaluation for the Army, as increased by subsection (a), \$4,500,000 shall be available for radar power technology.

(2) The amount available under paragraph (1) for radar power technology is in addition to any other amounts available under this Act for such technology.

(c) OFFSET.—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby reduced by \$4,500,000, with the amount of the reduction to be allocated to common picture advanced technology (PE0603235N).

## AMENDMENT NO. 4131

(Purpose: To increase the amount provided for RDT&E, Defense-wide activities, for critical infrastructure protection (PE 35190D8Z), and to offset the increase by reducing the amount provided for RDT&E, Defense-wide activities, for power projection advanced technology (PE 63114N)).

On page 26, after line 22, insert the following:

**SEC. 214. CRITICAL INFRASTRUCTURE PROTECTION.**

(a) AMOUNT FOR PROGRAM.—Of the amount authorized to be appropriated in section 201(4), \$4,500,000 may be available for critical infrastructure protection (PE 35190D8Z).

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(2), the amount for power projection advanced technology (PE 63114N) is hereby reduced by \$4,500,000.

## AMENDMENT NO. 4132

(Purpose: To increase the amount for the Air Force for RDT&E for wargaming and simulation centers, and to provide an offset)

On page 26, after line 22, insert the following:

**SEC. 214. THEATER AEROSPACE COMMAND AND CONTROL SIMULATION FACILITY UPGRADES.**

(a) AVAILABILITY OF FUNDS.—(1) The amount authorized to be appropriated by

section 201(3) for the Air Force for wargaming and simulation centers (PE 0207605F) is increased by \$2,500,000. The total amount of the increase may be available for Theater Aerospace Command and Control Simulation Facility (TACCSF) upgrades.

(2) The amount available under paragraph (1) for Theater Aerospace Command and Control Simulation Facility upgrades is in addition to any other amounts available under this Act for such upgrades.

(b) OFFSET.—The amount authorized to be appropriated by section 201(2) for the Navy for Mine and Expeditionary Warfare Applied Research (PE 0602782N) is reduced by \$2,500,000.

## AMENDMENT NO. 4133

At the appropriate place insert the following:

**SEC. .RUSSIAN TACTICAL NUCLEAR WEAPONS.**

(a) FINDINGS.—

The Congress makes the following findings:

(1) Al Qaeda and other terrorist organizations, in addition to rogue states, are known to be working to acquire weapons of mass destruction, and particularly nuclear warheads.

(2) The largest and least secure potential source of nuclear warheads for terrorists or rogue states is Russia's arsenal of non-strategic or “tactical” nuclear warheads, which according to unclassified estimates numbers from 7,000 to 12,000 warheads. Security at Russian nuclear weapon storage sites is insufficient, and tactical nuclear warheads are more vulnerable to terrorist or rogue state acquisition due to their smaller size, greater portability, and greater numbers compared to Russian strategic nuclear weapons.

(3) Russia's tactical nuclear warheads were not covered by the START treaties or the recent Moscow Treaty. Russia is not legally bound to reduce its tactical nuclear stockpile and the United States has no inspection rights regarding Russia's tactical nuclear arsenal.

(b) SENSE OF THE SENATE.—

(1) One of the most likely nuclear weapon attack scenarios against the United States would involve detonation of a stolen Russian tactical nuclear warhead smuggled into the country.

(2) It is a top national security priority of the United States to accelerate efforts to account for, secure, and reduce Russia's stockpile of tactical nuclear warheads and associated fissile material.

(3) This imminent threat warrants a special non-proliferation initiative.

(c) REPORT.—

Not later than 30 days after enactment of this act, the President shall report to Congress on efforts to reduce the particular threats associated with Russia's tactical nuclear arsenal and the outlines of a special initiative related to reducing the threat from Russia's tactical nuclear stockpile.

## AMENDMENT NO. 4134

(Purpose: to authorize, with an offset, \$2,500,000 for research, development, test, and evaluation for the Navy for the DDG optimized manning initiative)

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

**SEC. 214. DDG OPTIMIZED MANNING INITIATIVE.**

(a) INCREASE IN AUTHORIZATION OF APPROPRIATIONS.—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby increased by \$2,500,000, with the amount of the increase to be allocated to surface combatant combat system engineering (PE0604307N).

(b) AVAILABILITY.—(1) Of the amount authorized to be appropriated by section 201(2)

for research, development, test, and evaluation for the Navy, as increased by subsection (a), \$2,500,000 may be available for the DDG optimized manning initiative.

(2) The amount available under paragraph (1) for the initiative referred to in that paragraph is in addition to any other amounts available under this Act for that initiative.

(c) OFFSET.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for Artillery Systems—Dem/Val, PE0603854A, by \$2,500,000.

#### AMENDMENT NO. 4135

(Purpose: To prohibit the use of authorized funds for research, development, test, evaluation, procurement, or deployment of nuclear armed interceptors of a missile defense system)

On page 34, after line 23, insert the following:

#### SEC. 226. LIMITATION ON USE OF FUNDS FOR NUCLEAR ARMED INTERCEPTORS.

None of the funds authorized to be appropriated by this or any other Act may be used for research, development, test, evaluation, procurement, or deployment of nuclear armed interceptors of a missile defense system.

#### AMENDMENT NO. 4136

(Purpose: To add \$1,000,000 for Defense-Wide RDT&E for key enabling robotics technologies for the support of Army, Navy, and Air Force robotic and unmanned military platforms (PE 604709D8Z), and to offset the increase by reducing the amount provided for the Navy for other procurement for gun fire control equipment, SPQ-9B solid state transmitter, by \$1,000,000)

On page 24, line 2, increase the first amount by \$1,000,000.

On page 14, line 5, reduce the amount by \$1,000,000.

#### AMENDMENT NO. 4137

(Purpose: To prohibit denial of TRICARE services to a covered beneficiary receiving medical care from the Department of Veterans Affairs under certain circumstances)

On page 154, after line 20, insert the following:

#### SEC. 708. HEALTH CARE UNDER TRICARE FOR TRICARE BENEFICIARIES RECEIVING MEDICAL CARE AS VETERANS FROM THE DEPARTMENT OF VETERANS AFFAIRS.

Section 1097 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) PERSONS RECEIVING MEDICAL CARE FROM THE DEPARTMENT OF VETERANS AFFAIRS.—A covered beneficiary who is enrolled in and seeks care under the TRICARE program may not be denied such care on the ground that the covered beneficiary is receiving health care from the Department of Veterans Affairs on an ongoing basis if the Department of Veterans Affairs cannot provide the covered beneficiary with the particular care sought by the covered beneficiary within the maximum period provided in the access to care standards that are applicable to that particular care under TRICARE program policy.”.

#### AMENDMENT NO. 4138

(Purpose: To authorize, with an offset, \$1,000,000 for research, development, test, and evaluation, defense-wide, for In-House Laboratory Independent Research (PE0601103D8Z) for research, analysis, and assessment of efforts to counter potential agroterrorist attacks)

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

#### SEC. 214. AGROTERRORIST ATTACKS.

(a) AVAILABILITY.—(1) Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, defense-wide, the amount available for basic research for the Chemical and Biological Defense Program (PE0601384BP) is hereby increased by \$1,000,000, with the amount of such increase to be available for research, analysis, and assessment of efforts to counter potential agroterrorist attacks.

(2) The amount available under paragraph (1) for research, analysis, and assessment described in that paragraph is in addition to any other amounts available in this Act for such research, analysis, and assessment.

(b) OFFSET.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide, the amount available for biological terrorism and agroterrorism risk assessment and prediction in the program element relating to the Chemical and Biological Defense Program (PE0603384BP) is hereby reduced by \$1,000,000.

#### AMENDMENT NO. 4139

(Purpose: To authorize the Secretary of Defense to pay monetary rewards for assistance in combating terrorism)

On page 258, after line 24, insert the following:

#### SEC. 1065. REWARDS FOR ASSISTANCE IN COMBATING TERRORISM.

(a) AUTHORITY.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127a the following new section:

##### “§ 127b. Rewards for assistance in combating terrorism

“(a) AUTHORITY.—The Secretary of Defense may pay a monetary reward to a person for providing United States personnel with information or nonlethal assistance that is beneficial to—

“(1) an operation of the armed forces conducted outside the United States against international terrorism; or

“(2) force protection of the armed forces.

“(b) MAXIMUM AMOUNT.—The amount of a reward paid to a recipient under this section may not exceed \$200,000.

“(c) DELEGATION TO COMMANDER OF COMBATANT COMMAND.—(1) The Secretary of Defense may delegate to the commander of a combatant command authority to pay a reward under this section in an amount not in excess of \$50,000.

“(2) A commander to whom authority to pay rewards is delegated under paragraph (1) may further delegate authority to pay a reward under this section in an amount not in excess of \$2,500.

“(c) COORDINATION.—(1) The Secretary of Defense, in consultation with the Secretary of State and the Attorney General, shall prescribe policies and procedures for offering and paying rewards under this section, and otherwise for administering the authority under this section, that ensure that the payment of a reward under this section does not duplicate or interfere with the payment of a reward authorized by the Secretary of State or the Attorney General.

“(2) The Secretary of Defense shall coordinate with the Secretary of State regarding any payment of a reward in excess of \$100,000 under this section.

“(d) PERSONS NOT ELIGIBLE.—The following persons are not eligible to receive an award under this section:

“(1) A citizen of the United States.

“(2) An employee of the United States.

“(3) An employee of a contractor of the United States.

“(e) ANNUAL REPORT.—(1) Not later than 60 days after the end of each fiscal year, the Secretary of Defense shall submit to the

Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives a report on the administration of the rewards program during that fiscal year.

“(2) The report for a fiscal year shall include information on the total amount expended during that fiscal year to carry out this section, including—

“(A) a specification of the amount, if any, expended to publicize the availability of rewards; and

“(B) with respect to each award paid during that fiscal year—

“(i) the amount of the reward;

“(ii) the recipient of the reward; and

“(iii) a description of the information or assistance for which the reward was paid, together with an assessment of the significance of the information or assistance.

“(3) The Secretary may submit the report in classified form if the Secretary determines that it is necessary to do so.

“(f) DETERMINATIONS BY THE SECRETARY.—A determination by the Secretary under this section shall be final and conclusive and shall not be subject to judicial review.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127a the following new item:

“127b. Rewards for assistance in combating terrorism.”.

#### AMENDMENT NO. 4140

(Purpose: To establish the position of Under Secretary of Defense for Intelligence)

On page 200, between lines 14 and 15, insert the following:

#### SEC. 905. UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE.

(a) ESTABLISHMENT OF POSITION.—Chapter 4 of title 10, United States Code, is amended—

(1) by transferring section 137 within such chapter to appear following section 138;

(2) by redesignating sections 137 and 139 as sections 139 and 139a, respectively; and

(3) by inserting after section 136a the following new section 137:

##### “§ 137. Under Secretary of Defense for Intelligence

“(a) There is an Under Secretary of Defense for Intelligence, appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Intelligence shall perform such duties and exercise such powers as the Secretary of Defense may prescribe in the area of intelligence.

“(c) The Under Secretary of Defense for Personnel and Readiness takes precedence in the Department of Defense after the Under Secretary of Defense for Personnel and Readiness.”.

(b) CONFORMING AMENDMENTS.—(1) Section 131 of such title is amended—

(A) by striking paragraphs (2), (3), (4), and (5), and inserting the following:

“(2) The Under Secretaries of Defense, as follows:

“(A) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

“(B) The Under Secretary of Defense for Policy.

“(C) The Under Secretary of Defense (Comptroller).

“(D) The Under Secretary of Defense for Personnel and Readiness.

“(E) The Under Secretary of Defense for Intelligence.”; and

(B) by redesignating paragraphs (6), (7), (8), (9), (10), and (11) as paragraphs (3), (4), (5), (6), (7), and (8), respectively.

(2) The table of sections at the beginning of chapter 4 of such title is amended—

(A) by striking the item relating to section 137 and inserting the following:

“137. Under Secretary of Defense for Intelligence.”;

and

(B) by striking the item relating to section 139 and inserting the following:

“139. Director of Research and Engineering.

“139a. Director of Operational Test and Evaluation.”.

(c) EXECUTIVE LEVEL III.—Section 5314 of title 5, United States Code, is amended by inserting after “Under Secretary of Defense for Personnel and Readiness.” the following:

“Under Secretary of Defense for Intelligence.”.

#### AMENDMENT NO. 414

(Purpose: To require a study on the designation of a highway in the State of Louisiana as a defense access road)

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

#### SEC. 1035. REPORT ON DESIGNATION OF CERTAIN LOUISIANA HIGHWAY AS DEFENSE ACCESS ROAD.

Not later than March 1, 2003, the Secretary of Army shall submit to the congressional defense committees a report containing the results of a study on the advisability of designating Louisiana Highway 28 between Alexandria, Louisiana, and Leesville, Louisiana, a road providing access to the Joint Readiness Training Center, Louisiana, and to Fort Polk, Louisiana, as a defense access road for purposes of section 210 of title 23, United States Code.

#### AMENDMENT NO. 412

(Purpose: To authorize the conveyance of 2,000 acres at the Sunflower Army Ammunition Plant, Kansas)

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

#### SEC. 2829. LAND CONVEYANCE, SUNFLOWER ARMY AMMUNITION PLANT, KANSAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army or the Administrator of General Services may convey, without consideration, to the Johnson County Park and Recreation District, Kansas (in this section referred to as the “District”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, in the State of Kansas consisting of approximately 2,000 acres, a portion of the Sunflower Army Ammunition Plant. The purpose of the conveyance is to permit the District to use the parcel for public recreational purposes.

(b) DESCRIPTION OF PROPERTY.—The exact acreage, location, and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the official making the conveyance. The cost of such legal description, survey, or both shall be borne by the District.

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

(d) EFFECTIVE DATE.—This section shall take effect on January 31, 2003.

#### AMENDMENT NO. 413

(Purpose: To require an annual long-range plan for the construction of ships for the Navy)

On page 221, after line 21, insert the following:

#### SEC. 1024. ANNUAL LONG-RANGE PLAN FOR THE CONSTRUCTION OF SHIPS FOR THE NAVY.

(a) FINDINGS.—Congress makes the following findings:

(1) Navy ships provide a forward presence for the United States that is a key to the national defense of the United States.

(2) The Navy has demonstrated that its ships contribute significantly to homeland defense.

(3) The Navy’s ship recapitalization plan is inadequate to maintain the ship force structure that is described as the current force in the 2001 Quadrennial Defense Review.

(4) The Navy is decommissioning ships as much as 10 years earlier than the projected ship life upon which ship replacement rates are based.

(5) The current force was assessed in the 2001 Quadrennial Defense Review as having moderate to high risk, depending on the scenario considered.

(b) ANNUAL SHIP CONSTRUCTION PLAN.—(1) Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§ 231. Annual ship construction plan

“(a) ANNUAL SHIP CONSTRUCTION PLAN.—The Secretary of Defense shall include in the defense budget materials for each fiscal year a plan for the construction of combatant and support ships for the Navy that—

“(1) supports the National Security Strategy; or

“(2) if there is no National Security Strategy in effect, supports the ship force structure called for in the report of the latest Quadrennial Defense Review.

“(b) CONTENT.—The ship construction plan included in the defense budget materials for a fiscal year shall provide in detail for the construction of combatant and support ships for the Navy over the 30 consecutive fiscal years beginning with the fiscal year covered by the defense budget materials and shall include the following matters:

“(1) A description of the necessary ship force structure of the Navy.

“(2) The estimated levels of funding necessary to carry out the plan, together with a discussion of the procurement strategies on which such estimated funding levels are based.

“(3) A certification by the Secretary of Defense that both the budget for the fiscal year covered by the defense budget materials and the future-years defense program submitted to Congress in relation to such budget under section 221 of this title provide for funding ship construction for the Navy at a level that is sufficient for the procurement of the ships provided for in the plan on schedule.

“(4) If the budget for the fiscal year provides for funding ship construction at a level that is not sufficient for the recapitalization of the force of Navy ships at the annual rate necessary to sustain the force, an assessment (coordinated with the commanders of the combatant commands in advance) that describes and discusses the risks associated with the reduced force structure that will result from funding ship construction at such insufficient level.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘budget’, with respect to a fiscal year, means the budget for such fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(2) The term ‘defense budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for such fiscal year.

“(3) The term ‘Quadrennial Defense Review’ means the Quadrennial Defense Review that is carried out under section 118 of this title.”.

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

“231. Annual ship construction plan.”.

#### AMENDMENT NO. 414

(Purpose: To provide for the conveyance of a portion of the Bluegrass Army Depot in Richmond, Kentucky, to Madison County, Kentucky)

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

#### SEC. 2829. LAND CONVEYANCE, BLUEGRASS ARMY DEPOT, RICHMOND, KENTUCKY.

(a) CONVEYANCE AUTHORIZED.—(1) The Secretary of the Army may convey, without consideration, to Madison County, Kentucky (in this section referred to as the “County”), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 10 acres at the Bluegrass Army Depot, Richmond, Kentucky, for the purpose of facilitating the construction of a veterans’ center on the parcel by the State of Kentucky.

(2) The Secretary may not make the conveyance authorized by this subsection unless the Secretary determines that the State of Kentucky has appropriated adequate funds for the construction of the veterans’ center.

(b) REVERSIONARY INTEREST.—If the Secretary determines that the real property conveyed under subsection (a) ceases to be utilized for the sole purpose of a veterans’ center or that reasonable progress is not demonstrated in constructing the center and initiating services to veterans, all right, title, and interest in and to the property shall revert to the United States, and the United States shall have the right of immediate entry onto the property. Any determination under this subsection shall be made on the record after an opportunity for a hearing.

(c) ADMINISTRATIVE EXPENSES.—The Secretary shall apply section 2695 of title 10, United States Code, to the conveyance authorized by subsection (a).

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

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

#### AMENDMENT NO. 415

(Purpose: To extend the authority of the Defense Advanced Research Projects Agency to award prizes for advanced technology achievements)

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

#### SEC. 246. FOUR-YEAR EXTENSION OF AUTHORITY OF DARPA TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

(a) EXTENSION.—Section 2374a(f) of title 10, United States Code, is amended by striking “September 30, 2003” and inserting “September 30, 2007”.

(b) REPORT ON ADMINISTRATION OF PROGRAM.—(1) Not later than December 31, 2002, the Director of the Defense Advanced Research Projects Agency shall submit to the congressional defense committees a report on the proposal of the Director for the administration of the program to award prizes for advanced technology achievements under section 2374a of title 10, United States Code.

(2) The report shall include the following:

(A) A description of the proposed goals of the competition under the program, including the technology areas to be promoted by the competition and the relationship of such area to military missions of the Department of Defense.

(B) The proposed rules of the competition under the program, and a description of the proposed management of the competition.

(C) A description of the manner in which funds for cash prizes under the program will be allocated within the accounts of the Agency if a prize is awarded and claimed.

(D) A statement of the reasons why the competition is a preferable means of promoting basic, advanced, and applied research, technology development, and prototype projects when compared with other means of promotion of such activities, including contracts, grants, cooperative agreements, and other transactions.

#### AMENDMENT NO. 4146

(Purpose: To authorize the provision of space and services for military welfare societies)

At the end of subtitle E of title X, add the following:

#### **SEC. 1065. PROVISION OF SPACE AND SERVICES TO MILITARY WELFARE SOCIETIES.**

(a) **AUTHORITY TO PROVIDE SPACE AND SERVICES.**—Chapter 152 of title 10, United States Code, is amended by adding at the end the following new section:

##### **“§ 2566. Space and services: provision to military welfare societies**

“(a) **AUTHORITY TO PROVIDE SPACE AND SERVICES.**—The Secretary of a military department may provide, without charge, space and services under the jurisdiction of that Secretary to a military welfare society.

“(b) **DEFINITIONS.**—In this section:

“(1) The term ‘military welfare society’ means the following:

“(A) The Army Emergency Relief Society.

“(B) The Navy-Marine Corps Relief Society.

“(C) The Air Force Aid Society, Inc.

“(2) The term ‘services’ includes lighting, heating, cooling, electricity, office furniture, office machines and equipment, telephone and other information technology services (including installation of lines and equipment, connectivity, and other associated services), and security systems (including installation and other associated expenses).”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2566. Space and services: provision to military welfare societies.”.

#### AMENDMENT NO. 4147

(Purpose: To authorize, with an offset, \$5,500,000 for research, development, test, and evaluation for the Army for development of a very high speed support vessel for the Army)

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

#### **SEC. 214. VERY HIGH SPEED SUPPORT VESSEL FOR THE ARMY.**

(a) **INCREASE IN AUTHORIZATION OF APPROPRIATIONS.**—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by \$5,500,000, with the amount of the increase to be allocated to logistics and engineering equipment-advanced development (PE0603804A).

(b) **AVAILABILITY.**—(1) Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by subsection (a), \$5,500,000 may be available for de-

velopment of a prototype composite hull design to meet the theater support vessel requirement.

(2) The amount available under paragraph (1) for development of the hull design referred to in that paragraph is in addition to any other amounts available under this Act for development of that hull design.

(c) **OFFSET.**—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby decreased by \$5,500,000, with the amount of the decrease to be allocated to submarine tactical warfare system (PE0604562N) and amounts available under that program element for upgrades of combat control software to commercial architecture.

#### AMENDMENT NO. 4148

(Purpose: To add \$1,000,000 for Other Procurement, Air Force, for the procurement of technical C-E equipment, Mobile Emergency Broadband System, and to offset the increase by reducing the amount provided for the Navy for other procurement for gun fire control equipment, SPQ-9B solid state transmitter, by \$1,000,000)

On page 23, between lines 12 and 13, insert the following:

#### **SEC. 135. MOBILE EMERGENCY BROADBAND SYSTEM.**

(a) **AMOUNT FOR PROGRAM.**—Of the total amount authorized to be appropriated by section 103(4), \$1,000,000 may be available for the procurement of technical communications-electronics equipment for the Mobile Emergency Broadband System.

(b) **OFFSETTING REDUCTION.**—Of the total amount authorized to be appropriated by section 103(4), the amount available under such section for the Navy for other procurement for gun fire control equipment, SPQ-9B solid state transmitter, is hereby reduced by \$1,000,000.

#### AMENDMENT NO. 4149

(Purpose: To add \$1,500,000 for the Air Force for other procurement for base procured equipment for a Combat Arms Training System (CATS) for the Air National Guard, and to offset the increase by reducing the amount provided for the Army for RDT&E for artillery system demonstration and validation (PE 0603854A) by \$1,500,000)

On page 14, line 20, increase the amount by \$1,500,000.

On page 23, line 22, reduce the amount by \$1,500,000.

#### AMENDMENT NO. 4150

(Purpose: To authorize, with an offset, \$100,000 for the Army for activation efforts with respect to the National Army Museum, Fort Belvoir, Virginia)

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

#### **SEC. 305. NATIONAL ARMY MUSEUM, FORT BELVOIR, VIRGINIA.**

(a) **ACTIVATION EFFORTS.**—The Secretary of the Army may carry out efforts to facilitate the commencement of development for the National Army Museum at Fort Belvoir, Virginia.

(b) **FUNDING.**—(1) The amount authorized to be appropriated by section 301(a)(1) for operation and maintenance for the Army is hereby increased by \$100,000.

(2) Of the amount authorized to be appropriated by section 301(a)(1) for operation and maintenance for the Army, as increased by paragraph (1), \$100,000 shall be available to carry out the efforts authorized by subsection (a).

(c) **OFFSET.**—The amount authorized to be appropriated by section 201(1) for research,

development, test, and evaluation for the Army is hereby reduced by \$100,000.

#### AMENDMENT NO. 4151

(Purpose: To authorize, with an offset, \$1,000,000 for research, development, test, and evaluation for the Navy for Force Protection Advanced Technology (PE0603123N) for development and demonstration of a full-scale high-speed permanent magnet generator)

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

#### **SEC. 214. FULL-SCALE HIGH-SPEED PERMANENT MAGNET GENERATOR.**

(a) **INCREASE IN AUTHORIZATION OF APPROPRIATIONS.**—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby increased by \$1,000,000, with the amount of the increase to be allocated to Force Protection Advanced Technology (PE0603123N).

(b) **AVAILABILITY.**—(1) Of the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy, as increased by subsection (a), \$1,000,000 may be available for development and demonstration of a full-scale high-speed permanent magnet generator.

(2) The amount available under paragraph (1) for development and demonstration of the generator described in that paragraph is in addition to any other amounts available in this Act for development and demonstration of that generator.

(c) **OFFSET.**—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby reduced by \$1,000,000, with the amount of the reduction to be allocated to Artillery Systems-Dem/Val (PE0603854A).

#### AMENDMENT NO. 4152

(Purpose: To modify the calculation of back pay for persons who were approved for promotion as members of the Navy and Marine Corps while interned as prisoners of war during World War II to take into account changes in the Consumer Price Index)

At the end of subtitle E of title VI, add the following:

#### **SEC. 655. MODIFICATION OF AMOUNT OF BACK PAY FOR MEMBERS OF NAVY AND MARINE CORPS SELECTED FOR PROMOTION WHILE INTERNED AS PRISONERS OF WAR DURING WORLD WAR II TO TAKE INTO ACCOUNT CHANGES IN CONSUMER PRICE INDEX.**

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

“(3) The amount determined for a person under paragraph (1) shall be increased to reflect increases in cost of living since the basic pay referred to in paragraph (1)(B) was paid to or for that person, calculated on the basis of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.”.

(b) **RECALCULATION OF PREVIOUS PAYMENTS.**—In the case of any payment of back pay made to or for a person under section 667 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 before the date of the enactment of this Act, the Secretary of the Navy shall—

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

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



## AMENDMENT NO. 4153

(Purpose: To require a plan for a five-year program to enhance the measurement and signatures intelligence capabilities of the Federal Government)

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

**SEC. 1035. PLAN FOR FIVE-YEAR PROGRAM FOR ENHANCEMENT OF MEASUREMENT AND SIGNATURES INTELLIGENCE CAPABILITIES**

(a) FINDING.—Congress finds that the national interest will be served by the rapid exploitation of basic research on sensors for purposes of enhancing the measurement and signatures intelligence (MASINT) capabilities of the Federal Government.

(b) PLAN FOR PROGRAM.—(1) Not later than March 30, 2003, the Director of the Central Measurement and Signatures Intelligence Office shall submit to Congress a plan for a five-year program of research intended to provide for the incorporation of the results of basic research on sensors into the measurement and signatures intelligence systems fielded by the Federal Government, including the review and assessment of basic research on sensors for that purpose.

(2) Activities under the plan shall be carried out by a consortium consisting of such governmental and non-governmental entities as the Director considers appropriate for purposes of incorporating the broadest practicable range of sensor capabilities into the systems referred to in paragraph (1). The consortium may include national laboratories, universities, and private sector entities.

(3) The plan shall include a proposal for the funding of activities under the plan, including cost-sharing by non-governmental participants in the consortium under paragraph (2).

## AMENDMENT NO. 4154

(Purpose: To require a report on volunteer services of members of the reserve components in support of emergency response to the terrorist attacks on the World Trade Center and the Pentagon on September 11, 2001)

At the end of subtitle C of title X, insert the following:

**SEC. 1035. REPORT ON VOLUNTEER SERVICES OF MEMBERS OF THE RESERVE COMPONENTS IN EMERGENCY RESPONSE TO THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.**

(a) REQUIREMENT FOR REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on volunteer services described in subsection (b) that were provided by members of the National Guard and other reserve components of the Armed Forces, while not in a duty status pursuant to orders, during the period of September 11 through 14, 2001. The report shall include a discussion of any personnel actions that the Secretary considers appropriate for the members regarding the performance of such services.

(b) COVERED SERVICES.—The volunteer services referred to in subsection (a) are as follows:

(1) Volunteer services provided in the vicinity of the site of the World Trade Center, New York, New York, in support of emergency response to the terrorist attack on the World Trade Center on September 11, 2001.

(2) Volunteer services provided in the vicinity of the Pentagon in support of emergency response to the terrorist attack on the Pentagon on September 11, 2001.

## AMENDMENT NO. 4155

(Purpose: To authorize use of an amount of the authorization of appropriations for RDT&E for the Navy for the aviation-shipboard information technology initiative)

On page 26, after line 22, insert the following:

**SEC. 214. AVIATION-SHIPBOARD INFORMATION TECHNOLOGY INITIATIVE.**

Of the amount authorized to be appropriated by section 201(2) for shipboard aviation systems, up to \$8,200,000 may be used for the aviation-shipboard information technology initiative.

## AMENDMENT NO. 4156

(Purpose: To require the Secretary of the Navy to maintain the scope of the cruiser conversion program for the Ticonderoga class of AEGIS cruisers)

In subtitle C of title I, strike “(reserved)” and insert the following:

**SEC. 121. MAINTENANCE OF SCOPE OF CRUISER CONVERSION OF TICONDEROGA CLASS AEGIS CRUISERS.**

The Secretary of the Navy should maintain the scope of the cruiser conversion program for the Ticonderoga class of AEGIS cruisers such that the program—

(1) covers all 27 Ticonderoga class AEGIS cruisers; and

(2) modernizes the class of cruisers to include an appropriate mix of upgrades to ships’ capabilities for theater missile defense, naval fire support, and air dominance.

## AMENDMENT NO. 4157

(Purpose: To require the Secretary of Defense to expand the Department of Defense program of HIV/AIDS prevention educational activities undertaken in connection with the conduct of United States military training, exercises, and humanitarian assistance in sub-Saharan African countries)

On page 281, between lines 5 and 6, insert the following:

**SEC. 1215. DEPARTMENT OF DEFENSE HIV/AIDS PREVENTION ASSISTANCE PROGRAM.**

(a) EXPANSION OF PROGRAM.—The Secretary of Defense is authorized to expand, in accordance with this section, the Department of Defense program of HIV/AIDS prevention educational activities undertaken in connection with the conduct of United States military training, exercises, and humanitarian assistance in sub-Saharan African countries.

(b) ELIGIBLE COUNTRIES.—The Secretary may carry out the program in all eligible countries. A country shall be eligible for activities under the program if the country—

(1) is a country suffering a public health crisis (as defined in subsection (e)); and

(2) participates in the military-to-military contacts program of the Department of Defense.

(c) PROGRAM ACTIVITIES.—The Secretary shall provide for the activities under the program—

(1) to focus, to the extent possible, on military units that participate in peace keeping operations; and

(2) to include HIV/AIDS-related voluntary counseling and testing and HIV/AIDS-related surveillance.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Of the amount authorized to be appropriated by section 301(a)(22) to the Department of Defense for operation and maintenance of the Defense Health Program, \$30,000,000 may be available for carrying out the program described in subsection (a) as expanded pursuant to this section.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

(e) COUNTRY SUFFERING A PUBLIC HEALTH CRISIS DEFINED.—In this section, the term “country suffering a public health crisis” means a country that has rapidly rising rates of incidence of HIV/AIDS or in which HIV/AIDS is causing significant family, community, or societal disruption.

## AMENDMENT NO. 4158

(Purpose: To set aside \$6,000,000 for the Aerospace Relay Mirror System (ARMS) Demonstration)

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

**SEC. 214. AEROSPACE RELAY MIRROR SYSTEM (ARMS) DEMONSTRATION.**

Of the amount authorized to be appropriated by section 201(3) for the Department of Defense for research, development, test, and evaluation for the Air Force, \$6,000,000 may be available for the Aerospace Relay Mirror System (ARMS) Demonstration.

## AMENDMENT NO. 4159

At the appropriate place insert:  
AMOUNT FOR PROGRAM.—Of the amount authorized to be appropriated by Section 201(2) for research and development, test and evaluation, Navy, \$4,000,000 may be available for requirements development of a littoral ship in Ship Concept Advanced Design PE 0603563N.

OFFSETTING REDUCTION.—Of the total amount authorized to be appropriated by section 201(2) for research and development, test and evaluation, Navy, the amount available for FORCENET in Tactical Command System, PE 0604231N is hereby reduced by an additional \$4,000,000.

## AMENDMENT NO. 4160

(Purpose: To provide for monitoring implementation of the 1979 United States-China Agreement on Cooperation in Science and Technology)

On page 281, between lines 5 and 6, insert the following:

**SEC. 1215. MONITORING IMPLEMENTATION OF THE 1979 UNITED STATES-CHINA AGREEMENT ON COOPERATION IN SCIENCE AND TECHNOLOGY.**

(a) RESPONSIBILITIES OF THE OFFICE OF SCIENCE AND TECHNOLOGY COOPERATION.—The Office of Science and Technology Cooperation of the Department of State shall monitor the implementation of the 1979 United States-China Agreement on Cooperation in Science and Technology and its protocols (in this section referred to as the “Agreement”), and keep a systematic account of the protocols thereto. The Office shall coordinate the activities of all agencies of the United States Government that carry out cooperative activities under the Agreement.

(b) GUIDELINES.—The Secretary of State shall ensure that all activities conducted under the Agreement and its protocols comply with applicable laws and regulations concerning the transfer of militarily sensitive and dual-use technologies.

(c) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than April 1, 2004, and every two years thereafter, the Secretary of State, shall submit a report to Congress, in both classified and unclassified form, on the implementation of the Agreement and activities thereunder.

(2) REPORT ELEMENTS.—Each report under this subsection shall provide an evaluation of the benefits of the Agreement to the Chinese economy, military, and defense industrial base and shall include the following:

(A) An accounting of all activities conducted under the Agreement since the previous report, and a projection of activities to be undertaken in the next two years.

(B) An estimate of the costs to the United States to administer the Agreement within the period covered by the report.

(C) An assessment of how the Agreement has influenced the policies of the People's Republic of China toward scientific and technological cooperation with the United States.

(D) An analysis of the involvement of Chinese nuclear weapons and military missile specialists in the activities of the Joint Commission.

(E) A determination of the extent to which the activities conducted under the Agreement have enhanced the military and industrial base of the People's Republic of China, and an assessment of the impact of projected activities for the next two years, including transfers of technology, on China's economic and military capabilities.

(F) Any recommendations on improving the monitoring of the activities of the Commission by the Secretaries of Defense and State.

(3) **CONSULTATION PRIOR TO SUBMISSION OF REPORTS.**—The Secretary of State shall prepare the report in consultation with the Secretaries of Commerce, Defense, and Energy, the Directors of the National Science Foundation and the Federal Bureau of Investigation, and the intelligence community.

#### AMENDMENT NO. 4161

(Purpose: To require biannual reports on foreign persons who contribute to the proliferation of weapons of mass destruction, and their delivery systems, by countries of proliferation concern)

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

#### **SEC. 1035. BIANNUAL REPORTS ON CONTRIBUTIONS TO PROLIFERATION OF WEAPONS OF MASS DESTRUCTION AND DELIVERY SYSTEMS BY COUNTRIES OF PROLIFERATION CONCERN.**

(a) **REPORTS.**—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the President shall submit to Congress a report identifying each foreign person that, during the six-month period ending on the date of such report, made a material contribution to the development by a country of proliferation concern of—

- (1) nuclear, biological, or chemical weapons; or
- (2) ballistic or cruise missile systems.

(b) **FORM OF SUBMITTAL.**—(1) A report under subsection (a) may be submitted in classified form, whether in whole or in part, if the President determines that submittal in that form is advisable.

(2) Any portion of a report under subsection (a) that is submitted in classified form shall be accompanied by an unclassified summary of such portion.

(c) **DEFINITIONS.**—In this section:

- (1) The term "foreign person" means—
  - (A) a natural person that is an alien;
  - (B) a corporation, business association, partnership, society, trust, or any other non-governmental entity, organization, or group that is organized under the laws of a foreign country or has its principal place of business in a foreign country;

(C) any foreign governmental entity operating as a business enterprise; and

(D) any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).

(2) The term "country of proliferation concern" means any country identified by the Director of Central Intelligence as having engaged in the acquisition of dual-use and other technology useful for the development or production of weapons of mass destruction (including nuclear, chemical, and biological weapons) and advanced conventional munitions in the most current report under section 721 of the Combatting Proliferation of

Weapons of Mass Destruction Act of 1996 (title VII of Public Law 104-293; 50 U.S.C. 2366), or any successor report on the acquisition by foreign countries of dual-use and other technology useful for the development or production of weapons of mass destruction.

#### AMENDMENT NO. 4162

(Purpose: To commend military chaplains)

On page 258, after line 24, insert the following:

#### **SEC. 1065. COMMENDATION OF MILITARY CHAPLAINS.**

(a) **FINDINGS.**—Congress finds the following:

(1) Military chaplains have served with those who fought for the cause of freedom since the founding of the Nation.

(2) Military chaplains and religious support personnel of the Armed Forces have served with distinction as uniformed members of the Armed Forces in support of the Nation's defense missions during every conflict in the history of the United States.

(3) 400 United States military chaplains have died in combat, some as a result of direct fire while ministering to fallen Americans, while others made the ultimate sacrifice as a prisoner of war.

(4) Military chaplains currently serve in humanitarian operations, rotational deployments, and in the war on terrorism.

(5) Religious organizations make up the very fabric of religious diversity and represent unparalleled levels of freedom of conscience, speech, and worship that set the United States apart from any other nation on Earth.

(6) Religious organizations have richly blessed the uniformed services by sending clergy to comfort and encourage all persons of faith in the Armed Forces.

(7) During the sinking of the USS *Dorchester* in February 1943 during World War II, four chaplains (Reverend Fox, Reverend Poling, Father Washington, and Rabbi Goode) gave their lives so that others might live.

(8) All military chaplains aid and assist members of the Armed Forces and their family members with the challenging issues of today's world.

(9) The current war against terrorism has brought to the shores of the United States new threats and concerns that strike at the beliefs and emotions of Americans.

(10) Military chaplains must, as never before, deal with the spiritual well-being of the members of the Armed Forces and their families.

(b) **COMMENDATION.**—Congress, on behalf of the Nation, expresses its appreciation for the outstanding contribution that all military chaplains make to the members of the Armed Forces and their families.

(c) **PRESIDENTIAL PROCLAMATION.**—The President is authorized and requested to issue a proclamation calling on the people of the United States to recognize the distinguished service of the Nation's military chaplains.

#### AMENDMENT NO. 4163

(Purpose: To grant a Federal charter to Korean War Veterans Association, Incorporated)

At the end of subtitle E of title X, add the following:

#### **SEC. 1065. GRANT OF FEDERAL CHARTER TO KOREAN WAR VETERANS ASSOCIATION, INCORPORATED.**

(a) **GRANT OF CHARTER.**—Part B of subtitle II of title 36, United States Code, is amended—

- (1) by striking the following:

“CHAPTER 1201—[RESERVED]”; and

- (2) by inserting the following:

#### **“CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED**

**“Sec.**

“120101. Organization.

“120102. Purposes.

“120103. Membership.

“120104. Governing body.

“120105. Powers.

“120106. Restrictions.

“120107. Duty to maintain corporate and tax-exempt status.

“120108. Records and inspection.

“120109. Service of process.

“120110. Liability for acts of officers and agents.

“120111. Annual report.

#### **“§ 120101. Organization**

“(a) **FEDERAL CHARTER.**—Korean War Veterans Association, Incorporated (in this chapter, the ‘corporation’), incorporated in the State of New York, is a federally chartered corporation.

“(b) **EXPIRATION OF CHARTER.**—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) expires.

#### **“§ 120102. Purposes**

“The purposes of the corporation are as provided in its articles of incorporation and include—

“(1) organizing, promoting, and maintaining for benevolent and charitable purposes an association of persons who have seen honorable service in the Armed Forces during the Korean War, and of certain other persons;

“(2) providing a means of contact and communication among members of the corporation;

“(3) promoting the establishment of, and establishing, war and other memorials commemorative of persons who served in the Armed Forces during the Korean War; and

“(4) aiding needy members of the corporation, their wives and children, and the widows and children of persons who were members of the corporation at the time of their death.

#### **“§ 120103. Membership**

“Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

#### **“§ 120104. Governing body**

“(a) **BOARD OF DIRECTORS.**—The board of directors of the corporation, and the responsibilities of the board of directors, are as provided in the articles of incorporation of the corporation.

“(b) **OFFICERS.**—The officers of the corporation, and the election of the officers of the corporation, are as provided in the articles of incorporation.

#### **“§ 120105. Powers**

“The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

#### **“§ 120106. Restrictions**

“(a) **STOCK AND DIVIDENDS.**—The corporation may not issue stock or declare or pay a dividend.

“(b) **POLITICAL ACTIVITIES.**—The corporation, or a director or officer of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

“(c) **LOAN.**—The corporation may not make a loan to a director, officer, or employee of the corporation.

“(d) **CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.**—The corporation may not claim congressional approval, or the authority of the United States, for any of its activities.



**“§ 120107. Duty to maintain corporate and tax-exempt status**

“(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

“(b) TAX-EXEMPT STATUS.—The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

**“§ 120108. Records and inspection**

“(a) RECORDS.—The corporation shall keep—

“(1) correct and complete records of account;

“(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and

“(3) at its principal office, a record of the names and addresses of its members entitled to vote on matters relating to the corporation.

“(b) INSPECTION.—A member entitled to vote on matters relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

**“§ 120109. Service of process**

“The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the Corporation.

**“§ 120110. Liability for acts of officers and agents**

“The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

**“§ 120111. Annual report**

“The corporation shall submit an annual report to Congress on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.”

(b) CLERICAL AMENDMENT.—The table of chapters at the beginning of subtitle II of title 36, United States Code, is amended by striking the item relating to chapter 1201 and inserting the following new item:

“1201. Korean War Veterans Association, Incorporated .....120101”.

AMENDMENT NO. 4136

Mr. SANTORUM. Mr. President, I would like to note that the Senate authorizes \$1.0M for efforts designed to enhance the development of key enabling robotics technologies that will support Army, Navy and Air Force transformational programs. These efforts will leverage and coordinate capabilities that exist in the federal government, industry, academia and not-for-profit entities.

The Department of the Army has embarked on a new and ambitious program to develop a Future Combat System (FCS). Robotic and unmanned systems are expected to play a role in the platforms that are developed to support this Objective Force initiative. In addition to FCS, the Air Force and the Navy are pursuing the development of unmanned aircraft and, in the case of the Navy, underwater unmanned platforms.

These funds are to be used to begin work and continue work on key robotics technologies that are identified by the Department of Defense and mili-

tary services as essential to achieving transformational or leap ahead capabilities.

Currently, there is no single coordinated service-wide robotics initiative that will support military efforts to transform. The authorized funds would begin the process of advanced product development, prototype development, product testing, demonstration, and validation projects for defense-related unmanned and/or robotic platforms.

AMENDMENT NO. 4138

Mr. ROBERTS. Mr. President, I commend Ranking Member WARNER for his stewardship of the FY 2003 defense budget process in the Senate. We face many challenges to our national security in this day and age and I am thankful for his leadership. One of those emerging challenges we face is the terrorist threat to our food supply, specifically U.S. agriculture. On the federal, state, and local level, we need to establish procedures to detect, deter, and respond to large scale coordinated attacks against livestock and agricultural commodities. Toward that end, I ask the Senate to support my amendment to authorize, with an offset, \$1,000,000 for research, development, test, and evaluation, for basic research for the chemical and biological defense program (PE 0601384BP) for research, analysis, and assessment of efforts to counter possible agroterrorist attacks. It is my hope that universities with established expertise in the agricultural sciences can conduct studies and exercises that lead to better coordination between federal, state, and local authorities as they attempt to detect, deter, and respond to large scale coordinated attacks on U.S. agriculture. Most importantly, I envision universities assisting the Department of Defense in determining what role—if any—our military or defense agencies play in countering agroterrorism. I ask my colleagues to support my amendment. I thank the chair.

AMENDMENT NO. 4160

Mr. BYRD. Mr. President, the Fiscal Year 2002 Defense Appropriations Act directed the State Department to study and report on the United States-People's Republic of China Science and Technology Agreement of 1979, and its protocols. The Agreement has been the basis for nearly a quarter century of science and technology transfers from the U.S. to China by twelve agencies of our government.

While the Cox Report of 1999 detailed how private companies in the United States have transferred technologies that have aided the development of China's military, up until now there has never been an assessment of the joint scientific activities between the governments of the U.S. and China. As the report on the science and technology agreement states, this report “is the first major analysis of the agreement in nearly 25 years and is intended to provide a comprehensive review of the agreement, its protocols, and their impact on the Chinese econ-

omy, military, and defense industrial base.”

The report, which was developed in close consultation with the U.S.-China National Security Review Commission, has been delivered to Congress. It is in both an unclassified form, with an executive summary and voluminous annexes, and in classified form, which is available in S-407 in the Capitol for my colleagues to review.

There are several troubling aspects of this report.

It makes clear, for example, that there is no coordinating mechanism to oversee the activities undertaken by the twelve agencies and dozens of offices and bureaus of our government that are carrying out the 1979 Agreement with China. In fact, the report, noting certain changes to the State Department bureaucracy in 1996, “there has been no mechanism within the U.S. Government since then to keep a systematic account of protocols under the U.S.-China Science and Technology Agreement.” Furthermore, this report was reportedly the first time that the intelligence community has had an opportunity to evaluate the range of programs that are underway.

According to the State Department, we have spent an average of \$5 million in taxpayer funds over each of the last five years to carry out this Agreement and its protocols, yet there is no single office in our government that oversees the spider's web of the technology exchange programs that have spun from it.

The report fails to fully analyze the impact of the science and technology exchange programs on the development of Chinese military power. While it argues that the development of China's industrial and military power has been based primarily on its economic growth and its general efforts to acquire technology from the West, the State Department also states that “the degree to which cooperative science and technology activities conducted under the Agreement may have contributed to China's economic and military growth is difficult to assess.” That amounts to, at the very least, a mixed message.

The report also notes that there is no regular reporting requirement to Congress on the range and types of programs that are carried out under the Science and Technology Agreement. This lack of reporting indicates that no one is paying very much attention to what activities we are undertaking with regard to the Agreement. Just who is minding the store? Is anyone in the Executive Branch truly concerned with these technology transfer programs? Or is this Agreement considered just another means to smooth over the inevitable hiccups in relations between our countries?

Finally, to no surprise, the State Department provided no recommendations for improving the monitoring of the Science and Technology Agreement. In essence, the report argues

that whatever technology and scientific knowledge China might have gained through cooperative programs with the United States pales in comparison to the knowledge China has gained through other channels. The report points to the number of Chinese students studying in U.S. universities, China's investment policies, and scientific agreements with other countries as other routes for technology transfer.

The State Department's contention is akin to arguing that the Chinese are gorging so heartily on science and technology through universities, private industry, and other countries, that another few morsels from Uncle Sam cannot be very important. Ridiculous!

As a result of this analysis, the State Department's principal recommendation is to "allow the Agreement to operate, as heretofore, without the encumbrance of any special monitoring mechanism, which we," referring to the State Department, "do not believe is either necessary or desirable."

I do not think that it is going out on a limb to suggest that the U.S.-China Science and Technology Agreement has been used as a balm to soothe the sore spots of our bilateral relations. As the State Department report says, "In April 2001, at the height of the EP-3 plane incident, the U.S. and China quietly renewed the Science and Technology Agreement despite the severe chill in political/economic relations resulting from this diplomatic confrontation."

It is astounding to note that in the very same month that a Chinese fighter jet crashed into one of our reconnaissance airplanes in international airspace, and the same month that China detained our military personnel after executing an emergency landing at a Chinese airfield, we "quietly" renewed this significant bilateral agreement. I wonder if the Secretary of Defense was aware of the renewal of this agreement at that time? I wonder if the President knew about it?

Mr. President, I do not think that it is wise to view the transfer of advanced technology and scientific knowledge as simply a diplomatic tool. The amendment I offer today takes very basic steps to improve oversight of the 1979 Science and Technology Agreement. The amendment simply designates the Office of Science and Technology Cooperation in the State Department as responsible for monitoring the Agreement. According to its report, the State Department has not even kept track of the sixty protocols to this Agreement since 1996. This needs to be changed. The amendment also requires the Secretary of State to see that activities carried out under the Agreement are consistent with our laws and regulations that prohibit the transfer of sensitive technology.

Further, the amendment establishes a reporting requirement so that the State Department will inform Congress

every two years on what activities have taken place under the Agreement. As I stated earlier, the State Department report released in May 2002 was the first-ever comprehensive assessment of the implementation of the 1979 U.S.-China Science and Technology Agreement. It does not make sense to wait another 23 years for the next assessment.

Mr. President, China is embarking on a substantial military buildup. They are using technologies that have been acquired from a vast number of sources. It is hard to believe that our own government has been cooperating with China in exchanging scientific information that has the potential, in the words of the State Department, to facilitate China's military research programs. My amendment takes very simple steps to make sure that the government-to-government scientific exchanges that take place are focused on peaceful uses of technology. I urge my colleagues to support the amendment.

Mr. REID. Mr. President, let me say that there has been a tremendous amount of work done today. I know we were in long quorum calls and people could not see the work that has been done. But one very important amendment dealing with national missile defense was completed. That was done by voice vote after many hours of work. Then, today and this evening, staff, with Senators Warner and Levin, have approved almost 50 amendments. So this very important bill is on the way toward being completed.

We are going to vote in the morning on cloture. People will have to deal with germane amendments after that. But I just want to spread on the RECORD comments about the work done by the staffs, today and tonight, and the two managers of the bill.

Mr. WARNER. Mr. President, if I might address the Senate, I wish to express my appreciation to the distinguished majority whip. We did succeed on missile defense, but it could not have been done without the cooperation of the majority leader, the Republican leader, yourself, and our distinguished chairman, who departed a few minutes or so ago.

We did achieve a good deal of work. I am confident that tomorrow, with the support of all the Senators, we will achieve a landmark bill on behalf of the men and women in the armed services of this great Nation.

I thank all Members, and particularly the Presiding Officer for his patience and guidance throughout the day, and the Senate staff.

I thank my distinguished colleague and friend.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

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

#### CORPORATE RESPONSIBILITY

Mr. DURBIN. Mr. President, this morning's Wall Street Journal, on the front page, alerts us that WorldCom admits a \$3.8 billion error in its accounting. "The Firm Ousts Financial Chief and Struggles for Survival; SEC Probe Likely to Widen."

As I come to the floor of the Senate this afternoon, the news from the stock market is not encouraging. But it hasn't been encouraging for a long period of time. At least since the Enron scandal we have been dealing not just with recession but with what we must term a crisis in corporate responsibility.

It is hard to imagine the ultimate impact this will have on average Americans and their families, let alone other businesses. But it really calls into question the responsibility and role of the Federal Government to respond to this crisis in corporate responsibility.

Very soon, we will be considering legislation reported from the Banking Committee that will seek to address some of the most glaring problems in corporate governance in America today. It is talking about the role of accounting firms that are serving both as consultants and auditors—in a dual and sometimes conflicting capacity—that will establish standards for regulation of accounting firms so there is more credibility in their findings for the American public. It will address a number of other areas, such as strengthening the SEC. I believe all of these things are long overdue.

When we return from the Fourth of July recess, the Senate will be addressing this issue. There will be differences of opinion. There will be some who will come to the floor and you will hear the debate. Some will argue to leave business alone, Government should not meddle. Yet the fact is that unless Government steps in in this situation offering sound advice, counsel, and regulation, we are going to continue to see this crisis in America's confidence in corporate institutions. There was a day when the robber barons ruled in America. Corporations, frankly, cared little or nothing about public opinion. The richest people in America were very powerful here on Capitol Hill. Those days harken back to the era of Teddy Roosevelt, a Republican who came in and said: We are going to have an anti-trust law and we are going to establish the agencies that we need to make certain business is regulated.

About 35 years later, along came a relative, Franklin Roosevelt, facing a recession which led to a depression, which again called into question whether Government was doing enough to regulate business. His decision to create the SEC and other key agencies restored confidence in American business.